2001

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY

MINUTES

MEMBERSHIP
JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

Rep. Bill Culpepper

Rep. Philip Haire

Rep. Wayne Goodwin

Rep. John Hall

Rep. Larry Justus

Rep. Joe Kiser

Rep. Wayne Sexton

Sen. Luther Jordan

Sen. Frank Ballance

Sen. Tony Rand

Sen. Stan Bingham

Sen. Dan Clodfelter

Sen. Scott Thomas

Ex Officio House Members

Rep. Joe Hackney

Rep. Phillip Baddour

Rep. Andrew Dedmon

Rep. Beverly Earle

Rep. Pete Cunningham

Staff

Fiscal Research – Jim Mills, Kelly Little, Denise Thomas and Elisa Wolper
Lisa Robinson

Bill Drafting – Sean Dail and Beth Barnes Braswell

Committee Assistants – Sara Jane Lennard – House
Gloria Haywood - Senate

ATTENDANCE

Appropriations Subcommittee on Justice & Public Safety

(Name of Committee)

DATES	2/21/01	2/27/01 8:30a.m.	2/27/01 1:30p.m.	3/01/01	3/07/01 8:30	3/07/01 1:30	3/14/01 8:30	3/14/01 1:30	3/21/01 8:30	3/27/01 8:30	3/27/01 1:00	3/29/01	4/4/01 8:30	4/4/01 1:30	
HOUSE															
CULPEPPER, Bill CHAIR	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
HAIRE, Phil CHAIR	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
GOODWIN, Wayne	✓	✓		✓			✓	✓		✓		✓	✓	✓	
HALL, John	✓	✓		✓	✓		✓	✓	✓	✓		✓	✓	✓	
JUSTUS, Larry	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
KISER, Joe	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
SEXTON, Wayne	✓	✓		✓	✓		✓		✓	✓	✓	✓	✓	✓	
SENATE															
JORDAN, Luther CHAIR	✓	✓	✓	✓			✓		✓	✓	✓		✓		
BINGHAM, Stan RANKING MINORITY MEMBER		✓	✓	✓			✓		✓	✓	✓	✓	✓	✓	
BALLANCE, Frank VICE CHAIR	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
CLODFELTER, Dan		✓		✓	✓		✓		✓			✓	✓		
THOMAS, Scott	✓	✓	✓	✓	✓		✓		✓			✓			
RAND, Tony	✓	✓										✓			
Ex-Officio															
HACKNEY, Joe – Speaker Pro Tempore			✓												
BADDOUR, Phil – Majority Leader															
DEDMON, Andrew – Majority Whip															
EARLE, Beverly – Majority Whip															
CUNNINGHAM, W. Pete Designated Member															

ATTENDANCE

Appropriations Subcommittee on Justice & Public Safety

(Name of Committee)

DATES	4/10/01 8:30	4/19/01 1:30	4/12/01	4/17/01 8:30	4/18/01	4/19/01	5/9/01	6/6/01	6/7/01	6/12/01 a.m.	6/12/01 p.m.	6/13/01	6/22/01		
HOUSE															
CULPEPPER, Bill CHAIR	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
HAIRE, Phil CHAIR	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓		
GOODWIN, Wayne		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
HALL, John	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		
JUSTUS, Larry	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓			
KISER, Joe	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
SEXTON, Wayne	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
SENATE															
JORDAN, Luther CHAIR	✓	✓	✓	✓	✓	✓									
BINGHAM, Stan RANKING MINORITY MEMBER	✓	✓	✓	✓		✓	✓								
BALLANCE, Frank VICE CHAIR	✓	✓	✓	✓	✓	✓	✓								
CLODFELTER, Dan		✓					✓								
THOMAS, Scott	✓		✓	✓	✓	✓									
RAND, Tony		✓	✓	✓											
Ex-Officio															
HACKNEY, Joe – Speaker Pro Tempore															
BADDOUR, Phil – Majority Leader															
DEDMON, Andrew – Majority Whip															
EARLE, Beverly – Majority Whip															
CUNNINGHAM, W. Pete Designated Member								✓							

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

February 21, 2001
8:30 a.m
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative R. Phillip Haire, Presiding
Representative Bill Culpepper

II. PRESENTATIONS

- Opening Remarks by Chairs

- Introduction of Members, Staff, and Agency Representatives

- Overview of Appropriations Process
  Jim Mills, Fiscal Staff
  JIM HAS A HANDOUT HE WILL USE
  CHAIRS MAY WANT TO COMMENT ON THIS YEAR's PROCESS—ZERO BASED APPROACH

- Overview of Justice & Public Safety Agencies
  Jim Mills, Fiscal Staff
  THIS WILL BE A POWER POINT PRESENTATION

- Tentative Schedule
  T/W/TH at 8:30am in room 415 in general
  May be after-session meetings later in session
  Thurs February 22nd: Overview of Structured Sentencing and Juvenile Justice Reform
  Tues Feb 27th: Overview of Justice & Public Safety Technology Systems
  Wed Feb 28: Begin Review of Department of Correction

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Thursday, February 21, 2001,** at 8:30 a.m. in Room 415 of the Legislative Office Building. . Four (4) Senators were present. The following members of the House were present:

Rep. Phillip Haire	Rep. Bill Culpepper
Rep. Wayne Goodwin	Rep. John Hall
Rep. Larry Justus	Rep. Joe Kiser
Rep. Wayne Sexton	

A visitor's registration sheet is attached.

Representative Phillip Haire called the meeting to order with a welcome and introduction of members, staff, and Pages.

Rep Haire then gave a brief description of the schedule and procedure for the next few meetings which is always subject to change.

Jim Mills, Fiscal Staff, passed out Handout #1 listing the Fiscal Staff members and Department Assignments, so that members will know who to call with a question on a particular subject. Senator Ballance asked if a running total of fiscal notes was being kept and was told by Mr. Mills that yes, a spreadsheet was kept on Bills introduced and ratified and how many beds were added to the prison system.

Mr. Mills then moved on to Handout #2 which starts with the Continuation and Expansion Budget and went through each item.

Rep. Kiser asked if some departments will be hit harder than others. Mr. Mills said that it was his understanding that it is the intention to look at each department equally.

Mr. Mills than gave a Power Point presentation (Handout #3). Mr. Mills answered a question from Sen. Jordan regarding the one time reduction of $500,000, saying that it was in this years' budget.

Rep. Haire commented that the Juvenile Training Center is now called Juvenile Youth Academy. Larry Dix answered a question from Sen. Ballance on where the name came from saying that it better reflects a development program.

Sen. Ballance asked if we were tracking what happens to probation parole numbers? Are they going up or down and how do they fluctuate from year to year. Kelly Little, Fiscal Staff, said it peaked in 1997-98 and was down in 98-99. New projections are not yet available. Sen. Ballance asked if it is because they are being put back in prison. Greg Stahl, Dept. of Correction

Rep. Justice asked if the Indigent Defense fund was still $300 million. Mr. Mills answered yes.

Rep. Kiser asked if the Public Defenders are paid out of the $70 million. Elisa Wolper, Fiscal Staff, answered yes.

Rep. Haire asked if that included legal services? Ms. Wolper answered yes.

Rep. Haire thanked Mr. Mills for the presentation and adjourned the meeting at 9:50.

Rep. R. Phillip Haire
Presiding Committee Chair

Sara Jane Lennard
House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY February 21, 2001
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Cam Covey	BPMHL
Greg McLeod	CCPS
Mike Burke	CCPS
Beth Ray Cannon	CCPS
Steve Jusk	AOC
Bryan Beatty	CCPS
Tye Hunter	IDS
dindohnson	FRD
Larry Dik	DJJDP
Bill Goodwin	GAL/AOC
Robert W. Ridgeway	AOC

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — Feb 21, 2001

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
NELS ROSELAND	OSBPM
Denise A. Sessoms	DOJ
Stephen C. Bryant	DOJ
Julia White	DOJ
[illegible]	DOC
James Bowden	DJJDP
Bill Wilson	NCATL
Helen Liggon	Meck Co.
Steve Shaber	Poyner + Spruill
Eddie Caldwell	NC Sheriffs Assn NC Law Enf. Offi Assn
Anne Wilcox	Legal Services

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — Feb 21, 2001

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Paula A. Wolf	Covenant w/ NC's Children
Crissa P. Porter	Bone and Associates
Mark Benson	Capitol Group

Handout #1
Jul. 21, 2001

FISCAL RESEARCH DIVISION
SUITE 619 LOB
919 733-4910
FAX 919 715-3589

Jim Johnson, Director

JUSTICE AND PUBLIC SAFETY

DEPARTMENT/ASSIGNMENTS	ANALYSTS
Crime Control and Public Safety	Kelly Little
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	
Department of Justice	Denise Thomas
Legal Services	
Citizen's Rights Divison	
Consumer Protection Office	
Environmental Division	
Law Enforcement Services (SBI/DCI)	
State Bureau of Investigation	
Training and Standards	
Justice Academy	
Department of Correction	
Department Management	Jim Mills
Division of Prisons	Jim Mills
Community Corrections	Kelly Little
Adult Probation and Parole	
Parole and Post Release Supervision Commission	
Criminal Justice Partnership Program	
Substance Abuse Treatment Program	Kelly Little
IMPACT (Boot Camps)	Elisa Wolper

JUSTICE AND PUBLIC SAFETY (Continued)

DEPARTMENT/ASSIGNMENTS	ANALYSTS
Judicial System	Elisa Wolper
Supreme Court	
Court of Appeals	
Superior and District Courts	
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/Drug Treatment Court	
Office of Juvenile Justice added in '99-2000	
Department Management	Jim Mills
Training Schools and Detention Centers	Jim Mills
Community Programs (State and Local)	Denise Thomas
Juvenile Crime Prevention Councils (JCPC's)	
Eckerd Wilderness Camps	
Support Our Students Program (SOS)	
Governor's One-on-One Program	
Teen Courts	
Court Counselors	Elisa Wolper
Criminal Justice Info. Network (CJIN)	Denise Thomas
JPS Research Assistant/Fiscal Note Writer for 2001 Session	Lisa Robinson

Handout # 2
Feb. 21, 01

APPROPRIATIONS COMMITTEE PROCESS/ROLE OF STAFF
JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Continuation and Expansion Budget

- **Continuation Budget** is the recommended funding to carry on the operations of programs at the level of support previously approved by the General Assembly. *Allowable increases* from previous funding levels include inflation for certain operating costs, annualizing costs of programs funded part year in the previous fiscal year, and operating funding for newly completed facilities.
- Continuation Budget is normally in two documents:

  (1) Volume 4 of the North Carolina State Budget for (2001-03) already received. This document is the base operating budget completed in December 2000. This budget includes both reductions and increases in the operating budget.

  (2) Governors Recommended Budget Adjustments for 2001-03 next few weeks. This document summarizes reductions to the base operating budget since December 2000, as well as any expansion budget (new) items.

- The Subcommittee reviews the continuation budget of each department and identifies areas for possible budget reduction/increase or policy change.

- Continuation budget process lasts approximately 6 to 8 weeks (2001 Schedule to be determined). Look at all Depts.

- **Modified Zero Based Budgeting Approach in 2001** – Subcommittee will review 2000-01 authorized budget as of December 31, 2000 for each Department, with emphasis on certain expenditure areas (See Attachment 1)

- **Expansion Budget** is normally reviewed by the Subcommittee after the Continuation budget – Expansion includes new programs; expansion of existing programs; or permanently funding programs originally funded as pilots or with one time funding. If there is an this year

- Expansion items include members bills or suggestions; Governor's recommendations; and, expansion requests by the Department of Justice and the Judicial Department, which are submitted separately from the Governors budget.

- **Budget Targets** – Typically, the Subcommittee is given a budget target by the Full Appropriations Chairpersons. The target usually is one figure for a total JPS budget, not a continuation or expansion target.

- **Subcommittee Goal** – Prepare the JPS Budget as represented through the Subcommittee Budget Report and Special Budget Provisions for presentation to full Appropriations.

Role of Fiscal Staff

- **Budget and Policy Analysis** -- Review continuation and expansion budgets for each department with State Budget staff and departmental staff prior to Subcommittee review. Analysts will then highlight for Subcommittee discussion the following in each Department: (1) cost components (staffing, contracts etc) of major programs (2) recent reductions or expansion of these programs; (3) the details of the major budget changes proposed by the Governor for 1999-2001; and, (4) other budgetary or policy options. During this process, analysts will conduct further analysis of budget and policy issues identified by members.

- **"Flagging "** of budget issues – Since votes on budget reductions or increases are generally not taken until later in the subcommittee process, Subcommittee members will **flag** budget items for further information and review. The fiscal staff will keep track of flagged items and go through a final "**Flag**" list when requested by the Subcommittee chairs, usually after all JPS Departments have been reviewed. ***Flag*** *items are different from requests for general information – flag items are those budget items that member (s) of the Subcommittee may wish to consider for reduction or increase.*

- **Special Budget Provisions** – As budget issues are discussed and decisions are considered, members may suggest special language that

directs certain policy actions and/or specifies how budgeted monies are to be used. Bill Drafting staff in consultation with members and fiscal staff draft these "special provisions".

- **Coordination/ Follow-up** -- Fiscal staff also coordinate daily meetings and agenda with subcommittee chairs; develop and track subcommittee schedules for chairs; work with departments and State Budget to answer members' general information requests, both for individual members and for the Subcommittee; and, prepare the Subcommittee budget reports.

- **Fiscal Notes** --JPS Fiscal staff also prepare fiscal notes on all criminal penalty bills since these bills affect prison incarceration rates and on other criminal justice bills if requested. Bulk of fiscal notes

Role of Other Staff

- **General Assembly Bill Drafting Staff** – Besides drafting bills, the staff assist members with research on legal issues affecting Subcommittee deliberations and assist members in writing special budget provisions. Two bill drafters are normally assigned to the JPS subcommittee.

- **Departmental Staff** – Departments will answer member's questions during committee meetings and work with fiscal staff to obtain additional information if needed. Departments may also make presentations on budget issues and on studies required by the General Assembly.

- **Office of State Budget, Planning and Management – OSBPM** will assist members and fiscal staff with information on departmental budgets and programs. The State Planning staff act as a resource on program budgeting and departmental performance measures.

FRD 2/14/01

#1

Joint Appropriations Subcommittees

Modified Zero-Based Budgeting Approach

Committee working with staff

The current year budget shortfall is anticipated to have a significant negative impact on availability in the upcoming fiscal biennium. Previous budget briefings have covered expected funding requirements in the areas of education, Medicaid, debt service, the State Health Plan, and other priorities. Given the magnitude of these items relative to projected revenues, the appropriations subcommittees are asked to implement a new approach to the routine continuation or base budget review.

The modified zero-based budget approach assumes the "zeroing out" of certain programs, line items and funds from the continuation/base budget to permit the subcommittees to hear information from state agencies and nonprofits justifying the continuation of expenditures for these purposes.

As a starting point, the following are subject to this modified zero-based budgeting approach for the 2001-03 biennium. Subcommittees should use the authorized budget as of December 31, 2000.

Targeted

1. New programs or items added to the continuation budget since the 1996 session (including appropriations for the 1996-97 fiscal year)
2. Direct appropriations and grants to nonprofit organizations
3. Contracted personal services (expenditure account 531321) temp employees
4. Miscellaneous contractual services (expenditure account 532199)
5. Rental/lease of equipment (expenditure accounts 532521 to 532525)
6. Travel and other employee expense (expenditure accounts 5327xx)
7. Cellular phone services (expenditure accounts 532814)
8. Furniture and equipment replacement schedules (expenditure accounts 534500 to 534550)
9. Discretionary grants (expenditure accounts 5364AA)
10. Directed grants (expenditure accounts 5366AA)
11. Loans (expenditure accounts 5367AA)
12. Other aids and grants (expenditure accounts 5369AA)
13. Special fund cash balances (2xxxx budget codes)
14. Positions vacant for 6 months or more as of January 23, 2001, the date of Governor Easley's letter to department heads and fiscal officers regarding the current year budget deficit. (**Note**: *This excludes public school teachers and community college faculty, critical law enforcement and public safety positions, and positions responsible for the custody and care of persons for whom the state is responsible*).
15. Budget flexibility, UNC System
16. Performance budgeting program, Community College System
17. Any other programs and expenditures identified by the subcommittees as appropriate for review using a zero-based budget approach. of reviewing the Budget

Subcommittees should also review:

1. The elements of various allocation formulas to determine if changes can be implemented to improve the method and achieve cost savings
2. Agency fees to determine if any increases are appropriate and can be used to off-set operating appropriations
3. Recommendations from GPAC and other audits available

Fiscal Research Division
Budget Development Team

February 15, 2001

Handout #3
Feb. 21, 01

OVERVIEW OF JUSTICE AND PUBLIC SAFETY DEPARTMENTS

Joint Appropriations Subcommittee on
Justice and Public Safety

February 21, 2001

Fiscal Research Division

Justice and Public Safety Departments

- Correction
- Judicial
- Justice
- Juvenile Justice and Delinquency Prevention
- Crime Control and Public Safety

Major JPS Programs

- Correction
  - Prisons
  - Community Corrections (Probation and Parole, Partnership Program (CJPA), Special Programs)
  - Substance Abuse Treatment - also private contract
- Judicial
  - Administrative Office of the Courts
  - Courts – Judges, Clerks of Court
  - District Attorneys
  - Programs (mediation; arbitration, GAL) Guardian ad Litem
  - Indigent Defense (Assigned Cnsl., Public Def.)

Major JPS Programs

- Justice
  - Attorney General
  - SBI
  - Crim. Just. Stds.
- Juvenile Justice & Delinq. Prevention
  - Institutions
  - Community Programs
  - Court Counselors
- Crime Control & Public Safety
  - Law Enforcement (Highway Patrol; ALE; Butner)
  - National Guard
  - Emergency Mgmnt.
  - Victim/Justice Srvc.
  - Commissions

Key Facts – Correction

- 77 State Prisons; 5 contracted Prisons min. custody prisons
- Prison Population: 31,534 (12/31/00)
- Prison Beds today: 32,324 EOC (expanded operating capacity) & 29,061 SOC (standard operating capacity)
- Probat./Parole Population: 112,780 12/31
- Average Daily Cost Per Offender
  - Prison: $63.65 $23,000 per yr.
  - Reg. Probation: $1.89 Intensive: $12.23
  - IMPACT: $71.52 (a day)

Key Facts – Judicial (99-2000)

- Criminal Disposit.: 1,467,762 (91% in Dist. Ct.)
- Non-Criminal Dispositions: 1,260,712
- General Court of Justice Fees: $90.8M
- Personnel: Current and # since 94-95
  - 235 Dist. Ct Judges (+43)
  - 105 Sup Ct. Judges (+12)
  - 717 Magist. (+37)
  - 2,253 Clerks (+325)
  - 434 Asst. D.A.'s (+135)

Key Facts -- Justice

- SBI processes 300,000 criminal background checks annually
- Crim. Justice Stds. certified 32,000 law enforcement, corrections and juvenile justice officers in 99-2000

Key Facts: Juvenile Justice and Delinquency Prevention (99-2000)

- Academy Population: 868 12/31/00 (youth academies) Juvenile offenders
- Academy Beds/Cost: 843/$49,825 per bed per yr.
- Detention Admissions: 7,615 came in
- Detention Beds/Cost : 355 (S & L)/$60,000 State(10) Local(4)
- JCPC Funds: $22.7 M to counties (2000-01)
- Juvenile Complaints at Intake: 44,271
- Juveniles Supervised In Community: 7,790 on 6/30/2000

Key Facts: CCPS

- Highway Patrol
  - 8 Troop HQ/1,417 troopers/399 support personnel
- ALE: 11 Offices/138 employees
- Butner Public Safety: 36 staff provide police and fire protection for 36 square miles in Granville County

Baseline for discussion

authorized

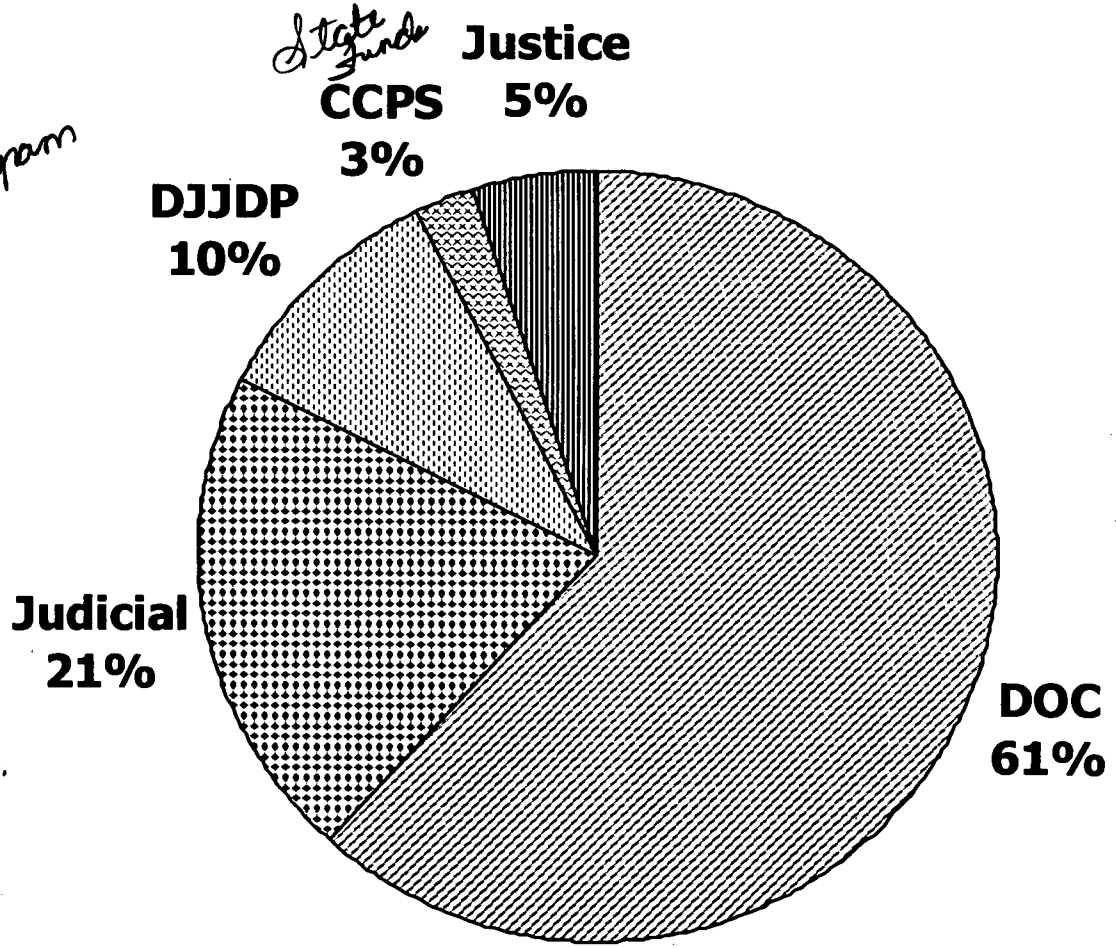
JPS Department Budgets (12/31/00 Authorized Budget) $ in Millions

Net Approp.

DOC	$928
JUD.	$318
JJDP	$147
CCPS	$38
Justice	$77
Total	**$1.5 B**

prison program

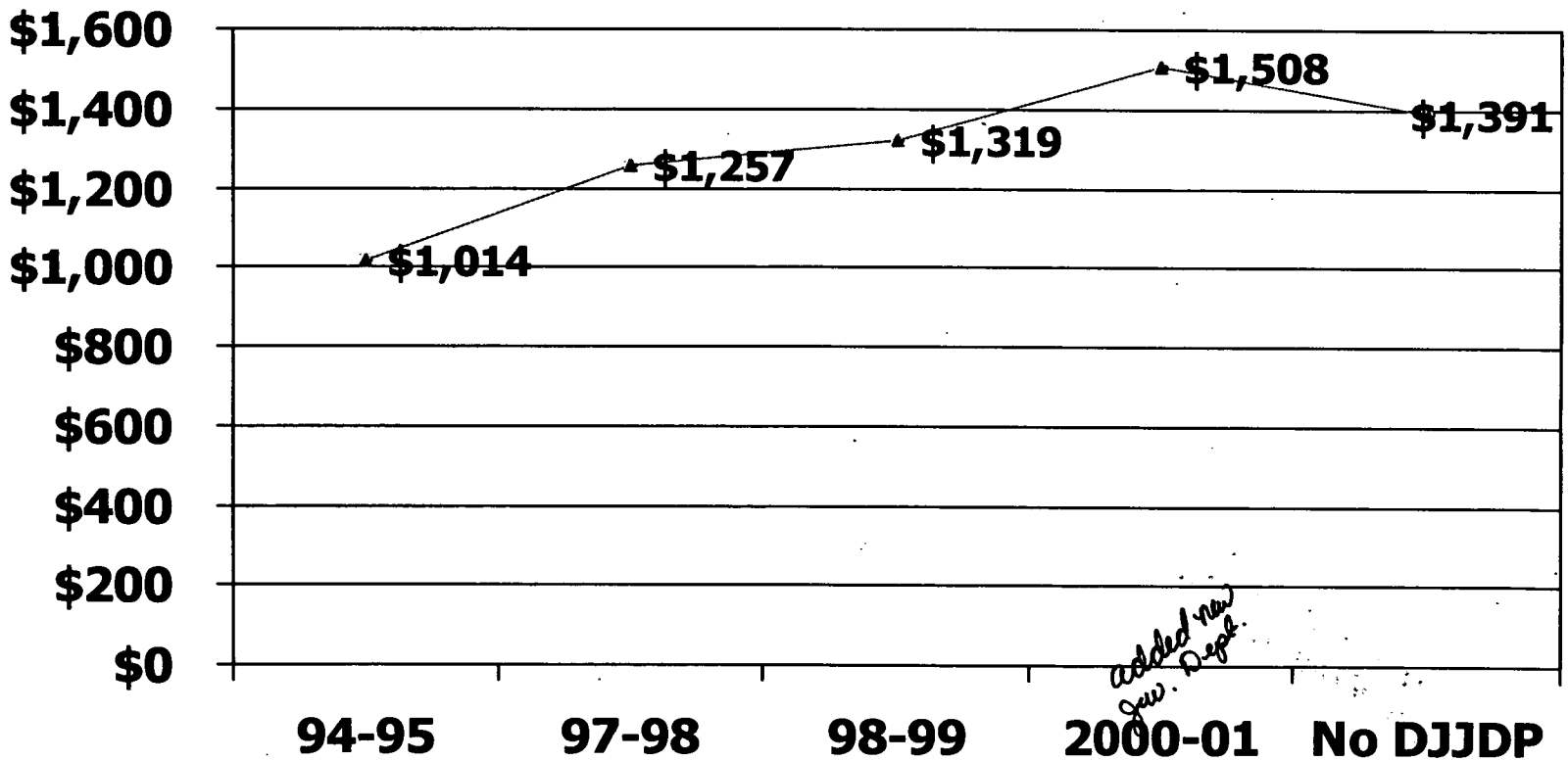
approx.



Growth in JPS Budget (General Fund Expenditures except 2001 authorized)

11% of Total State Budget

$ in Billions



49% growth since 94-95 (State 42%); 20% since 97-98 (state 22%). JPS as % of State Budget in 2001 – 11%

Factors in JPS Budget Trends

Growth happens in every Dept.

- Contin. Budget Adjustments for employee pay increases: 20.7% since 1994-95
- Contin.Budget Adjustments for bringing new prisons on line: 4,500 increase in prison population since 94-95
- Increases in Judicial Staff (940 added since 94-95)
- New Juvenile Justice Department, with expanded resources, shifted to JPS

Factors in JPS Budget Trends*

- Shift in Resources: DOC reductions of $92.9 million approved over 6 sessions while other JPS agencies have increased Recurring
- Increases primarily in Judicial and Juvenile Justice
- Net JPS budget is a reduction of $37 million over 6 sessions

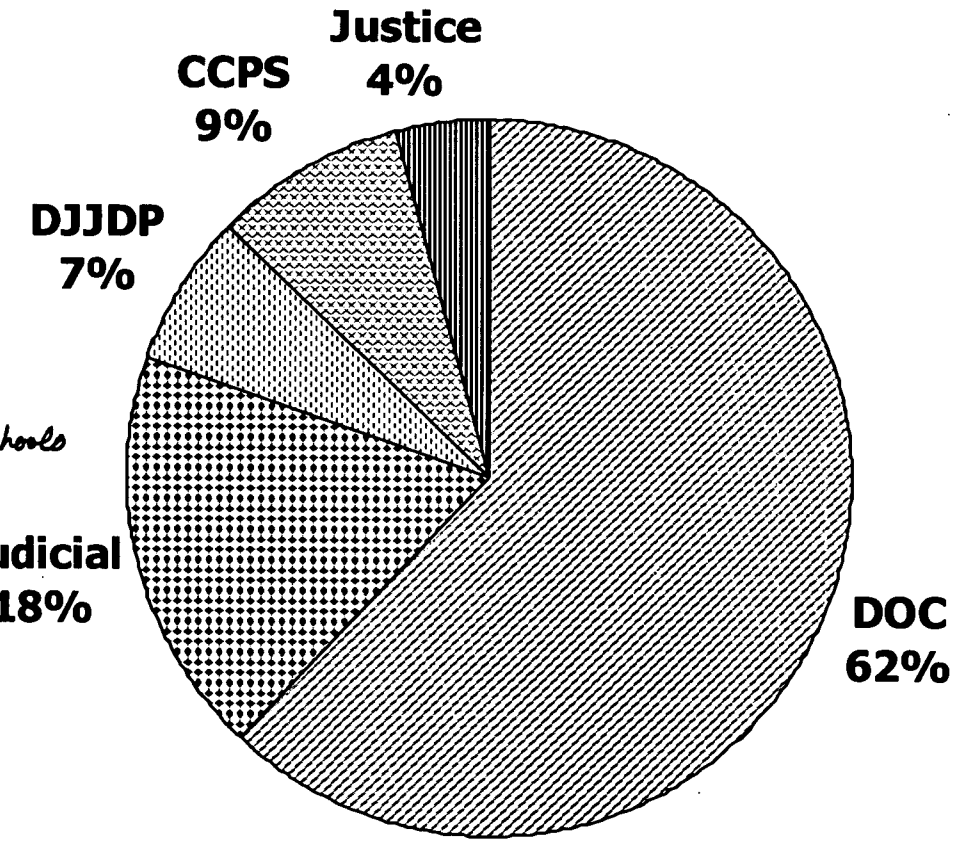
*Changes are to Governor's Recommended Continuation Budget

JPS Authorized Positions FY 2001*

DOC:	18,711
JUDICIAL:	5,461
DJJDP:	2,117
CCPS:	2,591
DOJ:	1,270
Total	**30,150**

over ½ in training schools

much - Highway Patrol



*N.C. State Budget, 2001-03 Continuation Budget Volume 4, JPS

Major JPS Budget Actions 1999 and 2000 General Assembly

- Correction
  - One-time reductions in special funds and operating budget
  - Closed 8 small prisons
  - Authorized RFP for building new prisons
  - Downsized IMPACT Program
  - Reduced Parole Commission and staff
  - Phased in reduction in PPO caseloads

Major JPS Budget Actions -- Judicial

- Court Technology $7.6 million
- Office of Indigent Services created
- 100 New Court Positions including:
  - 29 technology
  - 11 magistrates
  - 9 district court judges and 3 appellate
- Expanded Programs – Family Court and Worthless Check; GAL; Community Mediation

Major JPS Budget Actions -- DJJDP

- $2 million recurring funding for JCPC's
- Operating funds -- 4 multipurpose group homes/Eckerd wilderness camp
- Reduce and reallocate training school staff (some to transportation officers)
- Expand teen courts - -$305,000
- Establish Camp Woodson East
- Automation -- MIS and JNET Funds.

Major JPS Budget Actions --CCPS

- Eliminated Crime Prevention Division/shifted 3 personnel to GCC
- Provided funds for Boxing Commission
- Reduced Crime Victims Compensation Fund (Recurring and NR)
- Expanded National Guard Tuition Funds

Major JPS Budget Actions - Justice

- Criminal Information Systems – phase in mainframe upgrade and fund disaster recovery plan
- Western Justice Academy – Operating Funds
- Tort Claims Section - - 5 new positions
- (6) Forensic Chemists for drug testing

Key JPS Issues for 2001

- Areas for Reduction – Operating? Programs?
- Policy options for growth in prison population
- Growth in inmate medical budget
- Probation and Parole Staffing/Caseloads
- Juvenile Youth Academies
  - Staffing
  - Programs
  - New Beds? Repair and renovation needs

Key JPS Issues 2001 Session

- Allocation of $24 million in JCPC funding for juvenile offenders in community – At-Risk, Court Involved and Adjudicated
- Technology
  - Criminal Justice Info Network (CJIN)
  - Juvenile Information Network (JNET)
  - AOC Technology Developments
- Indigent Defense – New approaches to managing expenditures
- Court Workload and Staffing

Key Issues for JPS 2001 Session

- Crime Victims and Rape Victims Compensation Funds – Shortfall for a couple years needs long term fix
- Emergency Management Staffing and Recommendations of Disaster Recovery Commission

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday February 22, 2001
8:30 a.m
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Overview of Structured Sentencing Act
  Hon. W. Erwin Spainhour, Chair
  NC Sentencing & Policy Advisory Commission

- Overview of the Juvenile Justice Reform Act and Current Law
  Juli Kim, Research & Policy Associate
  NC Sentencing & Policy Advisory Commission

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative Schedule

  Tues Feb 27th: Overview of Justice & Public Safety Technology Systems
  Wed Feb 28: Begin Review of Department of Correction

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
February 22, 2001

The Joint appropriations Subcommittee on Justice and Public Safety met on February 22, 2001 at 8:30 AM in room 415 Legislative Office Building. The meeting was chaired by Senator Luther Jordan. There were six Senators present. The following House Members attended: Rep. Philip Haire, Rep. Wayne Goodwin, Rep. John Hall, Rep. Larry Justus, Rep. Joe Kiser

Mr. W. Erwin Spainhour, chair of the North Carolina Sentencing & Policy Advisory Commission presented an overview of *The Criminal Justice System Prior To Structured Sentencing* (attached). Mr. Spainhour also distributed a *Citizens Guide to Structured Sentencing* (also attached). The sentencing commission currently has 30 members, including Senator Ballance and Representative Justus. There are 32,000 persons currently imprisoned. Structured sentencing cannot work without probation supervision in the community. Under structured sentencing, 34% of felons go to prison but they stay longer.

In response to a question by Senator Thomas, Mr. Spainhour said that probation is revoked in 2/3rds of probationers that do not go to prison. Of that, 1/3rd will be revoked due to violation of probation. In response to Senator Jordan, Susan Katznelson said the sentencing commission does have information regarding drug programs. In response to Senator Clodfelter, predicted revocation numbers are as accurate as the number of prisoners predicted. In response to Rep. Kiser, the 10 year projection is based on the one year statistics.

Ms. Juli Kim gave an overview of the Juvenile Justice Reform Act and Current Law. See handout titled *Juvenile Justice Reform Act of 1998*. Level three is the most severe sanction a youth can get. A youth with a level three sanction goes to training school. Depending on the degree of the felon, a youth can remain in training school until age 21.

Mr. George Sweat said that law enforcement makes the arrests but the juvenile court makes the secure detention custody request. In response to questions, Mr. Sweat said we have seven Eckerd camps. They are an intervention and more severe. The time served could be longer. The Woodson camps are a step down program from training school. Compulsory school attendance laws do not apply to 16 and 17 year olds. The average length of time a juvenile spends in a youth academy is about 300 days. In response to Sen. Ballance, Chief Sweat said district judges deem whom information (juvenile record) can be shared with. In response to Sen. Bingham, if a youth unser 16 is involved in a criminal act, the law enforcement officer completes the petition for custody.

Senator Jordan adjourned the meeting at 9:50AM.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Committee Assistant

THE CRIMINAL JUSTICE SYSTEM PRIOR TO STRUCTURED SENTENCING

- Prison overcrowding
- Federal lawsuits
- Prison cap
- Inmates out of state
- No truth in sentencing
- Revolving door parole policy
- No certainty or consistency in sentencing
- System out of balance and in crisis
- Public confidence eroding

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

- Expert - Thirty members representing all aspects of the criminal justice system.
- Independent - Nonpartisan members appointed by the leaders of all three branches of government.
- Objective - Members perform policy analysis based on empirical information.

DUTIES OF THE SENTENCING COMMISSION

- Classify criminal offenses
- Establish sentencing structures
- Estimate correctional populations
- Develop a comprehensive community corrections strategy
- Monitor and review the criminal justice and corrections system
- Monitor and review the juvenile justice system

PRODUCTS OF THE SENTENCING COMMISSION

COORDINATED SENTENCING AND COMMUNITY CORRECTIONS PLAN

STRUCTURED SENTENCING	⟷	COMMUNITY CORRECTIONS

COMPONENTS OF STRUCTURED SENTENCING

OFFENSE CLASSIFICATION

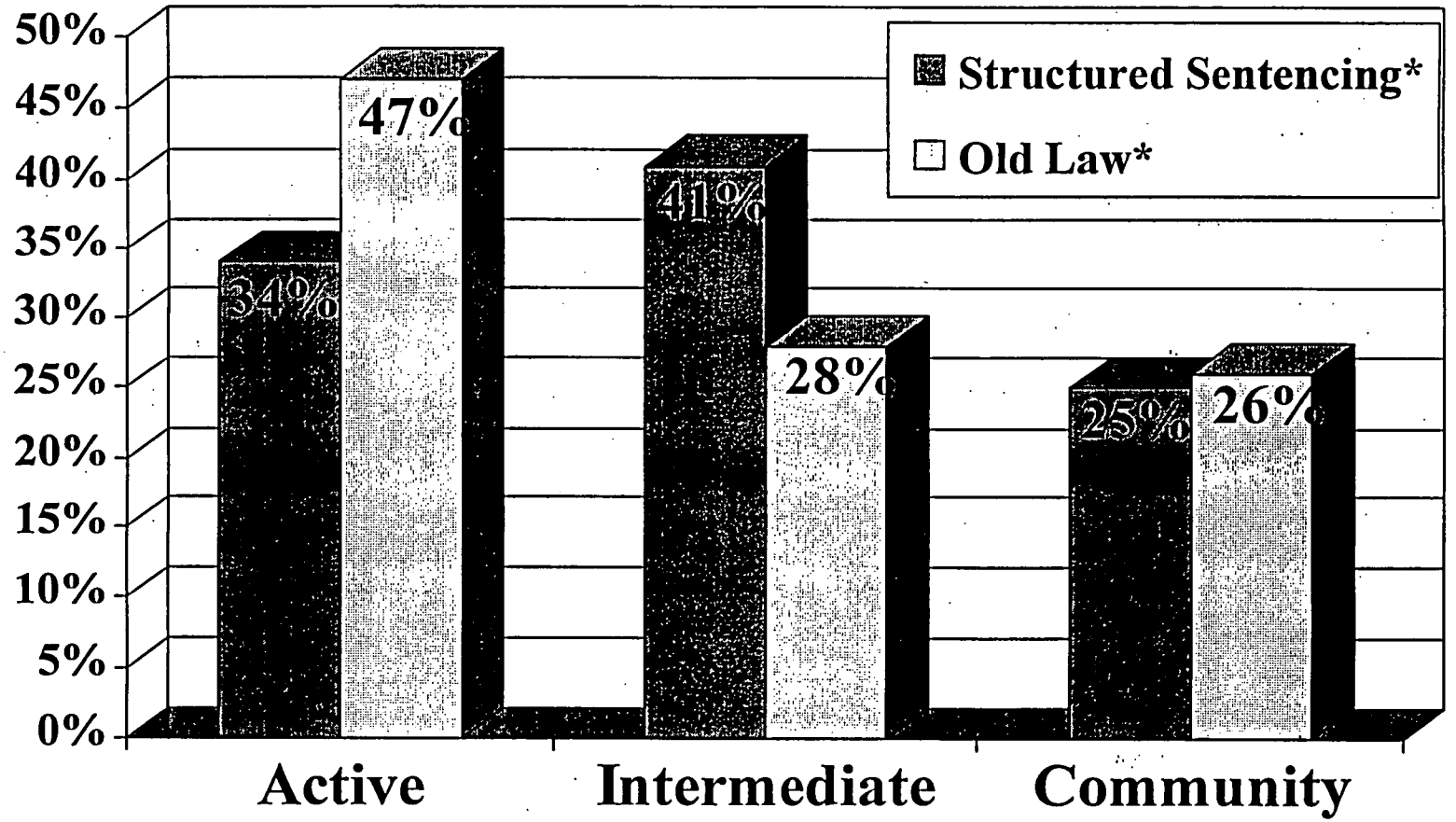
DEFENDANT CLASSIFICATION

DISPOSITIONAL RECOMMENDATIONS

DURATIONAL RECOMMENDATIONS

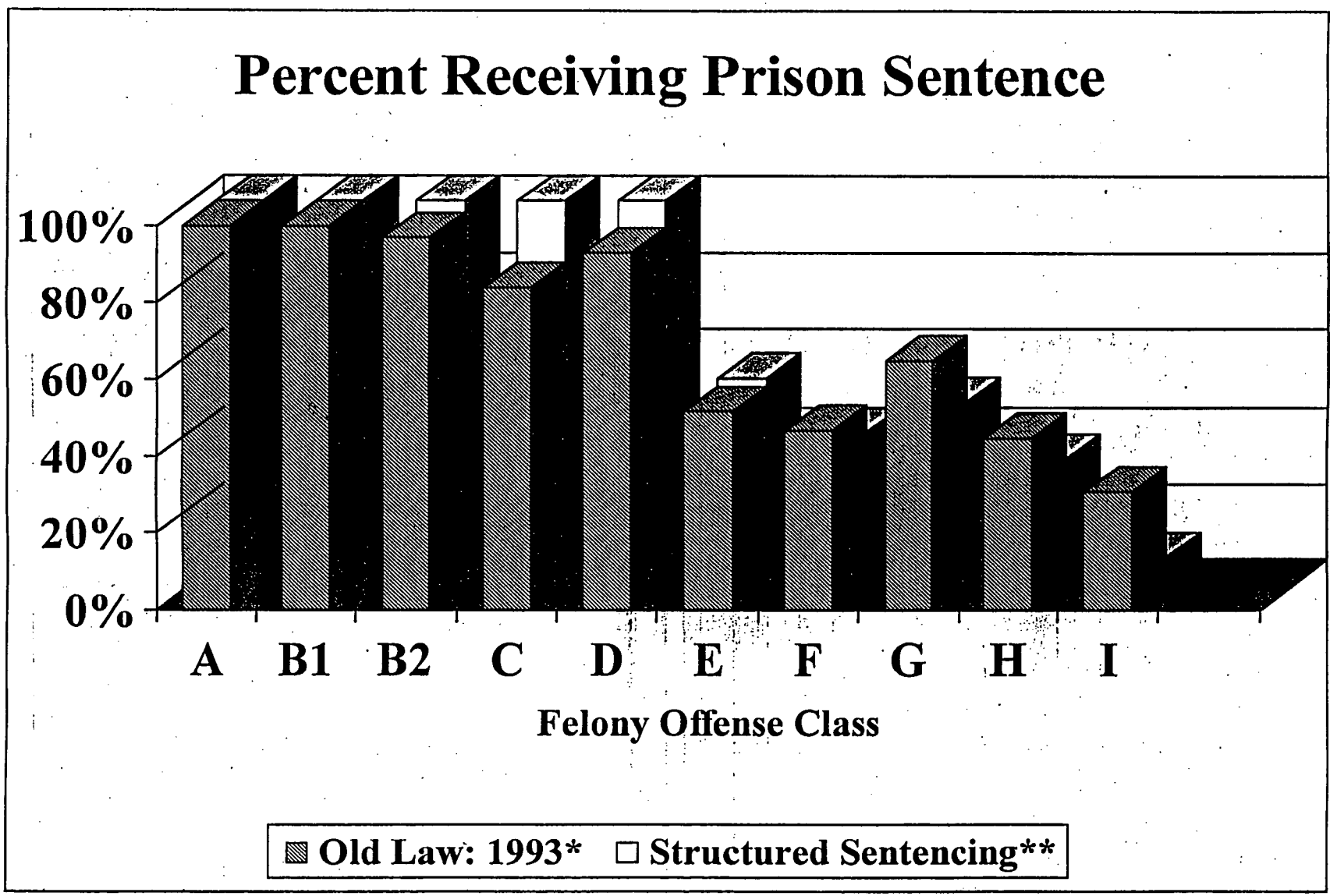
Type of Punishment Imposed

Felons



* SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Data

** SOURCE: 1993 Pre-Structured Sentencing Data



* CY 1993 Fair Sentencing Data

** FY 1998/99 Structured Sentencing Data

SOURCE: NC Sentencing and Policy Advisory Commission

AVERAGE TIME SERVED

Violent Felonies	Non-Violent Felonies
Class A - Life without Parole or Death	Class F - 21 months
Class B1 - 295 months	Class G - 17 months
Class B2 - 198 months	Class H - 10 months
Class C - 101 months	Class I - 8 months
Class D - 77 months	
Class E - 34 months	

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Data

PRINCIPLES OF STRUCTURED SENTENCING

- Set priorities
- Provide underlying rationale for sentencing
- Enhance consistency and certainty in sentencing
- Promote truth in sentencing
- Efficiently use existing resources
- Balance sentencing policies with resources

BENEFITS OF STRUCTURED SENTENCING

- Project future prison populations and develop recommendations to maintain balance between policies and resources
- Project impact of proposed changes to criminal laws
- Study criminal justice related issues
- Develop legislative proposals for improving the criminal justice system
- Apply principles to juvenile justice reform

Effective for Offenses Committed on or after 12/1/95

FELONY PUNISHMENT CHART

OFFENSE SEVERITY

	PRIOR RECORD LEVEL						
	I 0 Pts	II 1-4 Pts	III 5-8 Pts	IV 9-14 Pts	V 15-18 Pts	VI 19+ Pts	
A	Death or Life Without Parole						
B1	A *240-300* **192-240** *144-192*	A *288-360* **230-288** *173-230*	A *336-420* **269-336** *202-269*	A *384-480* **307-384** *230-307*	A *Life Without Parole* **346-433** *260-346*	A *Life Without Parole* **384-480** *288-384*	DISPOSITION *Aggravated Range* PRESUMPTIVE RANGE *Mitigated Range*
B2	A *157 - 196* **125 - 157** *94 - 125*	A *189 - 237* **151 - 189** *114 - 151*	A *220 - 276* **176 - 220** *132 - 176*	A *251 - 313* **201 - 251** *151 - 201*	A *282 - 353* **225 - 282** *169 - 225*	A *313 - 392* **251 - 313** *188 - 251*	
C	A *73 - 92* **58 - 73** *44 - 58*	A *100 - 125* **80 - 100** *60 - 80*	A *116 - 145* **93 - 116** *70 - 93*	A *133 - 167* **107-133** *80 - 107*	A *151 - 188* **121 - 151** *90 - 121*	A *168 - 210* **135 - 168** *101-135*	
D	A *64 - 80* **51 - 64** *38 - 51*	A *77 - 95* **61 - 77** *46 - 61*	A *103 - 129* **82 - 103** *61 - 82*	A *117 - 146* **94 - 117** *71 - 94*	A *133 - 167* **107 - 133** *80 - 107*	A *146 - 183* **117 - 146** *88 - 117*	
E	I/A *25 - 31* **20 - 25** *15 - 20*	I/A *29 - 36* **23 - 29** *17 - 23*	A *34 - 42* **27 - 34** *20 - 27*	A *46 - 58* **37 - 46** *28 - 37*	A *53 - 66* **42 - 53** *32 - 42*	A *59 - 74* **47 - 59** *35 - 47*	
F	I/A *16 - 20* **13 - 16** *10 - 13*	I/A *19 - 24* **15 - 19** *11 - 15*	I/A *21 - 26* **17 - 21** *13 - 17*	A *25 - 31* **20 - 25** *15 - 20*	A *34 - 42* **27 - 34** *20 - 27*	A *39 - 49* **31 - 39** *23 - 31*	
G	I/A *13 - 16* **10 - 13** *8 - 10*	I/A *15 - 19* **12 - 15** *9 - 12*	I/A *16 - 20* **13 - 16** *10 - 13*	I/A *20 - 25* **16 - 20** *12 - 16*	A *21 - 26* **17 - 21** *13 - 17*	A *29 - 36* **23 -29** *17 - 23*	
H	C/I/A *6 - 8* **5 - 6** *4 - 5*	I/A *8 - 10* **6 - 8** *4 - 6*	I/A *10 - 12* **8 - 10** *6 - 8*	I/A *11 - 14* **9 - 11** *7 - 9*	I/A *15 - 19* **12 - 15** *9 - 12*	A *20 - 25* **16 - 20** *12 - 16*	
I	C *6 - 8* **4 - 6** *3 - 4*	C/I *6 - 8* **4 - 6** *3 - 4*	I *6 - 8* **5 - 6** *4 - 5*	I/A *8 - 10* **6 - 8** *4 - 6*	I/A *9 - 11* **7 - 9** *5 - 7*	I/A *10 - 12* **8 -10** *6 - 8*	

Note: A - Active Punishment I - Intermediate Punishment C - Community Punishment
*Numbers shown are in months and represent the range of minimum sentences.

Revised: 08-04-95

FIGURE B: MINIMUM AND MAXIMUM SENTENCES

The corresponding maximum sentence for each minimum sentence is shown in the tables below. In each column, the number to the left of the dash represents the minimum sentence (in months) and the number to the right of the dash represents the corresponding maximum sentence (in months). To calculate a maximum sentence when the minimum sentence is 340 months or more, see G.S. 15A-1340.17(e1).

FOR OFFENSE CLASSES B1 THROUGH E

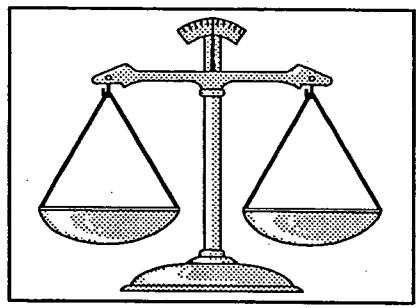
15-27	56-77	97-126	138-175	179-224	220-273	261-323	302-372
16-29	57-78	98-127	139-176	180-225	221-275	262-324	303-373
17-30	58-79	99-128	140-177	181-227	222-276	263-325	304-374
18-31	59-80	100-129	141-179	182-228	223-277	264-326	305-375
19-32	60-81	101-131	142-180	183-229	224-278	265-327	306-377
20-33	61-83	102-132	143-181	184-230	225-279	266-329	307-378
21-35	62-84	103-133	144-182	185-231	226-281	267-330	308-379
22-36	63-85	104-134	145-183	186-233	227-282	268-331	309-380
23-37	64-86	105-135	146-185	187-234	228-283	269-332	310-381
24-38	65-87	106-137	147-186	188-235	229-284	270-333	311-383
25-39	66-89	107-138	148-187	189-236	230-285	271-335	312-384
26-41	67-90	108-139	149-188	190-237	231-287	272-336	313-385
27-42	68-91	109-140	150-189	191-239	232-288	273-337	314-386
28-43	69-92	110-141	151-191	192-240	233-289	274-338	315-387
29-44	70-93	111-143	152-192	193-241	234-290	275-339	316-389
30-45	71-95	112-144	153-193	194-242	235-291	276-341	317-390
31-47	72-96	113-145	154-194	195-243	236-293	277-342	318-391
32-48	73-97	114-146	155-195	196-245	237-294	278-343	319-392
33-49	74-98	115-147	156-197	197-246	238-295	279-344	320-393
34-50	75-99	116-149	157-198	198-247	239-296	280-345	321-395
35-51	76-101	117-150	158-199	199-248	240-297	281-347	322-396
36-53	77-102	118-151	159-200	200-249	241-299	282-348	323-397
37-54	78-103	119-152	160-201	201-251	242-300	283-349	324-398
38-55	79-104	120-153	161-203	202-252	243-301	284-350	325-399
39-56	80-105	121-155	162-204	203-253	244-302	285-351	326-401
40-57	81-107	122-156	163-205	204-254	245-303	286-353	327-402
41-59	82-108	123-157	164-206	205-255	246-305	287-354	328-403
42-60	83-109	124-158	165-207	206-257	247-306	288-355	329-404
43-61	84-110	125-159	166-209	207-258	248-307	289-356	330-405
44-62	85-111	126-161	167-210	208-259	249-308	290-357	331-407
45-63	86-113	127-162	168-211	209-260	250-309	291-359	332-408
46-65	87-114	128-163	169-212	210-261	251-311	292-360	333-409
47-66	88-115	129-164	170-213	211-263	252-312	293-361	334-410
48-67	89-116	130-165	171-215	212-264	253-313	294-362	335-411
49-68	90-117	131-167	172-216	213-265	254-314	295-363	336-413
50-69	91-119	132-168	173-217	214-266	255-315	296-365	337-414
51-71	92-120	133-169	174-218	215-267	256-317	297-366	338-415
52-72	93-121	134-170	175-219	216-269	257-318	298-367	339-416
53-73	94-122	135-171	176-221	217-270	258-319	299-368	
54-74	95-123	136-173	177-222	218-271	259-320	300-369	
55-75	96-125	137-174	178-223	219-272	260-321	301-371	

FOR OFFENSE CLASSES F THROUGH I

3-4	9-11	15-18	21-26	27-33	33-40	39-47	45-54
4-5	10-12	16-20	22-27	28-34	34-41	40-48	46-56
5-6	11-14	17-21	23-28	29-35	35-42	41-50	47-57
6-8	12-15	18-22	24-29	30-36	36-44	42-51	48-58
7-9	13-16	19-23	25-30	31-38	37-45	43-52	49-59
8-10	14-17	20-24	26-32	32-39	38-46	44-53	

A CITIZEN'S GUIDE TO STRUCTURED SENTENCING

(Revised May 1998)



PREPARED BY:

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The Honorable Thomas W. Ross
Chairman

Susan Katzenelson
Executive Director

STRUCTURED SENTENCING

In 1990, the General Assembly created the North Carolina Sentencing and Policy Advisory Commission to make recommendations to restore rationality, order and truth to the criminal justice system. In 1993, the General Assembly reviewed, amended, and adopted the Commission's recommendations. The new law was called structured sentencing and applies to all felony and misdemeanor crimes (except Driving While Impaired) committed on or after October 1, 1994. Subsequent changes to the law were made during the 1995 legislative session and apply to crimes committed on or after December 1, 1995.

Structured sentencing is based on the following principles:

- **Sentencing policies should be rational:** The sentence should be proportional to the severity of the crime as measured by the harm to the victim and the offender's prior record.

- **Sentencing policies should be truthful:** The time actually served in prison or jail should bear a close and consistent relationship to the sentence imposed by the judge. Parole release should be abolished.

- **Sentencing policies should be consistent:** Offenders convicted of similar offenses, who have similar prior records, should generally receive similar sentences.

- **Sentencing policies should set resource priorities:** Sentencing policies should be supported by adequate prison, jail and community-based resources. The use of prisons and jails should be prioritized first for violent and repeat offenders and community-based programs should be first utilized for nonviolent offenders with little or no prior record.

WHAT IS STRUCTURED SENTENCING?

Structured sentencing is a new way of sentencing and punishing criminals in North Carolina. The new law classifies offenders on the basis of the severity of their crime and on the extent and gravity of their prior criminal record. Based on these two factors, structured sentencing provides judges with sentencing options for the type and length of sentences which may be imposed.

WHY WAS STRUCTURED SENTENCING ENACTED?

Structured sentencing is designed to help the State regain control over the criminal justice system and to restore credibility to sentencing. Under structured sentencing, parole is eliminated and truth in sentencing is restored. The new law sets priorities for the use of expensive correctional resources and balances sentencing policies with correctional capacity.

HOW ARE CRIMES CLASSIFIED?

Felony crimes are classified into letter classes (from Offense Class A through Class I) depending on their seriousness. Crimes which involve victim injury or the risk of victim injury are assigned to the highest classes. Property crimes and other crimes which do not normally involve the risk of victim injury are assigned to lower classes. Misdemeanor crimes are classified into four classes (Class A1, Class 1, Class 2 and Class 3). The most serious misdemeanor crimes are in Class A1 and the least serious are in Class 3.

HOW ARE OFFENDERS CLASSIFIED?

Felons are classified into one of six prior record levels (from Prior Record Level I through Level VI) depending on the extent and gravity of their prior record. Felons with violent or extensive prior convictions are assigned to the highest level, while those with no prior convictions are assigned to the lowest level. Misdemeanor offenders are classified into one of three prior conviction levels depending on their number of prior convictions.

HOW IS THE TYPE OF SENTENCE DETERMINED?

Under structured sentencing, there are three types of punishments: active punishments (prison or jail), intermediate punishments, and community punishments. Judges must impose active punishments for felons convicted of crimes which fall in high offense classes or for felons who have high prior record levels. Judges must impose intermediate or community punishments for felons who are convicted of crimes which fall in the lowest offense classes and who also have low prior record levels. For offenders who fall somewhere in between, the judge may elect to impose either an active punishment or an intermediate punishment.

Regardless of their prior record, the judge may impose either active, intermediate or community punishment for offenders convicted of Class A1 misdemeanors. For offenders with no prior record who are convicted of either Class 1, Class 2, or Class 3 misdemeanors, the judge must impose a community punishment. For most other misdemeanants, the judge may impose either an active, intermediate or community punishment.

WHAT IS AN ACTIVE PUNISHMENT?

An active prison sentence requires that felons be incarcerated in the state prison system. It further requires that misdemeanants with sentences over three months be incarcerated in the state prison system and those with sentences less than three months be incarcerated in the county jail.

WHAT IS AN INTERMEDIATE PUNISHMENT?

An intermediate punishment requires the offender to be placed on supervised probation, and the term of probation must include one or more special conditions. These special conditions are boot camp (a regimented military style training program), a split sentence (a stay in jail followed by supervised probation), house arrest with electronic monitoring (confinement to one location and close monitoring through computer technology), intensive supervision (very close supervision and daily monitoring), a residential center (a highly supervised and structured program requiring overnight residence), and a day reporting center (a highly supervised and structured day and evening program). Intermediate punishments are more restrictive and controlling than basic probation but less costly than prison. They generally require offenders to follow strict rules, work, pay restitution, and participate in drug or other types of treatment.

WHAT IS A COMMUNITY PUNISHMENT?

A community punishment is any type of sentence which does not involve prison, jail, or an intermediate punishment. Most people think of this as basic probation. A community punishment may also include fines, restitution, community service and/or substance abuse treatment.

HOW IS THE LENGTH OF THE ACTIVE TERM DETERMINED UNDER STRUCTURED SENTENCING?

For felony convictions under structured sentencing, judges impose both a minimum and a maximum prison term. The length of the minimum and maximum term depends on the offense class, the prior record level, and the presence of any aggravating or mitigating factors. For each combination of felony offense class and prior record level, three sentence ranges are prescribed: a presumptive range for typical cases, an aggravated range for cases where the court finds aggravation, and a mitigated range for cases where the court finds mitigation. The judge selects a minimum prison term from one of these three ranges. Once the minimum term is set, a maximum term is dictated by statute (at least 20% longer than the minimum). For misdemeanor convictions, judges impose a single jail term. For each unique combination of offense class and prior conviction level, the judge selects one term from a sentence range.

HOW MUCH OF THE PRISON TERM MUST BE SERVED?

Under structured sentencing, good time, gain time, and parole are eliminated. Felons sentenced to prison must serve 100% of their minimum term and may serve up to their maximum term if they misbehave, fail to work, or refuse to participate in programs. Upon release, felony offenders convicted of more serious felony offenses must be placed on post-release supervision. Misdemeanants must serve the full jail term unless the Sheriff elects to award earned time of up to four days a month for specific activities.

WHAT IS POST-RELEASE SUPERVISION?

Post-release supervision is a mandatory term of supervision at release from prison for felony Class B1 through E offenses. The offender's behavior is monitored in the community and supervision is provided to help the offender reintegrate into society. The offender may be returned to prison and serve additional time for violating the post-release conditions.

HOW DOES POST-RELEASE SUPERVISION DIFFER FROM PAROLE?

Unlike parole, the offender is not released from prison early. Post-release supervision begins after the offender has served his prison sentence and is released. Like parole supervision, post-release supervision requires the offender to be supervised and monitored in the community.

HAS THE LIKELIHOOD OF IMPRISONMENT CHANGED UNDER STRUCTURED SENTENCING?

Under structured sentencing, imprisonment is mandatory for all felony offenders convicted of crimes which carry high offense classes and/or have high prior record levels. Compared to the past, the probability of going to prison is higher for these violent and/or career criminals. Conversely, offenders convicted of crimes which carry low offense classes and who also have low prior record levels are less likely to go to prison than they did in the past.

HAS THE AMOUNT OF TIME SERVED IN PRISON CHANGED UNDER STRUCTURED SENTENCING?

In most cases, the prison sentence pronounced by the judge sounds shorter than under the old law but the actual time served is longer. Under the old law, the sentence imposed by the judge was reduced by good time, gain time and parole. Under structured sentencing, these early release mechanisms have been eliminated. Compared to the past, the average actual time served in prison is greater for most offenders, especially for violent and career felons.

HOW HAS STRUCTURED SENTENCING AFFECTED PRISON AND JAIL POPULATIONS?

The Sentencing and Policy Advisory Commission uses structured sentencing laws and a computer simulation model to estimate the prison and jail capacity that is needed to make sure sufficient capacity exists to back up the sentence imposed. When current authorized prison construction is completed, the State will have capacity for over 35,000 inmates. Populations are projected to remain within expected prison capacity until the year 2006, at which time, additional prison construction will be necessary to support structured sentencing. Based on a survey of current capacity and planned construction, overall statewide jail capacity should be adequate for the next five years. However, individual counties may experience some jail overcrowding depending on local pretrial and sentencing practices.

As part of Structured Sentencing, North Carolina is increasing its prison capacity from about 21,400 in 1993 to about 35,000 by 2000 and is increasing its statewide jail capacity from about 9,000 in 1993 to over 15,000 by the end of the decade.

HOW ARE COMMUNITY PUNISHMENTS IMPOSED UNDER STRUCTURED SENTENCING?

The active term is suspended if an offender is sentenced to an intermediate or community punishment. However, if these offenders fail to obey conditions required as part of their punishment, they may be held in contempt of court and be incarcerated for up to 30 days in jail, or the judge may activate the sentence. If the prison terms are activated, felony offenders must serve 100% of the minimum term and may serve up to the maximum term; misdemeanor offenders must serve the entire jail sentence unless earned time credits are awarded by the Sheriff. Offenders now know that if they fail to abide by the conditions of their non-prison punishment, they f certain imprisonment.

HOW IS STRUCTURED SENTENCING AFFECTING PUNISHMENTS IN THE COMMUNITY?

Structured sentencing is increasing the number of offenders initially sentenced to intermediate punishments. To handle this increase, the General Assembly funded new probation positions to provide intensive supervision of these offenders. Furthermore, under the "State-County Criminal Justice Partnership Act," counties are eligible to receive grants to develop community corrections programs tailored to local needs.

In 1993 the average felon served less than 20% of the sentence imposed. Under Structured Sentencing, the average felon will serve 100% of the minimum sentence imposed.

PUNISHMENT CHARTS

To determine the punishments options for each offender the judge refers to either the felony or misdemeanor punishment chart shown on the following pages.

Felony Punishment Chart

Offense Class. Along the left side of the chart are ten letters from A through I representing the severity of the crime. Class A includes the most serious felonies while Class I includes the least serious felonies.

Prior Record Level. Along the top of the chart are six roman numerals from I to VI representing the extent and gravity of the offender's prior record. An offender with no prior record falls into Level I, but an offender with a very violent or extensive prior record would fall into Level VI.

Type of Sentence. For each combination of Offense Class and Prior Record Level, one or more letters are indicated. An "A" stands for an active prison term, an "I" stands for an intermediate punishment, and a "C" stands for a community punishment. If more than one letter is shown, the judge may choose either type of punishment.

Length of Sentence. For each combination of Offense Class and Prior Record Level, three sentence ranges are provided. The judge selects a single sentence term from one of the three ranges which establishes the minimum number of months that an offender must serve. The judge also imposes a maximum term which is approximately 20% longer than the minimum term.

Misdemeanor Punishment Chart

A similar chart is used for misdemeanors. However, instead of ten felony classes, there are four misdemeanor classes (A1, 1, 2, and 3); instead of six prior record levels there are three levels (I, II, and III); and instead of three sentences ranges, there is only one. The judge selects a single term from the sentence range which specifies the number of days the offender must serve.

Effective for Offenses Committed on or after 12/1/95

FELONY PUNISHMENT CHART

PRIOR RECORD LEVEL

OFFENSE CLASS	I 0 Pts	II 1-4 Pts	III 5-8 Pts	IV 9-14 Pts	V 15-18 Pts	VI 19+ Pts
A	Death or Life Without Parole					
B1	A *240-300* 192-240 *144-192*	A *288-360* 230-288 *173-230*	A *336-420* 269-336 *202-269*	A *384-480* 307-384 *230-307*	A *Life Without Parole* 346-433 *260-346*	A *Life Without Parole* 384-480 *288-384*
B2	A *157 - 196* 125 - 157 *94 - 125*	A *189 - 237* 151 - 189 *114 - 151*	A *220 - 276* 176 - 220 *132 - 176*	A *251 - 313* 201 - 251 *151 - 201*	A *282 - 353* 225 - 282 *169 - 225*	A *313 - 392* 251 - 313 *188 - 251*
C	A *73 - 92* 58 - 73 *44 - 58*	A *100 - 125* 80 - 100 *60 - 80*	A *116 - 145* 93 - 116 *70 - 93*	A *133 - 167* 107-133 *80 - 107*	A *151 - 188* 121 - 151 *90 - 121*	A *168 - 210* 135 - 168 *101-135*
D	A *64 - 80* 51 - 64 *38 - 51*	A *77 - 95* 61 - 77 *46 - 61*	A *103 - 129* 82 - 103 *61 - 82*	A *117 - 146* 94 - 117 *71 - 94*	A *133 - 167* 107 - 133 *80 - 107*	A *146 - 183* 117 - 146 *88 - 117*
E	I/A *25 - 31* 20 - 25 *15 - 20*	I/A *29 - 36* 23 - 29 *17 - 23*	A *34 - 42* 27 - 34 *20 - 27*	A *46 - 58* 37 - 46 *28 - 37*	A *53 - 66* 42 - 53 *32 - 42*	A *59 - 74* 47 - 59 *35 - 47*
F	I/A *16 - 20* 13 - 16 *10 - 13*	I/A *19 - 24* 15 - 19 *11 - 15*	I/A *21 - 26* 17 - 21 *13 - 17*	A *25 - 31* 20 - 25 *15 - 20*	A *34 - 42* 27 - 34 *20 - 27*	A *39 - 49* 31 - 39 *23 - 31*
G	I/A *13 - 16* 10 - 13 *8 - 10*	I/A *15 - 19* 12 - 15 *9 - 12*	I/A *16 - 20* 13 - 16 *10 - 13*	I/A *20 - 25* 16 - 20 *12 - 16*	A *21 - 26* 17 - 21 *13 - 17*	A *29 - 36* 23 -29 *17 - 23*
H	C/I/A *6 - 8* 5 - 6 *4 - 5*	I/A *8 - 10* 6 - 8 *4 - 6*	I/A *10 - 12* 8 - 10 *6 - 8*	I/A *11 - 14* 9 - 11 *7 - 9*	I/A *15 - 19* 12 - 15 *9 - 12*	A *20 - 25* 16 - 20 *12 - 16*
I	C *6 - 8* 4 - 6 *3 - 4*	C/I *6 - 8* 4 - 6 *3 - 4*	I *6 - 8* 5 - 6 *4 - 5*	I/A *8 - 10* 6 - 8 *4 - 6*	I/A *9 - 11* 7 - 9 *5 - 7*	I/A *10 - 12* 8 -10 *6 - 8*

DISPOSITION
Aggravated Range
PRESUMPTIVE RANGE
Mitigated Range

Note: A - Active Punishment I - Intermediate Punishment C - Community Punishment
*Numbers shown are in months and represent the range of minimum sentences.

Effective for Offenses Committed on or after 12/1/95

MISDEMEANOR PUNISHMENT CHART

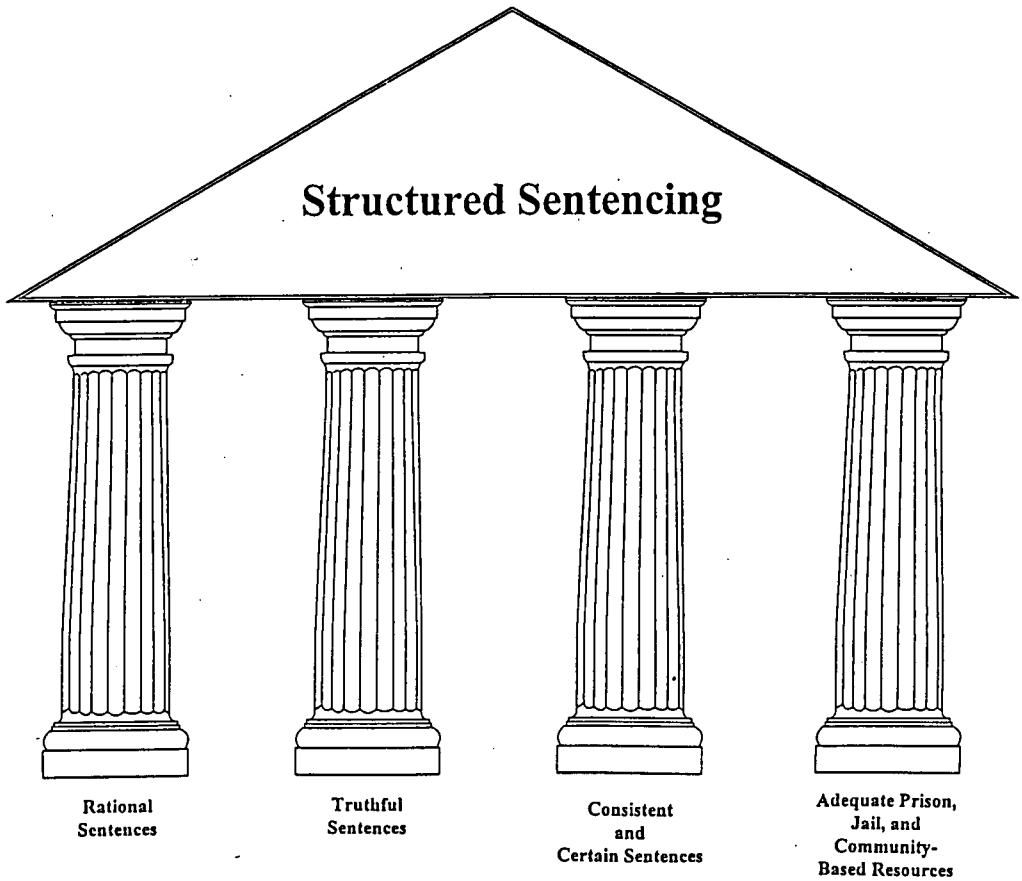
CLASS	PRIOR CONVICTION LEVELS		
	I	II	III
	No Prior Convictions	One to Four Prior Convictions	Five or More Prior Convictions
A1	1 - 60 days C/I/A	1 - 75 days C/I/A	1 - 150 days C/I/A
1	1 - 45 days C	1 - 45 days C/I/A	1 - 120 days C/I/A
2	1 - 30 days C	1 - 45 days C/I	1 - 60 days C/I/A
3	1 - 10 days C	1 - 15 days C/I	1 - 20 days C/I/A

A - Active Punishment I - Intermediate Punishment C - Community Punishment

Cells with slash allow either disposition at the discretion of the judge.

In 1993 the average felon served about 16 months.
Under Structured Sentencing, the average felon will serve over 34 months.

1,500 copies of this public document (3rd edition) were printed at a cost of $514.60 or about $.34 per copy



JUVENILE JUSTICE REFORM ACT OF 1998

Key Components

- Juvenile Accountability
- Parental Accountability
- Undisciplined Juveniles
- Prevention
- Reorganization of the juvenile justice system infrastructure

JUVENILE ACCOUNTABILITY

- **Fingerprints and photographs:**
  - For juveniles 10 or older alleged to have committed a nondivertible offense when a complaint has been prepared for filing as a petition and the juvenile is in physical custody of law enforcement.
  - For juveniles 10 or older who have been adjudicated delinquent for a felony offense.
- **Diversion contracts:** For petitions alleging offenses other than those specified as non-divertible, the intake counselor may enter into a formalized diversion process with the juvenile and parent(s) whereby the juvenile and parent(s) agree to abide by certain conditions for a period of time not to exceed six months. The statute specifies a process and time line for the intake counselor to follow in determining whether the juvenile and parent(s) have complied with the conditions of the diversion contract. Failure to comply substantially may result in the filing of a juvenile petition.
- **Expedited process for felony offenders:**
  - First appearances for juveniles alleged to have committed felony offenses within 10 days of the filing of the petition; at the initial five-day hearing if the juvenile is in secure custody.
  - Probable cause hearing within 15 days of the first appearance.
- **Disposition chart (See Figure A):**
  - Eliminates the "least restrictive standard". Appropriate dispositions are prescribed based on the juvenile's current offense and prior delinquency history.
  - Reserves training schools for violent and repeat offenders.
- **Extended age of jurisdiction for certain juveniles committed to training school:**
  - Age 19 for juveniles committed to training school for serious offenses.
  - Age 21 for juveniles committed to training school for violent offenses.
- **Expanded dispositional alternatives and community resources for lower level/less serious offenders (See Figure B)**

FIGURE A: DISPOSITION CHART

	DELINQUENCY HISTORY LEVELS		
OFFENSE	**LOW 0-1 pt.**	**MEDIUM 2-3 pts.**	**HIGH 4+ pts.**
VIOLENT A-E felonies	Level 2 or 3	Level 3	Level 3
SERIOUS F-I felonies A1 misds.	Level 1 or 2	Level 2	Level 2 or 3
MINOR 1,2,3 misds.	Level 1	Level 1 or 2	Level 2

FIGURE B: DISPOSITION LEVELS

LEVEL 1 COMMUNITY	LEVEL 2 INTERMEDIATE	LEVEL 3 TRAINING SCHOOL
In-home supervision Custody Excuse from school attendance Community-based program Intensive substance abuse program Residential treatment program Nonresidential treatment program Restitution up to $500 Fine Community service up to 100 hours Victim-offender reconciliation No driver's license Curfew Not associate with specified persons Not be in specified places Intermittent confinement up to 5 days Wilderness program	Any Level 1 disposition Wilderness program Residential treatment facility Intensive nonresidential treatment program Group home placement Intensive probation Supervised day program Regimented training program House arrest with or without electronic monitoring Intermittent confinement up to 14 days Multipurpose group home Restitution over $500 Community service up to 200 hours Suspension of a more severe disposition	6 month minimum commitment Minimum 90 day post-release supervision

PARENTAL ACCOUNTABILITY

- **Court attendance requirements:** The juvenile's parent, guardian, or custodian shall attend the hearings of which notice is received, unless excused by the court. Unless excused, failure to appear after receiving notice is grounds for contempt.
- **Parental responsibility classes:** The court may order the parent, guardian, or custodian to attend parental responsibility classes if available in the judicial district in which the parent, guardian, or custodian resides.
- **Participation in treatment:**
  - The court may order the juvenile's parent, guardian, or custodian to cooperate with and assist the juvenile in complying with the terms and conditions of probation or other court orders.
  - The court may order the parent to undergo psychiatric, psychological, or other evaluation or treatment or counseling directed toward remedying behaviors or conditions that led to or contributed to the juvenile's adjudication.
  - To the extent that the person is able to do so, the court may order the parent to provide transportation for the juvenile to keep appointments with the court counselor or to comply with other orders of the court.
- **Payment for treatment or other services:** The court may order the parent to pay any of the following: the cost of the juvenile's and parent's evaluation or treatment; attorney's fees; a reasonable sum for the support of the juvenile; a fee for probation supervision or residential facility costs. Also, the court may order the parent to assign private insurance coverage to cover medical costs while the juvenile is in detention, training school, or other out-of-home placement.
- **Contempt:** The court may issue an order directing the parent, guardian, or custodian to appear and show cause why that person should not be found or held in civil or criminal contempt for willfully failing to comply with an order of the court.
- **Employment discrimination prohibited:** An employer may not discharge, demote, or deny a promotion or other benefit of employment to any employee because of that person's compliance with the orders of the court pursuant to the Juvenile Code. The Commissioner of Labor is charged with enforcing the prohibition.

UNDISCIPLINED JUVENILES

- **Extended age of jurisdiction to age 18:** The statutory definition of "undisciplined juvenile" was extended to include sixteen and seventeen year-olds who are regularly disobedient to and beyond the disciplinary control of the juvenile's parent, guardian, or custodian; are regularly found in places where it is unlawful for a juvenile to be; or have run away from home for a period of more than 24 hours.

- **Protective supervision for undisciplined juveniles:**
  - The court may place an undisciplined juvenile on protective supervision for a maximum of three months with an extension of up to three months in the court's discretion.
  - The court may impose specific conditions of protective supervision. The conditions must be related to the juvenile's needs. Certain conditions are specified in statute.

- **Contempt proceedings and detention:** The court may find a juvenile adjudicated undisciplined in contempt for willfully failing to comply with an order of the court.
  - The court must appoint counsel for a juvenile who is alleged to be in contempt unless counsel is retained for the juvenile.
  - For a first finding of contempt, the court may order the juvenile confined in an approved detention facility for a period not to exceed 24 hours.
  - For a second finding of contempt, the court may order the juvenile confined in an approved detention facility for a period not to exceed three days.
  - For a third and subsequent finding of contempt, the court may order the juvenile confined in an approved detention facility for a period not to exceed five days.
  - The court determines the timing of confinement.
  - A juvenile may not be confined for contempt for more than fourteen days in one twelve-month period.

PREVENTION

- **Coordination of screening programs:** The Juvenile Justice Reform Act charged the Office of Juvenile Justice to ensure that State and local programs providing screening that can identify delinquency risk factors continue to be used in a consistent, coordinated, and cost-effective way so as to enable delinquency prevention programs and services to be utilized in a consistent, coordinated, and cost-effective way. The Office of Juvenile Justice was required to report to the General Assembly by April 1, 2000.

- **Studies:**
  - **School related directives:** The Juvenile Justice Reform Act charged the Office of Juvenile Justice, in cooperation with the Department of Public Instruction, to study more effective and efficient ways to coordinate case management of delinquency and undisciplined cases; provide needed services to juveniles, including treatment, counseling, or rehabilitiation; and provide maximum protection to the public and to the schools, in particular, through the sharing of information between agencies that work with juveniles who are delinquent or undisciplined. A report was due to the General Assembly by April 1, 2000.
  - **Risk and needs assessment:** The Juvenile Justice Reform Act charged the Office of Juvenile Justice with the development of a risk and needs assessment instrument for determining a delinquent juvenile's treatment needs and the risk that the juvenile will commit additional delinquent acts. The instrument was to be presented to the Joint Legislative Commission on Governmental Operations by May 1, 1999.
  - **Funding for prevention programs:** The Juvenile Justice Reform Act charged the Office of Juvenile Justice, in cooperation with the Department of Health and Human Services, to study the funding process for juvenile delinquency and substance abuse prevention programs. The study was to include: 1) consideration of whether the funding process should be designed in such a way that funds are allocated to a program for a specific juvenile being served by the program, and whether the

allocated funding should then follow that juvenile; and 2) consideration of whether a county should continue to fund services for a juvenile adjudicated delinquent and committed to training school after receiving delinquency prevention services. Findings and recommendations were to have been reported to the Fiscal Research Division of the General Assembly and to the chairs of the House and Senate Appropriations Committees and to the chairs of the Appropriations Subcommittees on Human Resources by May 1, 1999.

- **Overrepresentation of minority youth:** The Juvenile Justice Reform Act charged the Office of Juvenile Justice to study the overrepresentation of racial minorities in the juvenile justice system, through comparison of dispositions for minority juveniles adjudicated delinquent or undisciplined with the dispositions for nonminority juveniles, and through comparison of services made available to minority youth and their families. A final report is due to the Governor, Chief Justice, and the General Assembly no later than May 1, 2002. Such report is to include any legislative proposals as to how disparities should be addressed to the extent that any inequities are found.

- **Juvenile Crime Prevention Councils:** Local Community-Based Alternative Boards were replaced by county Juvenile Crime Prevention Councils (JCPCs) charged with acting as a local juvenile justice planning body. Membership and duties are specified in statute.

- **Substance abuse provisions:**
  - The court may order a juvenile adjudicated delinquent to submit to random drug testing as a condition of probation.
  - Every juvenile who is committed to the Department of Juvenile Justice for placement in a training school must be tested for the use of controlled substances or alcohol. Results of these initial tests must be incorporated into the plan of care that the Department is required to prepare and may be used only for evaluation and treatment purposes.

REORGANIZATION OF THE JUVENILE JUSTICE SYSTEM INFRASTRUCTURE

- **Department of Juvenile Justice and Delinquency Prevention:** Juvenile Services, formerly of the Administrative Office of the Courts, and the Division of Youth Services, formerly of the Department of Health and Human Services were initially combined into the Office of Juvenile Justice in the Office of the Governor, and in the 2000 legislative session reorganized as the Department of Juvenile Justice and Delinquency Prevention.

- **Local Juvenile Crime Prevention Councils:** Local Community-Based Alternative Boards were replaced by county Juvenile Crime Prevention Councils (JCPCs) charged with acting as a local juvenile justice planning body. Membership and duties are specified in statute.

- **Juvenile Justice State Advisory Council:** A nineteen member council within the Department of Juvenile Justice and Delinquency Prevention is charged with advising the department in the development of a comprehensive interagency plan to reduce juvenile delinquency and substance abuse, and to coordinate efforts among state agencies serving juveniles. Membership and duties are specified in statute.

- **Juvenile justice information system:** The Criminal Justice Information Network Governing Board is required to plan and develop a comprehensive juvenile justice information system.

- **Sharing of information among agencies:** Local agencies, designated as "agencies authorized to share information" under rules adopted by the Department of Juvenile Justice, after consultation with the Conference of Chief District Court Judges, are authorized to share information relevant to any case in which a petition has been filed alleging that a juvenile is undisciplined or delinquent. Such information is confidential, may be withheld from public inspection, and shall be used only for the protection of the juvenile and others or to improve the educational opportunities of the juvenile. Any such information shall be released in accordance with the provisions of the Family Educational and Privacy Rights Act. Schools may not use information gained pursuant to this section as the sole basis for a decision to suspend or expel a student. The provision may not be deemed to require the disclosure or release of any information in the possession of a district attorney.

VISITOR REGISTRATION SHEET

Justice and Public Safety — 2/22/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Karen Jones	N.C. Sentencing Policy + Advisory Comm.
Jimmy Hewmen	N.C. Sentencing + Policy Advisory Comm.
NELS ROSELAND	STATE BUDGET
Bill Wilson	NCATL
Juli Kim	NC Sentencing Commission
S. Katzenelson	" " "
Deb Ann	ACC
Sandy Pearce	DOC
TB Towell	AOC
Steve Shaber	Poyner + Spruill
Peggy Hall	

VISITOR REGISTRATION SHEET

Justice and Public Safety — 02/22/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Ryan Rand	NC Administrative Office of the Courts
Scott Peters	AOC
Greg McLeod	CCPS
Tye Hunter	IDC
George Sweat	OJJDP
Anne White	NCADCA
Larry Dix	DJJDP
Richard Jones	N.C.
A.A. Adams	Victim Advocate
Lad Rubert	CYPC
Dwayne Patterson	DJJDP

VISITOR REGISTRATION SHEET

Justice and Public Safety — 02/22/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Claudia Kade	Guardian ad Litem Ombudsman.

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday February 28th, 2001
8:30 a.m
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Introductory Remarks on Department of Correction
  Theodis Beck, Secretary
  Department of Correction

- Inmate Population Projections (2001)
  Susan Katzenelson, Executive Director
  NC Sentencing & Policy Advisory Commission

- Review of Current Prison Capacity and Proposal for 3,000 Close Custody Beds
  Jim Mills, Fiscal Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
February 28, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on February 28, 2001 at 8:30AM in room 415 LOB. Four members of the Senate were present. The following House members were present:

Rep. Bill Culpepper	Rep. Philip Haire
Rep. Wayne Goodwin	Rep. John Hall
Rep. Larry Justus	Rep. Joe Kiser

Rep. Wayne Sexton

The meeting was chaired by **Senator Luther Jordan.** Senator Jordan introduced Mr. Theodis Beck, Secretary, Department. of Corrections. Mr. Beck gave an overview of the department. He said there is a need for additional prison cells. Alexander, Scotland and Anson Counties have deeded land to the state for three prisons. Structured sentencing has led to serious offenders spending longer in prison and there are more of them. 2/3rds of the prison population commit more serious crimes and are more difficult to manage in prison. Single cell prisons work better with these prisoners. The goal is to operate prisons at standard operating capacity (SOC). The immediate need is to create additional prison space. North Carolina is viewed as a national model due to structured sentencing and truth in sentencing laws.

In response to a question, Mr. Greg Stahl said the current SOC is 29,061. We are going to build to a SOC of 29, 481 and an extended operating capacity (EOC) of 32, 712. In response to Rep. Justus, Mr. Stahl said we are not prepared to double bunk now and that single cells are more desirable at this time due to the more violent inmate. The medium and close custody cells are close to capacity. In response to Rep. Kiser, Mr. Beck said we are not over 50% over the EOC at any facility.

Ms. Susan Katznelson was introduced. She distributed a handout titled *North Carolina Sentencing and Policy Advisory Commission.* The crime rate has not increased but the criminal population has increased. A reasonably large group who return to prison have had their probation revoked. About 45% of those admitted to prison are admitted due to revocation of probation. There are 8,363 people in prison who were sentenced under the fair sentencing act and they are or will be eligible for parole.

In response to a question by Sen. Ballance, Mr. Stahl stated that the average time served by people sentenced under the fair sentencing act is 46 months. Also in response to Sen. Ballance, Mr. Stahl said probation officer puts into the system the reason for probation violation, or if it is technical or if it is a new crime. To Sen. Thomas, 45% entering prison are for technical revocations. Mr. Stahl said that 2003-2004 we should have 3,000 additional beds. Mr. Lynn Phillips said an expected start date would be July 2001 and the

first prison should be on line in 23 months. Inmate occupancy will take another three months. Ms. Katznelson said the sentencing commission is continuing to look at the best way to use available resources.

Mr. Jim Mills, staff distributed a handout titled Department of Correction Prison Bed Capacity. Mr. Mills said the proposal is to have the new prisons build privately and then turned over to the state to operate. The state would lease the prisons. The state would need 17 to 25 million for operating expenses. In response to Rep. Sexton , we are only in the 5th month of operating Pamlico and Mountain View. There are some facilities that need to be converted from close custody.

At 10AM, Senator Jordan adjourned the meeting.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Committee Assistant

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

REVISED POPULATION PROJECTIONS
FISCAL YEAR 2000/2001 to FISCAL YEAR 2009/2010

Prepared in Conjunction with
the Department of Correction's Research and Planning Office

RELEASED: JANUARY 2001

INTRODUCTION:

The attached table shows ten-year prison population projections by fiscal year. The prison population projections were completed in two parts. The Sentencing Commission prepared prison population projections for all offenders sentenced on or after July 1, 2000 (new population). The Department of Correction prepared projections for all offenders in prison as of June 30, 2000 (stock population). The final combined projections take into account the decline of the stock population (structured sentencing releases, parole releases, and "max-outs") and the buildup of the new inmate population (new sentences, probation revocations, parole revocations, and post-release supervision revocations). Added to these figures is the estimated number of "safekeepers" and DWI offenders held in the state prison system.

ASSUMPTIONS:

- All Fair Sentencing Act (FSA) and pre-FSA prisoners will serve the same percentage of their Active sentence as the percentage served by comparable prisoners paroled in FY 1999/00.

- On average, all Structured Sentencing Act (SSA) felons will serve 110 percent of their minimum Active sentences, and all SSA misdemeanants will serve 95 percent of their Active sentences (the actual percentages served by offenders released during FY 1999/00).

- Rates of Active sentences will match rates during FY 1999/00 for all SSA offenders. Overall, 33% of felons received an Active sentence, with an average estimated time served of 40 months. These rates assume no changes in judicial or prosecutorial behavior regarding convictions.

- Probation revocation rates will match rates during FY 1999/00.

CHANGES FROM PREVIOUS PROJECTIONS:

The 2001 revised population projections are consistent with the previous year's projections, with the exception of a somewhat lower actual population for FY 1999/00 and a lower projected prison population for FY 2000/01, primarily as a consequence of Hurricane Floyd.

- The model cannot predict the impact of a natural disaster (such as Hurricane Floyd) on the court system and the resulting prison population. Data from the Administrative Office of the Courts indicated a decrease in filings and convictions for FY 1999/00. A possible explanation for these decreases is the court closings in the wake of Hurricane Floyd (affecting case filings, processing and convictions from September 15, 1999 and onward, and most likely impacting FY 2000/01 figures as well).

- The population projections for FY 2001/02 and beyond are not very different from the previous projections for those years. While the Sentencing Commission's *Forecasting Advisory Group* found no reason to adjust the projected growth rate for felony convictions (which drives the prison population projections), the group adjusted downward the projected growth rate for misdemeanor convictions based on recent trends that indicate a continuing decrease in misdemeanor convictions.[1]

	Felony		Misdemeanor	
Time Period	Previous Growth Rate	Adjusted Growth Rate	Previous Growth Rate	Adjusted Growth Rate
2000 to 2001	2%	2%	2%	1%
2001 to 2002	2%	2%	2%	1%
2002 to 2003	2%	2%	2%	1%
2003 to 2004	2%	2%	2%	1%
2004 to 2005	2%	2%	2%	1%

- The projected DWI population was adjusted downward due to a decrease in convictions and a decrease in the length of sentence imposed.

- Overall projections are and will continue to be affected by parole practices, due to a still-sizeable inmate population of FSA and pre-FSA offenders. On December 31, 2000, there were 8,363 FSA and pre-FSA offenders in prison, representing about 27 percent of the state's inmates.

- This projection does not include impact from any legislative changes that occurred in the 2000 Short Session since the ratified bills either created new offenses for which there are no historical data or amended penalties for existing offenses with elements that could not be modeled.

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[1] The *Forecasting Advisory Group* convenes annually and consists of representatives from the Sentencing Commission, Administrative Office of the Courts, Department of Correction, State Bureau of Investigation, Governor's Crime Commission, and Office of State Planning. The group forecasts growth rates after reviewing recent crime trends, arrest trends, court filing trends, state demographic trends, and prison admission trends.

PROJECTED PRISON POPULATION:

Projected Prison Population and Capacity

The population projected by the Commission's simulation model for June 30, 2000 was **32,113**. The actual average population for June 2000 was **31,487**, a difference of **626** prison beds (or two percent), primarily attributable to the impact of Hurricane Floyd. The first table and the following chart present the projected prison population and capacity for FY 2000/01 through FY 2009/10.

Updated prison capacity projections were provided by the Department of Correction's Division of Prisons in January 2001. These projections include both the Expanded Operating Capacity (EOC) and the Standard Operating Capacity (SOC) of all prison facilities. Based on these figures, the projected prison population will supercede prison capacity in FY 2001/02.

Projected Prison Population by Offense Class

For the first time, the Sentencing Commission is providing data on the offense class distribution of the projected prison population of felons, as shown in the second table. The distribution might serve as an indication of changing custody level needs.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

PRISON POPULATION PROJECTIONS:
UPDATED JANUARY 2001

PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S RESEARCH AND PLANNING OFFICE

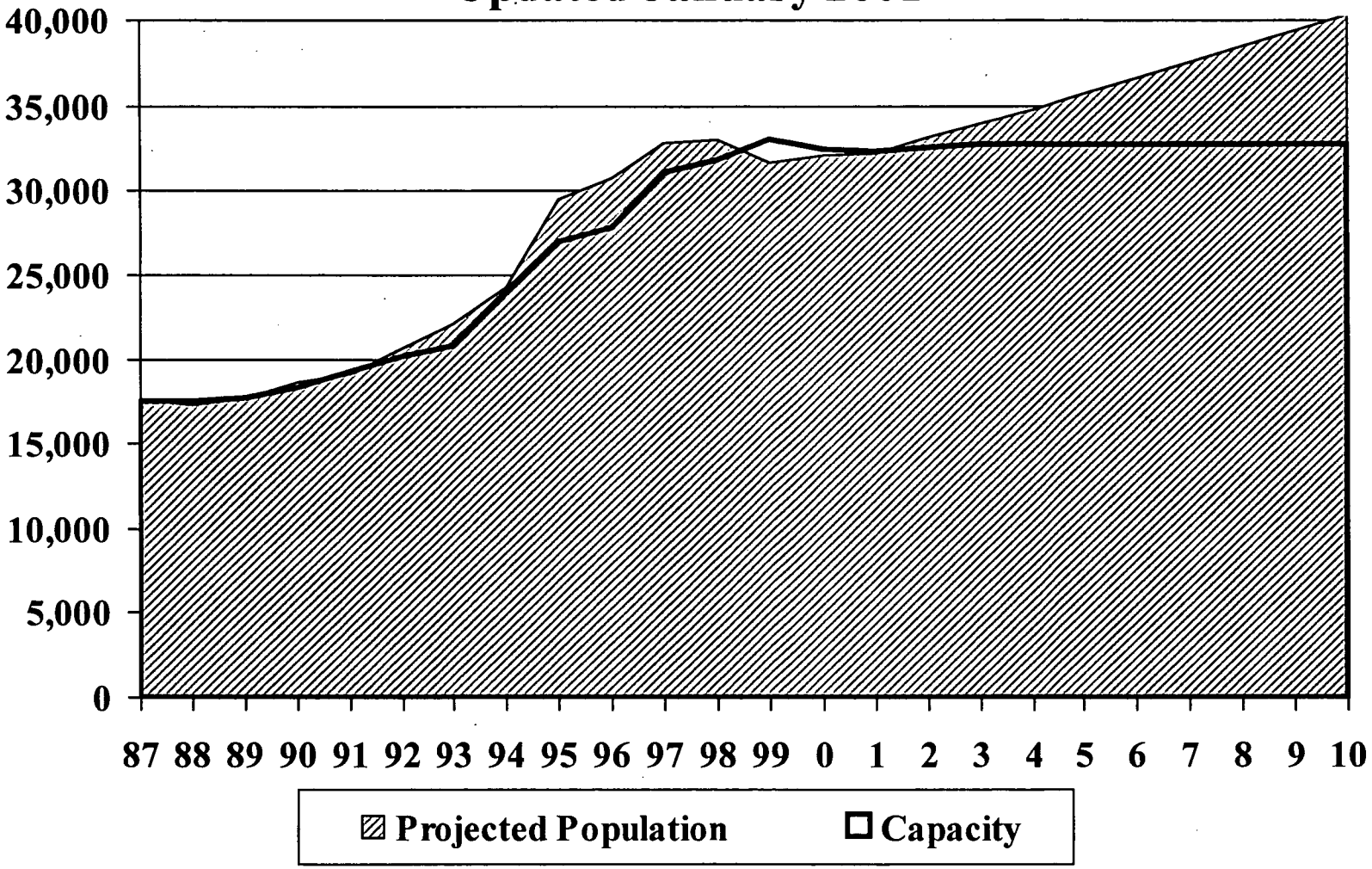
FISCAL YEAR	PREVIOUS PROJECTION as of June 30	REVISED PROJECTION as of June 30	*ESTIMATE OF EXPANDED OPERATING PRISON CAPACITY*[2]	*ESTIMATE OF STANDARD OPERATING PRISON CAPACITY*[3]
01	32,712	**32,154**	32,324	29,061
02	33,067	**33,141**	32,544	29,313
03	33,835	**33,954**	32,712	29,481
04	34,804	**34,738**	32,712	29,481
05	35,817	**35,682**	32,712	29,481
06	36,734	**36,590**	32,712	29,481
07	37,685	**37,560**	32,712	29,481
08	38,542	**38,483**	32,712	29,481
09	39,378	**39,400**	32,712	29,481
10	—	**40,309**	32,712	29,481

[2] Expanded Operating Capacity (EOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell, the number of cells that house two inmates, and the number of inmates in dormitories operating at varying percentages beyond their Standard Operating Capacity (SOC) which is rounded up to the closest double bunk configuration.

[3] Standard Operating Capacity (SOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell plus the number of inmates who can be housed in dormitories by dividing the gross square feet of each dormitory by 50 square feet and rounding to the closest double bunk configuration.

NC Prison Population and Capacity

Updated January 2001



SOURCE: NC Sentencing and Policy Advisory Commission and NC Department of Correction

Notes: Prison population and capacity figures were prepared in conjunction with the NC Department of Correction's Research and Planning Office. Prison capacity figures reflect Expanded Operating Capacity.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

PRISON POPULATION PROJECTIONS:
UPDATED JANUARY 2001

PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S RESEARCH AND PLANNING OFFICE

DISTRIBUTION OF THE PROJECTED PRISON POPULATION BY OFFENSE CLASS FELONIES ONLY

OFFENSE CLASS	PERCENT BY FISCAL YEAR		
	2001	2005	2010
A	3.7	4.2	4.8
3 Strikes	0.0	0.1	0.2
B1	4.6	5.5	6.6
B2	5.0	7.3	9.1
C	19.3	22.1	22.5
D	16.0	15.3	14.1
E	5.9	6.1	5.7
A-E SUBTOTAL	54.5	60.6	63.0
F	7.5	7.2	6.6
G	11.5	11.0	10.6
H	18.8	14.6	13.8
I	4.8	4.4	4.2
F-I SUBTOTAL	42.6	37.2	35.2
Unknown	2.6	2.2	1.8
TOTAL	100.0	100.0	100.0

DEPARTMENT OF CORRECTION PRISON BED CAPACITY
Joint Appropriations Subcommittee on Justice and Public Safety
February 28, 2001

WHAT IS PRISON BED CAPACITY?

Prison bed capacity is the number of prison beds funded and constructed for inmate occupancy. The two types of capacity are:

Standard Operating Capacity (SOC) – The SOC is the number of beds available to house inmates under these criteria: (1) 50 gross square feet of housing space per inmate in dormitories (includes bunk, locker etc.) and, (2) one inmate per cell in single general population cells. **When operating at the SOC, a prison is 100% of capacity.** The DOC long –term goal is to operate each prison as close to the SOC as feasible.

Expanded Operating Capacity (EOC) – Each prison is also assigned an EOC bed space count. In some cases, the EOC is also 100% (primarily prisons with single cells and one inmate per cell). For the most part, however, prisons are allowed to operate at greater than 100% capacity. The best example is in prison dormitories -- the EOC for many dormitories is based on providing less than 50 square feet per inmate as established in the SOC, which in effect allows an increase in the number of inmates that can be housed. For example, housing inmates at 35 square feet per inmate allows a prison to operate at 130% of the SOC.

Prisons that operate at the EOC level do so by DOC policy or as originally allowed by court consent decrees. Settlement of the Small V. Hunt lawsuit originally required operation of 49 prisons at the SOC (100%) but modification of the consent decree over time allowed these 49 prisons to operate up to 130% of capacity (35 square feet).

Overall, the Department's EOC is calculated by determining:

(1) The number of single cells with one inmate;
(2) The number of single cells with two inmates; and,
(3) The number of inmates in dormitories operating at varying percentages beyond the SOC of 100%.

WHAT DOES DOC INCLUDE IN PRISON BED CAPACITY FIGURES?

DOC prison capacity policies are a combination of guidance from the Special Committee on Prisons in the 1980's, other legislative committees, the courts, and DOC internal policies. Capacity figures traditionally include:

- All standard prison beds
- hospital and mental health beds at prison units with hospitals (not infirmary beds)
- DART in-prison beds and private substance abuse beds (classified as minimum security).

The premise has been that these beds were permanent, fixed prison beds. IMPACT beds (boot camp) were included in capacity figures until designation of the program as a community sanction.

Segregation beds have not been included in prison capacity because their primary purpose is control of inmate behavior, not to create extra bed space. The need for wardens and correctional superintendents to have these beds available as a behavior control tool, not just as a place to put any inmate for population control, has been long standing State and DOC policy.

Other beds not included in capacity are infirmary (sick call) beds, any beds set up as temporary beds in prison day rooms, and any temporary contract beds such as contracts with county jails.

Examples of Prison SOC and EOC

Pamlico SOC = 528 EOC = 528 (Single Cell: Medium Custody; EOC can only expand if two inmates per cell)

Avery /Mitchell: SOC = 624 EOC = 816 (Dorms: Medium Custody)

Tyrrell SOC = 500 EOC = 500 (Dorms: Minimum Custody; No EOC because of water and sewer issue)

WHAT FACTORS DRIVE CHANGES IN CAPACITY FIGURES?

Capacity changes are based on **the date inmate occupancy will begin or end**, not the date prison construction is complete. Occupancy is typically 2 to 4 months after completion

Changes in capacity are due to:

- Construction of new prisons, new dorms or cellblocks at existing institutions, or renovation of existing space to add or subtract bed space

- Closing of prisons, dorms, or cell blocks

- Adjustments to individual prison bed counts (up or down) based on review and reassessment of existing space.

- Changes in estimated completion dates of prisons under construction and thus inmate occupancy dates.

- Staff Expansion -- additional security and program staff to provide for the supervision of additional inmates (In 1995, the General Assembly funded 422 positions so that EOC could be increased at Small V. Hunt prison units and various other units; most of these positions were eliminated when EOC was reduced in the 1999 Session).

MAJOR CHANGES IN PRISON CAPACITY IN 1999 and 2000

- Eight prisons closed – 2 medium custody and 6 minimum.
- Marion, Pasquotank, and Central stopped putting two inmates to a cell (medium custody) and returned to one per cell (close custody).
- Albemarle and Avery Mitchell opened in 1999, adding 1,632 medium custody beds at EOC (1,248 SOC).
- New minimum custody modular dorms were opened/old modular dorms were closed.

MAJOR CHANGES IN PRISON CAPACITY SINCE 2000 SESSION

For 2000 short session, the capacity figures were calculated February 6, 2000. For the 2001 Long Session, the official capacity figures were updated January 11, 2001. The following capacity figures do not include any proposed reductions in prison beds by the Governor or any potential new beds since new beds have not been authorized to date. The January 11, 2001 capacity figures are the starting point for discussion in 2001

Date of Capacity Reports (figures are EOC)

End of Yr.	2/6/00	1/11/01	Changes
6/30/2000	32,359	32, 358	-1
6/30/2001	32.307	32,324	+17

Changes in capacity were minor since February 6, 2000. In 2000, one prison, Currituck was closed reducing bed capacity by 58. Re-measuring square footage resulted in the loss of several more beds at two prisons; this was offset by eight new beds at Blue Ridge and the opening of a new modular prison unit at Warren. No new state prisons have opened since Albemarle and Avery Mitchell in 1999.

POPULATION AND CAPACITY ISSUES

The current population projections indicate the need for over 2,000 new prison beds by 2004 at the EOC level (over 5,000 at the SOC level) and potentially over 10,000 prison beds by 2010. This assumes no changes by the General Assembly in criminal penalties that increase the incarceration rate. For the most part, the type of bed needed is for close custody, single cells. ***Currently, the only authorized construction projects that will add new beds to the system are a new 272-bed dorm at NCCIW and a new 168-bed cellblock at Warren Correctional Center. These are included in the DOC capacity figures for the out years.***

Given the projected need for prison beds, what are the various options and issues to be considered?

Short Term

1. Authorization to construct "up to" 3,000 new close custody prison beds

2. Add Temporary Bed space (not counted in Capacity)

3. Operate some prisons at higher capacity – temporary or permanent (would need to fund staff)

4. Review of Inmate Custody Assignments – Can more inmates be assigned to medium or minimum custody?

5. Review of probation revocation policies?

6. Review pool of offenders sentenced under Fair Sentencing Act to determine parole eligibility.

7. Request Sentencing and Policy Advisory Commission to study and recommend long-term strategies and policy options for slowing down the growth in prison population.

Long-Term

Develop long-term strategy for balancing correctional resources and policy.

NORTH CAROLINA PRISON POPULATION COMPARED
TO PRISON BED CAPACITY *(Assumes no new prison beds)*
Chart # 1

Fiscal Yr. Ending	Inmate Pop. Projection*	DOC ***Expanded*** Prison Capacity**	Prison Beds Over/Under	DOC ***Standard*** Prison Capacity	Prison Beds Over/Under
6/30/2001	32,154	32,324	***170***	29,061	***-3,093***
6/30/2002	33,141	32,544	***-597***	29,313	***-3,828***
6/30/2003	33,954	32,712	***-1,242***	29,481	***-4,473***
6/30/2004	34,738	32,712	***-2,026***	29,481	***-5,257***
6/30/2005	35,682	32,712	***-2,970***	29,481	***-6,201***
6/30/2006	36,590	32,712	***-3,878***	29,481	***-7,109***
6/30/2007	37,560	32,712	***-4,848***	29,481	***-8,079***
6/30/2008	38,483	32,712	***-5,771***	29,481	***-9,002***
6/30/2009	39,400	32,712	***-6,688***	29,481	***-9,919***
6/30/2010	40,309	32,712	***-7,597***	29,481	***-10,828***

* Population Projections by Sentencing and Policy Advisory Commission Jan. 2001
DOC Operating Bed Capacity as of Jan. 11, 2001. Standard Capacity assumes prisons operate at 100% or one inmate per cell/up to 50 sq. ft. per inmate in dorms; Expanded capacity assumes double celling or as low as 35 square feet per inmate in dorms. ***Beds must be under construction or authorized for construction to be included in capacity*. *FRD 2/07/01*

6

NORTH CAROLINA PRISON POPULATION COMPARED
TO **UNOFFICIAL** PRISON BED CAPACITY (***assumes 2,592 new prison beds***)

Chart # 2

Fiscal Yr. Ending	Inmate Pop. Projection*	DOC **Expanded** Prison Capacity**	Prison Beds Over/Under	DOC **Standard** Prison Capacity	Prison Beds Over/Under
6/30/2001	32,154	32,324	170	29,061	-3,093
6/30/2002	33,141	32,544	-597	29,313	-3,828
6/30/2003	33,954	32,712	-1,242	29,481	-4,473
6/30/2004	34,738	35,304	**566**	32,073	-2,665
6/30/2005	35,682	35,304	**-378**	32,073	-3,609
6/30/2006	36,590	35,304	-1,286	32,073	-4,517
6/30/2007	37,560	35,304	-2,256	32,073	-5,487
6/30/2008	38,483	35,304	-3,179	32,073	-6,410
6/30/2009	39,400	35,304	-4,096	32,073	-7,327
6/30/2010	40,309	35,304	-5,005	32,073	-8,236

* Population Projections by Sentencing and Policy Advisory Comission Jan. 2001
DOC Expanded and Standard Operating Capacity as of Jan. 27, 2001 ***if 2,592 new beds were funded or authorized in FY 2001 and completed in FY 2004.* Standard Operating Capacity assumes prisons operate at 100% of capacity or one inmate per cell/up to 50 Sq. Ft. per inmate in dorms; Expanded capacity assumes double celling or less than 50 square feet per inmate in dorms. FRD 2/7/01

VISITOR REGISTRATION SHEET

Justice and Public Safety — 2/28/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

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Sandy Pearce	DOC
Richard Burkhart	DOC
John Madler	Sentencing Commission
Jimmy Heveners	Sentencing Commission
Debbie Davies	Sentencing Commission
S. Katzenelson	" "
	DOC
NELS ROSELAND	OSBM
Lynn Phillips	DOC
	DOC
Lorrie Freeman	Sentencing Commission

VISITOR REGISTRATION SHEET

Justice and Public Safety
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Tomakio Dennis	CJPC
Nicole Sullivan	DOC
Tye Hunter	IDS
Larry Dix	DJTJP

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday March 1st, 2001
8:30 a.m
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative R. Phillip Haire, Presiding
Representative Bill Culpepper

II. PRESENTATIONS

- Current Proposal for Construction and Financing of New Close Custody Beds (SB 25)
  Jim Mills, Fiscal Staff

- Overview of Department of Correction Budget
  Jim Mills, Fiscal Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Tuesday March 6—DOC Custody & Security, Education Programs
  Wednesday March 7—Nonprofits funded through Department of Correction
  Thursday March 8-- Continue Review of Department of Correction

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Thursday, March 1, 2001** at 8:30 a.m. in Room 415 LOB. Five (5) Senators were present. The following members of the House were present: Co-chairman Bill Culpepper, Co-chairman Phil Haire, Representatives Goodwin, Hall, Justus, Kiser and Sexton. A Visitor Registration list is attached and made part of these minutes.

Representative Phillip Haire called the meeting to order and began by recognizing the pages.

Representative Haire called on Jim Mills, Fiscal Research Staff, to explain the Proposed Plan for Construction and Financing of Close Custody Beds (Handout #1) and the components regarding bidding for contracts on the construction of three close security correctional facilities (HB 168)(Handout #2).

This would entail construction of three (3) 1000-bed close custody (single cell) facilities, totaling up to 3,000 cells, in Anson, Scotland and Alexander Counties. Consideration given to one vendor which would speed up the building process. Six vendors submitted bids, three providing tax-exempt bids; however there was no legislative authorization for tax-exemption. In December 2000, the Department of Correction recommended acceptable of a low taxable bid at $22.67 million which recommendation was not accepted by the Justice and Public Safety Subcommittee of Governmental Ops due to potential savings of 20% annually if project were tax-exempt status.

Status now is to ratify legislation so that a bill can be passed and a contract can be awarded. Bid responses are due April 10, 2001. With the bid award in May or June, constructions may begin July 1, 2001, if all approved by the General Assembly.

Question: Senator Ballance: "In the past we rented empty jail space from counties, can we find out how much of that space is still available and how much it costs?" Yes, the Department will research that.

Question: Representative Justus: Costs? That is approximately $50-52 per day in a medium custody prison to operate and lease.

Mr. Mills will pull together figures per day for each type of facility. (close, medium and minimum).

Gregg Stahl, Department of Corrections, said that the jail contracts were approximately $40.00 per day.

Senator Ballance inquired as to how many inmates were disabled and unable to get around, age 65 and over, health problems, etc. in the system. Mr. Stahl estimated 175 inmates were 65 and

over with health problems statewide. Many of these inmates include persons from county jails who are ordered by a judge to be maintained in prison for security purposes or for health/medical safety reasons because counties cannot provide this.

The Chair stated that time was running out for the meeting and he would like to proceed with an overview of the Department of Correction's Budget (Handout #3) and a chart of the Department of Correction's Staff (Handout #4) from Jim Mills.

Overview with a handout #3. Jim Mills, Fiscal Staff, presented an overview of the Department of Correction Budget. The organization chart (Handout #4) shows the different divisions under the Department of Correction with a breakdown of each and Mr. Mills offered a brief explanation of each.

Starting points: 1999-2000 $937,684,804. Bottom line expenditures $899,627,277. Total General Fund Appropriation is $927,971,199 Figures from the Governor's Office have not yet arrived. The next page shows examples of non-recurring reductions. Also shown are one-time funding for 2000-01 which includes $100,000 for Community Substance Abuse; Re-entry Education of $130,000; and ECO Family Counseling $60,000.

On Page 6, is the overall Correction Budget which shows where the key cost components are.

Question: Representative Kiser reference Page 5, ECO Family Counseling. Mr. Mills explained that program includes such things as a half way house for women and transitions them back into the community, helps them to find jobs, etc.

Question: Representative Justus. How is that handled with regard to hiring people? Mr. Mills replied that is done with contractual staff.

The chart on page 6 (overall budget), prisons make up 79% of the budget, with Security and Medical as the two major cost drivers.

Page 7 references the growth in the DOC budget and the changes in that growth from 1995 to date.

Page 8 gives the breakdown by the positions in DOC with 80% (14,818) of the positions going to the Prisons.

One of the things to look at are the programs that have been funded since 1996 (Page 9). You have added approximately 11,000 beds at the standard operating level and about 13,671 at the expanded operating level. After closings and adjustments, 8,327 standard and 8,749 expanded. The Female Offender Programs have been made recurring. Page 10 shows other new programs expanded since 1996 such as increase supervision of sex offenders by 9 staff; increase reimbursement to counties for jail misdemeanants to $18.00/day which was previously $14.50; you added medical staff to the Women's Prison and Central; Post Boot Camp Aftercare (since been eliminated); Community Substance Abuse Treatment; Victims Assistance for DCC had

added staff of three; and authorization for new probation and parole officers through the continuation budget.

Following page 11, some of the major reductions or adjustments includes inmate food and medical budget; GPAC prisons closed (23 of 29 now closed); restructure of management which reduced positions; decrease in parole commissioners (from 5 to 3) and staff; reductions in IMPACT; reductions in prison staff; use of cash balance in special funds to generate money; and reduce operating line items in DCC. This is a summary of major changes to the continuation budget.

On the last page is a list of DOC budget items under modified zero based approach. Next week the committee will be going through the details of the prison budget and the community corrections budget.

Chair asked for further questions. Being none, the meeting adjourned at 10:00.

Respectfully submitted,

Rep. R. Phillip Haire, Presiding Chair

Sara Jane Lennard
House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 3/1/01

Name of Committee **Date**

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Lorrin Freeman	Sentencing Commission
Ginny Hevener	Sentencing Commission
John Madler	" "
Lynn Phillips	DOC
NELS ROSELAND	STATE BUDGET
[signature]	DOC
S. Katzenelson	Sentencing Com.
Bob High	Dept of State Treas.
[signature]	DOC
Doug Cassiter	Cassiter Enterprises
T. [illegible]	N.C. Home Builders Assn

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee **Date** 3/1/01

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Leo Rubart	CYPC
Sharon Schmidt	DC Metro Council

JUSTICE & PUBLIC SAFETY

DATE: 3/1

SENATE PAGES:

NAME Kevin Hassell

HOME Tyrrell

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HOME Buncombe

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PROPOSED PLAN FOR CONSTRUCTION AND FINANCING OF CLOSE CUSTODY PRISON BEDS

Joint Appropriations Subcommittee on Justice and Public Safety
February 28, 2001

BACKGROUND

- **1999** – The Department of Correction (DOC) proposed construction of three 1000 bed close custody (single cell) prisons, one each in Anson, Scotland, and Alexander Counties. This recommendation was based on the projected growth in prison population, as determined by the Sentencing Commission, and the changing nature of the population – a population of more serious offenders that will serve longer sentences than prior to Structured Sentencing. DOC also proposed construction by one vendor of all three prisons and private financing for construction of these prisons; the State was to lease and operate the prisons.

- **1999 GENERAL ASSEMBLY**– G.S. 148-37 authorized DOC to issue RFP for private construction of "up to 3000 beds" but required that vendors must bid on at least one 1000 bed prison and that chairs of several General Assembly budget and oversight committees review DOC recommendations before awarding a contract.

- **JULY –OCTOBER 2000** – RFP was issued; 6 vendors submitted bids; three of the six proposed taxable and tax-exempt financing bids. Tax-exempt bids were ruled ineligible by AG's Office stating that tax-exempt financing had not been authorized by the General Assembly for this project. JPS and Oversight chairs reviewed DOC recommendations and related issues.

- **NOVEMBER AND DECEMBER 2000** -- DOC recommended acceptance of the low taxable bid, a $22.67 million annual

Mar. 1
Handout #1

lease/purchase contract for three 1,000 bed prisons given lack of tax-exempt authority for project and uncertain economy. This recommendation was not accepted by the Justice and Public Safety Subcommittee of Governmental Operations at the November 14 and December 12, 2000 meetings due to the potential to save as much as 20% annually if the project were financed tax-exempt, per the State Treasurer's Office.

- **DECEMBER 12** – Justice and Public Safety Subcommittee of Governmental Operations requested that Correction reissue the RFP for construction and financing of new close custody prisons. Some basic parameters were stated by the Subcommittee:

  - Project should be financed on tax-exempt basis
  - Project should be bid as single prime bidding contract
  - General Assembly Staff should develop a draft bill, in conjunction with Treasurer's Office and involved agencies, authorizing the project and establishment of a State designated special non-profit corporation (SNC) to sell certificates of participation for purchase and lease of the facility; bill should be ready for introduction early in the 2001 Session.
  - RFP should be reissued as quickly as possible – no later than mid-January with bids due by early March. Goal was to start construction on at least one prison by July 1, 2003.
  - RFP should allow vendors to submit bids for one, two or three 1000 bed prisons. Vendor must bid on at least 1000 beds.

On December 13th, these parameters were reported to full Governmental Operations.

KEY ACTIONS SINCE DECEMBER 12, 2000

- Plan of Finance for tax-exempt financing developed with State Agencies, Bond Counsel, and General Assembly Staff
- Plan of Finance provided to various legislative chairs and Agencies notified chairs of support for Plan of Finance (Jan 5, 2001)
- New RFP Developed in Conjunction with Draft Financing Bill
- RFP Issued January 17, 2001
- Bill Authorizing "Plan of Finance" (SB 25) introduced in early February and assigned to Senate Finance.

NEXT STEPS/PROPOSED SCHEDULE

- Ratify Legislation (Date Undetermined -- Bill must pass before contract can be awarded)
- Bid Responses Due: April 10, 2001
- Recommend vendor and contract award to Gov Ops: April or NLT May
- Recommendation to Council of State: May 1/NLT June
- Bid Award: May or June
- Execute Agreements with Vendor: June
- Begin Construction: July 1, 2001

POLICY AND BUDGET ISSUES—CLOSE CUSTODY BEDS

How many prison beds would be added under the DOC proposal?

- ***Each prison would add 1000 prison beds to the State system; 864 beds would be added to official bed capacity***; other beds added would be segregation (128 beds for administrative discipline) and 8 infirmary beds. Building all three prisons adds 2,592 beds to official capacity by March 2004 and leaves a small bed surplus of 566 beds.

When would the prisons be complete and ready for occupancy?

- ***Construction time is estimated at 2 to 2 ½ years***. First prison would be complete July 1, 2003 and begin accepting inmates in October 2003. Other two prisons would accept inmates in December 2003 and March 1, 2004, respectively.

What will be the budget impact of the new prisons?

- ***Operating Cost*** – Estimated annual operating budget is $17.5 million dollars for each prison or $52.5 million annually if all three are constructed. This operating budget is comparable to close custody prisons built in mid-1990's.

- ***Operating Costs will not occur until at least year 2 of the biennium (FY 2002-03).*** Partial costs may be needed in 2002-03 in order to have staff trained and in place before inmates are assigned. Budget amount depends on how many prisons are built and when DOC is authorized to begin hiring staff; at one time, DOC proposed funding staff up to 12 months prior to construction completion; *delaying staff hiring to dates closer to opening prisons could move much of the annual operating costs outside the biennium.*

- ***Lease Cost – Lease payments would not start until acceptance of the facilities by the state in FY 2003-04***. The original estimate for taxable financing was $22. 6 million annually for three prisons. Tax-exempt financing could reduce this to $18 to $21 million; final cost depends on the estimated construction cost of the winning bidder and interest rates when tax-exempt COPS are issued. Treasurer will provide official estimate.

- ***Other Possible Costs***: Property Taxes to Counties; Cost of Change Orders; Project Management

- ***Full Annual Cost for 3 prisons: $70 to 73 million annually for operating and lease*** (Estimates are preliminary)

*What actions does **SB 25, Lease Purchase up to Three Prisons,** authorize?*

- ***SB 25 does not authorize*** award of contract or establish the number of beds needed.

- ***SB 25 clarifies*** that initial construction loan must be obtained by vendor and that the State's acquisition of the constructed prisons will be through tax-exempt financing.

- SB 25 authorizes the State/DOC to sign construction contract with vendor ***after consultation with Gov. Ops. and approval of Council of State.***

- ***SB 25 establishes a tax-exempt Plan of Finance*** for lease/ purchase of one to three prisons after acceptance by State through Office of State Construction and DOC

How will the tax-exempt Plan of Finance work?

- The State will sign a construction contract with the vendor, who will obtain private financing for the construction of the prison(s). This exempts the projects from the State multi-prime bid requirements.

- The State will establish a Special Non-Profit Corporation (SNC) with limited authority solely to facilitate financing for the prisons.

  The SNC will:

  - Sell tax-exempt Certificates of Participation – these COPS allow SNC to sell rights to receive lease payments from the State. The COPS can be sold at any time during the construction process. The State Treasurer will determine when the State will get the best interest rates and market interest in purchasing these COPS.

  - Use the proceeds from the sale of COPS to purchase the prisons from the vendor, upon completion and acceptance by the State.

  - Lease the prisons back to the State after approval of a lease-purchase agreement by the State Treasurer and Council of State. The lease payments by the State would repay borrowers and be used to retire the debt over a 20-year period.

- The State retains the option of refinancing the debt if interest rates fall and of purchasing the property before the end of the lease period.

- The COPS would be secured by a lien on the property not by a pledge of the State's full faith and credit.

"(c) No municipality, county, or private entity may authorize, construct, own, or operate any type of correctional facility for the confinement of inmates from any jurisdiction other than North Carolina, a political subdivision of North Carolina, or the federal government until the Department of Correction has developed proposed standards for such private correctional facilities pursuant to ~~subsection (b) of this section~~ Section 19.17 of S.L. 1997-443, as amended, and the General Assembly has acted upon those standards. No private confinement facility authorized under G.S. 148-37(g) that receives payment from this State for the housing of State prisoners may contain inmates from any jurisdiction other than North Carolina or a political subdivision of North Carolina without the written consent of the Secretary of Correction."

Requested by: Representatives Culpepper, Kinney, McCrary, Easterling, Hardaway, Redwine, Senators Jordan, Plyler, Perdue, Odom

CLOSE SECURITY PRISONS

Section 18.20.(a) G.S. 148-37 is amended by adding a new subsection to read:

"(b1) The Secretary of Correction may enter contracts with private for-profit or nonprofit firms for the construction of three close security correctional facilities totaling up to 3,000 cells to be operated by the Department pursuant to a lease that contains a schedule for purchase of the facilities over a period of up to 20 years. The Secretary may issue a request for proposals for the construction of such facilities in accordance with plans and specifications developed by the Department and reviewed by the Office of State Construction. The request for proposals shall provide for the option of bidding on one or more of the facilities, and shall require each bidder to provide a separate bid on a single facility of up to 1,000 cells.

The Secretary of Correction, in consultation with the Chairs of the Joint Legislative Corrections and Crime Control Oversight Committee and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, shall make recommendations to the Department of Administration on the final award decision. The Department of Administration shall make the final award decision, and the contract shall then be subject to the approval of the Council of State after consultation with the Joint Legislative Commission on Governmental Operations.

Contracts made under the authority of this subsection shall provide that the Department of Correction shall furnish the plans and specifications for these correctional facilities to the Office of State Construction for its review and that the Office of State Construction shall inspect and review each project during construction to ensure that the project is suitable for use as a correctional facility and for future acquisition by the State."

Section 18.20.(b) The Department of Correction shall provide a status report to the Joint Legislative Commission on Governmental Operations by May 1, 2000, on the development of the request for proposals and the award-making process, including a summary of the major requirements anticipated in the request for proposals. After the contract has been awarded, the Department shall report to the Joint Legislative Commission on Governmental Operations by May 1 of each year on the progress of the project, including the estimated completion dates and the estimated cost of operating correctional facilities constructed pursuant to this section.

Requested by: Representatives Justus, Easterling, Hardaway, Redwine, Senators Jordan, Plyler, Perdue, Odom

COMMUNITY WORK PROGRAM

Section 18.21. G.S. 148-26(a) reads as rewritten:

Min. 1 Standard #2

Overview of Department of Correction Budget

Joint Appropriations Subcommittee on Justice and Public Safety

FRD

March 1, 2001

Mon. 1
Handout #
3

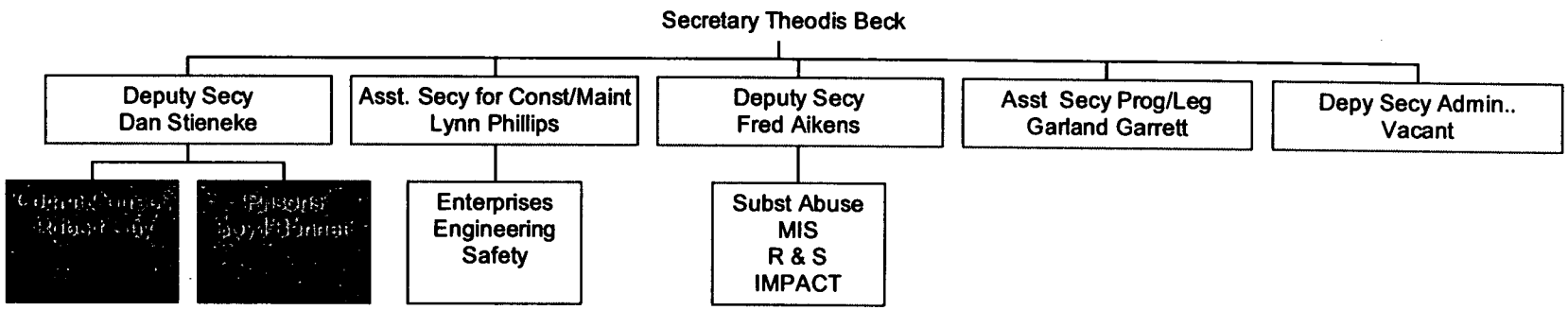
DOC Program/Budget Structure

- **Dept Mgmt**
  - Secy. Office
  - MIS
  - Purchasing
  - Personnel HQ/Regions
  - Acct & Budget
- **Prison Mgmt**
- **Prisons**
  - Custody and Security
  - Inmate Costs – Food, Medical, Clothing
  - Programs: Education, Counseling, Classif.

Department of Correction Programs

- **Community Corrections**
  - CC Mgmnt
  - Probation and Parole: Reg., Intermediate, Intensive
  - Criminal Justice Partnership Act
- **Residential - IMPACT**
- **Substance Abuse Treatment**
  - DART 24 hr
  - DART IRT (35 to 90 days)
  - Contin. Care (AA etc.)
  - Private Transition Programs
  - Dart Cherry
- **Parole and Post Release Commission** (org purposes only)

DOC Organization



Current Year Recurring Authorized Budget
Department of Correction

	1999-2000 Actual	2000-2001 Authorized	*2000-2001 Recurring base for 2001-2*
Total Requirements	$937,684,804	$960,878,579	*$960,878,579*
(FY 00-01 NR Expansion)			
FY 00-01 NR Reductions			
Recurring Requirements			
Total Receipts	$38,057,527	$32,907,380	
FY 00-01 Nonrecurring			
Recurring Receipts			
Total General Fund	$899,627,277	$927,971,199	
Appropriation			
Anticipated Current FY Total	N/A	N/A	N/A
Positions	18,353	18,314	

Actual based on June 30, 2000 BD 701

DOC One-Time Reductions and One-Time Funding in 2000-01

Examples of DOC Non-Recurring Reductions 2000-01

- Equipment $795,862
- Vehicle Repl. 1,000,000
- Inmate Welfare Fund 2,250,000
- Enterprise Fund 2,750,000
- CJPP 420,000
- DOC Mgmnt. 300,000

One-Time Funding 2000-01

- Community Substance Abuse $100,000
- Reentry Education 130,000
- ECO Family Counseling 60,000

Department of Correction Total Authorized General Fund Budget Dec 31, 2000

DOC Budget (in millions)

Prisons: $761.5

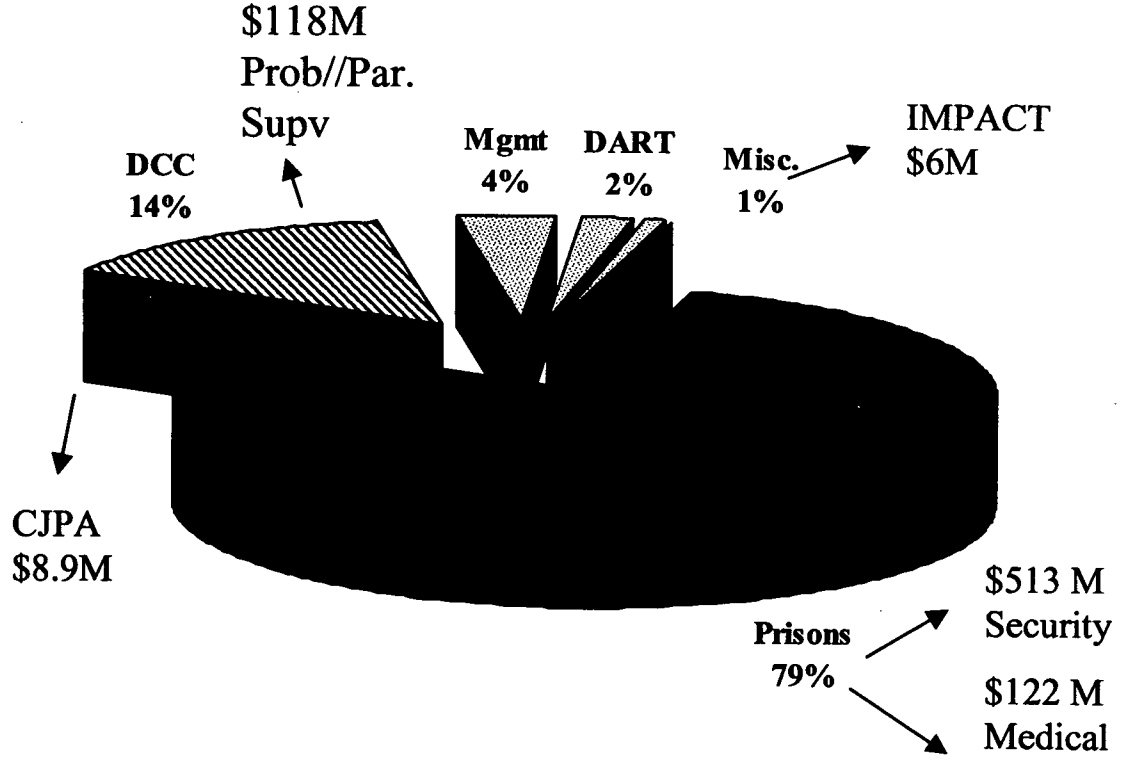
DCC: $134

Mgmnt: $38.5

DART: $18.1

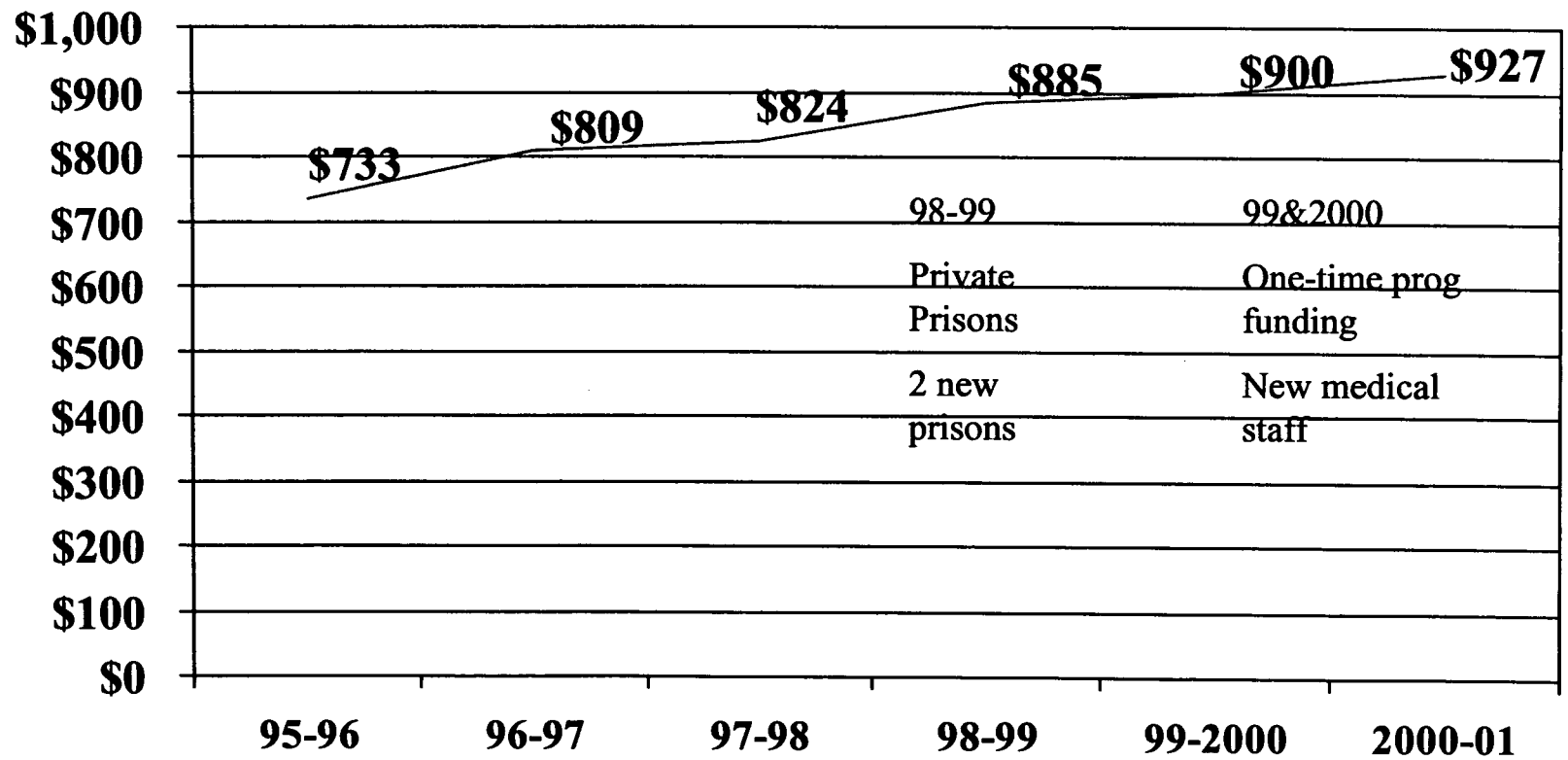
Misc.: $ 8.7

TOTAL: $960.8



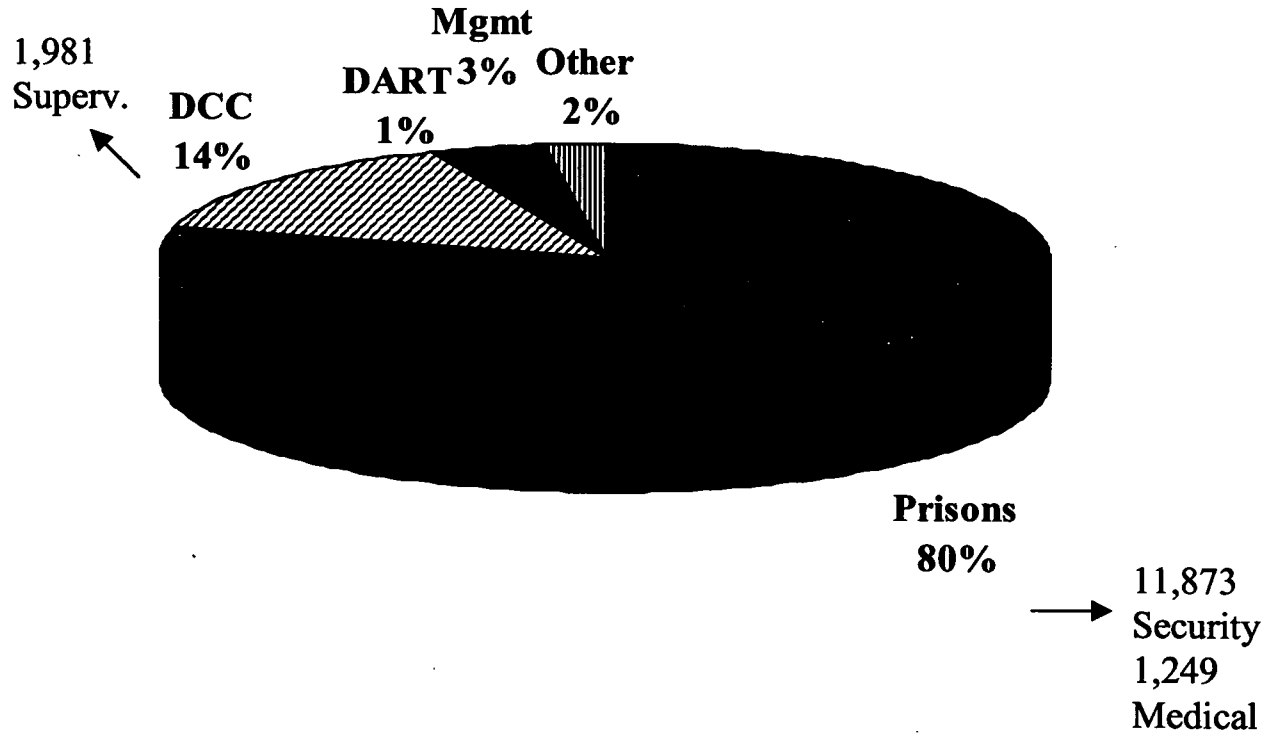
Net General Fund Approp. Is $927.9 million; this excludes receipts of approx $33 m.

Growth in DOC Budget – Expenditures by Year (in millions; 2000-01 is authorized)



Department of Correction Positions by Program 2000-01*

Positions	
Prisons:	14,818
DCC:	2,706
DOC Mgnt:	520
DART:	229
Other: Parole Comm., Griev. Bd	41
TOTAL:	18,314



*Source is Volume 4 of Governor's Budget –JPS 2001-2003

New Programs/Expansion since July 1, 1996 in Department of Correction

- Prison Beds Added: SOC: 11,019 EOC: 13,671
- Net Prison Beds after closings and adjustments:
  - SOC: 8,327 EOC: 8,749
- Private Prisons: Lease/Operating Contract ($19M)
- Establish New Inmate Road Squads
- Female Offender Programs Made Recurring:
  - Women at Risk
  - Harriets House
  - Summit House
  - Energy for Committed Offenders (ECO)

New Programs/Expansion in DOC since July 1, 1996

- Increase Supervision of Sex Offenders: 9 staff
- Increase Reimbursement to Counties for Jail Misdemeanants to $18.00 day
- Medical Staff for NCCIW and Central: 51 positions (later cut to 39)
- Post Boot Camp Aftercare (later eliminated)
- Community Substance Abuse Treatment
- Victims Assistance for DCC – 3 staff
- Authorize new Probation and Parole officers through Continuation Budget

Major Reductions or Adjustments to Continuation Budget

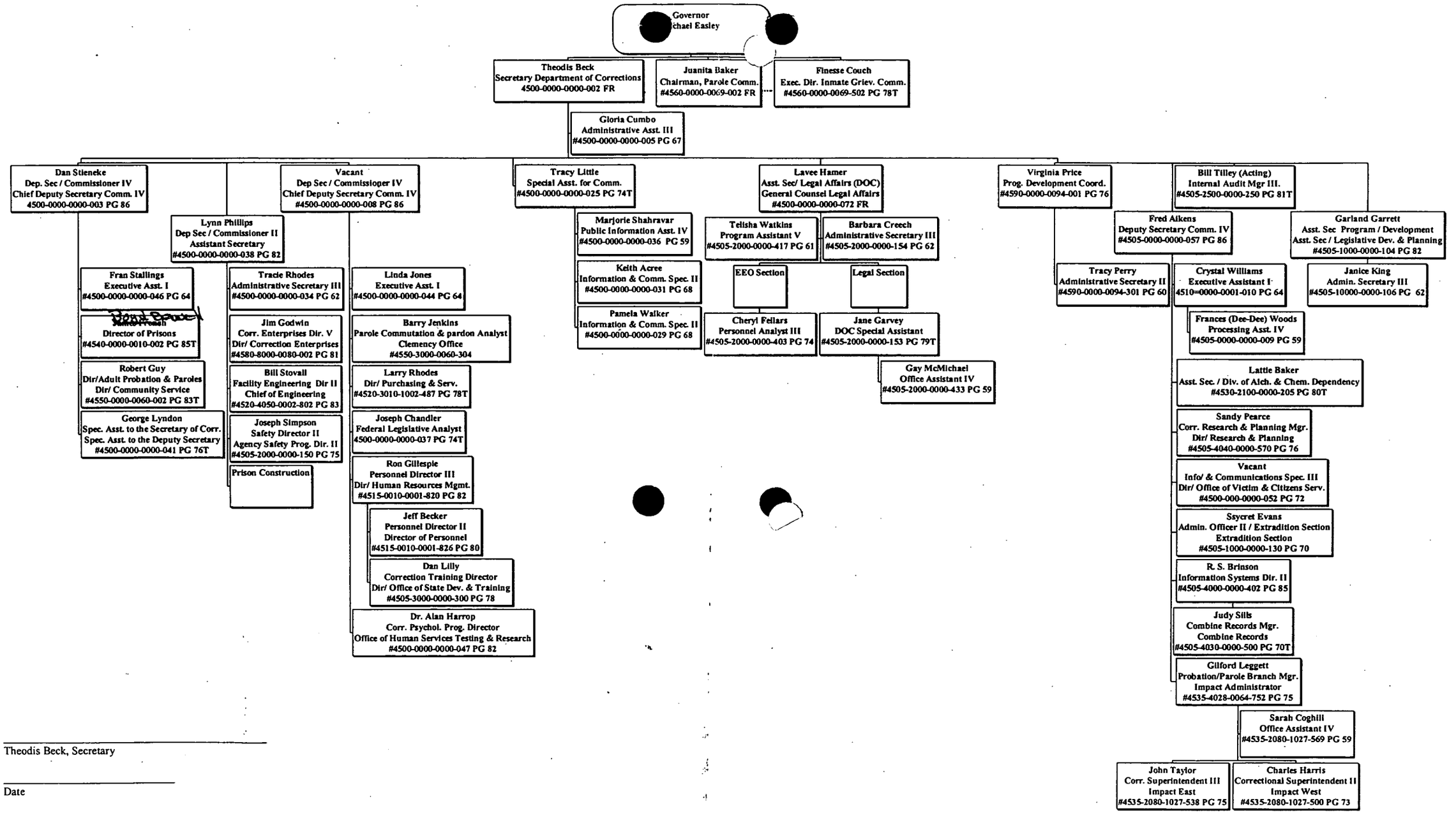
- Reduced inmate food and medical budget
- Closed GPAC prisons (23 of 29 now closed) and reduced inmate budgets.
- Mgmnt/Program Positions Department-wide – reduce mgmnt layers/close and restructure area offices
- Reduce Parole Commissioners and staff
- Reductions in IMPACT
- Reduce capacity in prisons and reduce staff.
- Use Cash Balance in Special Funds for Budget Reductions in General Fund
- Reduce operating line items in DCC

Examples of DOC Budget Items Under Modified Zero Based Approach

Category	99-2000 Expenditures	12/31/00 Authorized Budget	12/31/00 Authorized Budget by Program	12/31/00 Authorized Budget by Program
Travel	$2.9M	$3.1M	$1.26M Admin.	$1.16M Prisons
Misc. Contracts	$49 M	$32 M	$7.8M DART	$21M Prisons
Contract Staff	$12.9M	$8.7M	$7.1M Medical	$1 M Dept Admin.

Mar. 1, 2001
Handout # 4

DEPARTMENT OF CORRECTION
SECRETARY'S STAFF
FEBRUARY, 2001



Theodis Beck, Secretary

Date

2001

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY

MINUTES

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday March 6th, 2001
8:30 a.m
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Review Prison Custody and Security Budget

  Jim Mills, Fiscal Staff

  Comments by Department of Correction

- Budget and Staffing for former Private Prisons

  Gregg Stahl, Department of Correction

  Danny Thompson, Department of Correction

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Wednesday March 7—Nonprofits funded through Department of Correction
  Thursday March 8-- Continue Review of Department of Correction
  Tuesday, March 13 – Substance Abuse Treatment Program; IMPACT

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
March 6, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on March 6, 2001 at 8:30AM in room 415 LOB. Two Senate committee members attended and the following House members:

Rep. Bill Culpepper — Rep. Phillip Haire
Rep. Wayne Goodwin — Rep. Joe Kiser
Rep. Wayne Sexton

Senator Luther Jordan chaired the meeting. Mr. Jim Mills discussed the Department of Correction Prisons Budget. See attachment of the same title. The prisons budget is $761.5 million dollars of which 67% is for custody and security. The balance is for health, food, clothing, programs and management. The handout discusses purchased services, miscellaneous contracts, money for equipment and prison staffing pattern.

In response to Rep. Kiser, the sentencing commission keeps records on the number of misdemeanants and it will e provided to the committee. In response to Sen. Ballance, Greg Stahl said the counties usually pay for safekeepers. Sen. Ballance suggested that the technology to use cameras survey the perimeters rather than personnel in the towers.

To Rep. Goodwin, Mr. Stahl said items are replaced as they wear out. Generally they do replace critical need equipment. In response to Rep. Kiser, Mr. Danny Thompson said 60 buses are used in daily transport. Close custody inmates are not transported on these buses. In response to Sen. Jordan, the buses are owned and not leased. In response to Sen. Ballance We do buy from prison enterprises to the extent possible. Sen. Jordan requested a breakdown on furniture expenses.

Mr. Mills returned to the handout. The total number of custody and security positions is 11,873. The total prison positions are 14,818. The total number of correctional officers is 9,299. There were 879 vacancies on 1/31/01. The lapsed salaries were used for other things. $39 million is expected to be generated this year in lapsed salaries. Over 1/3 of correction officers leave in a year. To try and stem this, holiday and weekend premium pay has increased as of 7/1/00.

In response to Sen. Jordan, they are trying to fill in the vacancies with overtime and they are trying to recruit retired officers. Part of the difficulty in enticing officers is the non competitive salaries they receive. In response to Rep. Kiser, Mr. Stahl said they are refining the prototypical design for the new prisons to make them as efficient as possible.

Twenty three of twenty nine GPAC prisons are closed. The 24 segregated beds at Scotland are used system wide throughout the state. In response to Rep. Haire, All prisons do not have segregated beds. There are approximately 1600 segregated beds state

wide. Mr. Danny Thompson will provide Rep. Haire with information regarding location of segregated beds. In response to Rep. Sexton, if all adjustments at GPAC units were made costs would not decrease.

Senator Jordan adjourned the meeting at 10AM.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Committee Assistant

Department of Correction Prisons Budget – Custody and Security

Joint Appropriations Subcommittee on Justice and Public Safety

March 5, 2001

FRD

Department of Correction Total Authorized General Fund Budget December 31, 2000

DOC Budget (in millions)

Prisons: $761.5

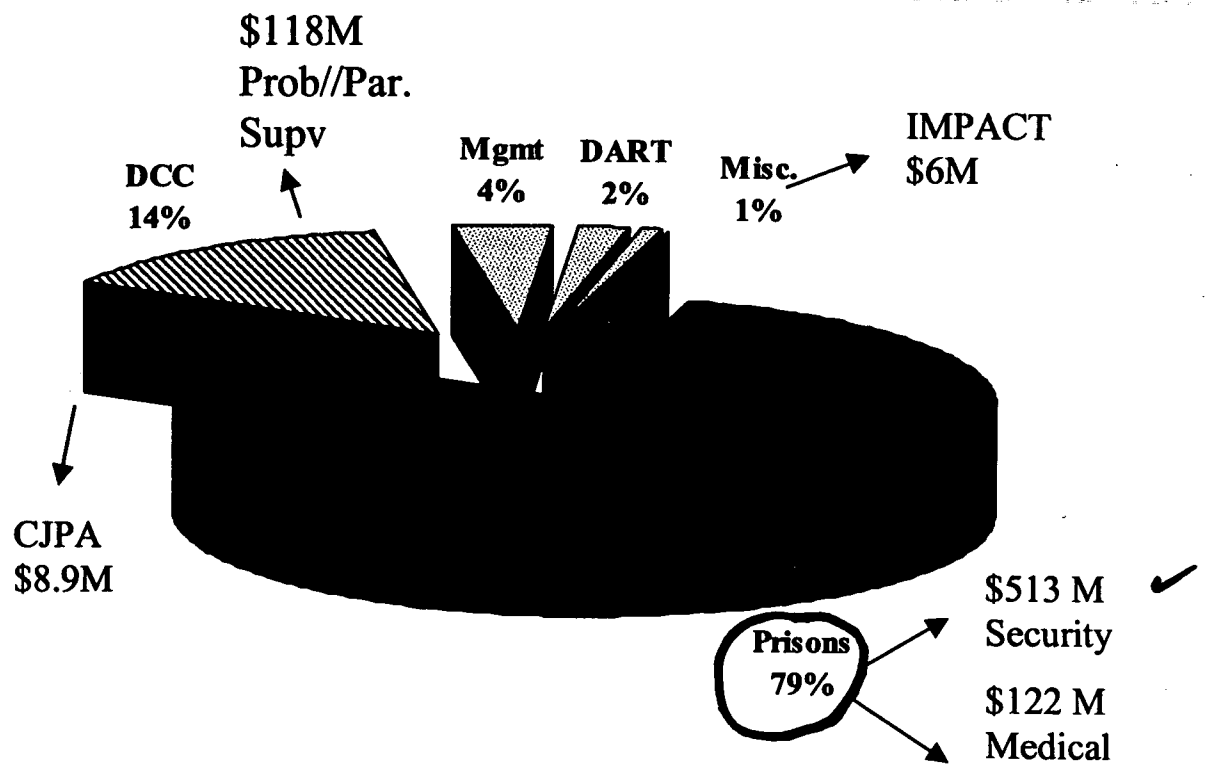
DCC: $134

Mgmnt: $38.5

DART: $18.1

Misc.: $ 8.7

TOTAL: $960.8



Net General Fund Approp. Is $927.9 million; this excludes receipts of approx $33 m.

What does it cost to operate a prison bed?

- Statewide Average: $63.63 in 99-2000 ($63.43 in 99-2000)
  - Close Custody: $75.32
  - Medium Custody: $68.13
  - Minimum Custody: $52.52

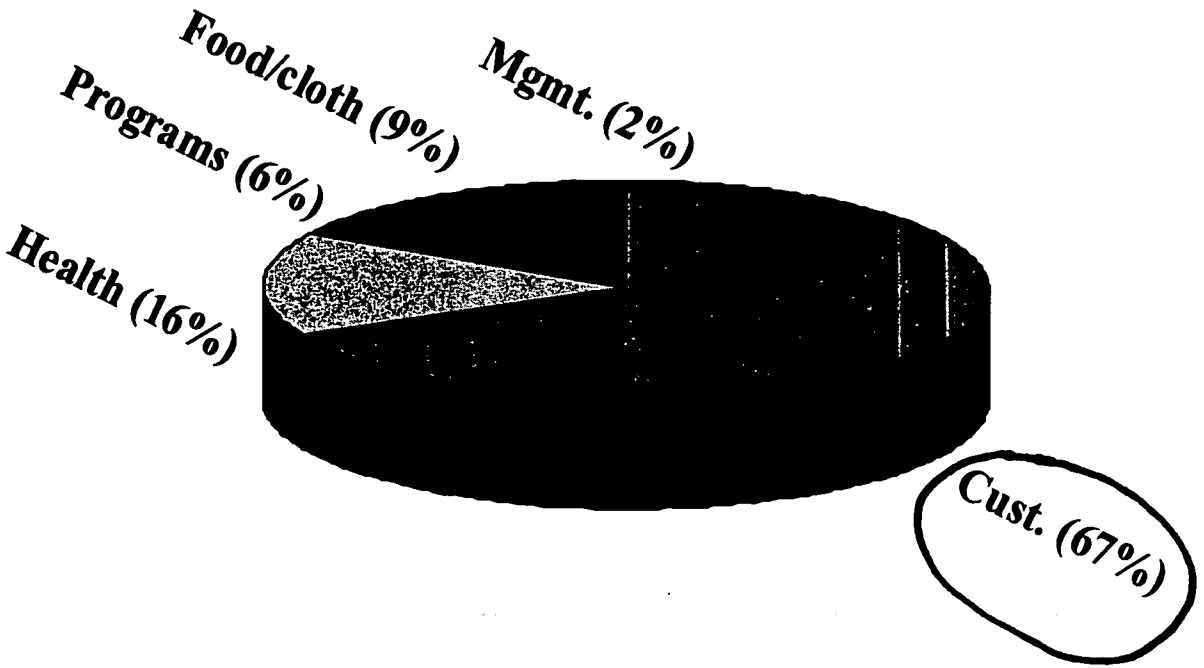
- What's included in cost?
  - Inmate Costs (food, medical, etc.)
  - Staff Costs
  - Facility Operating Costs (non-salary)
  - Overhead/Mgmt Costs (Central Office and Prison Mgmt)

Division of Prisons – Authorized Budget as of December 31, 2000

Prison Budget

(in millions)

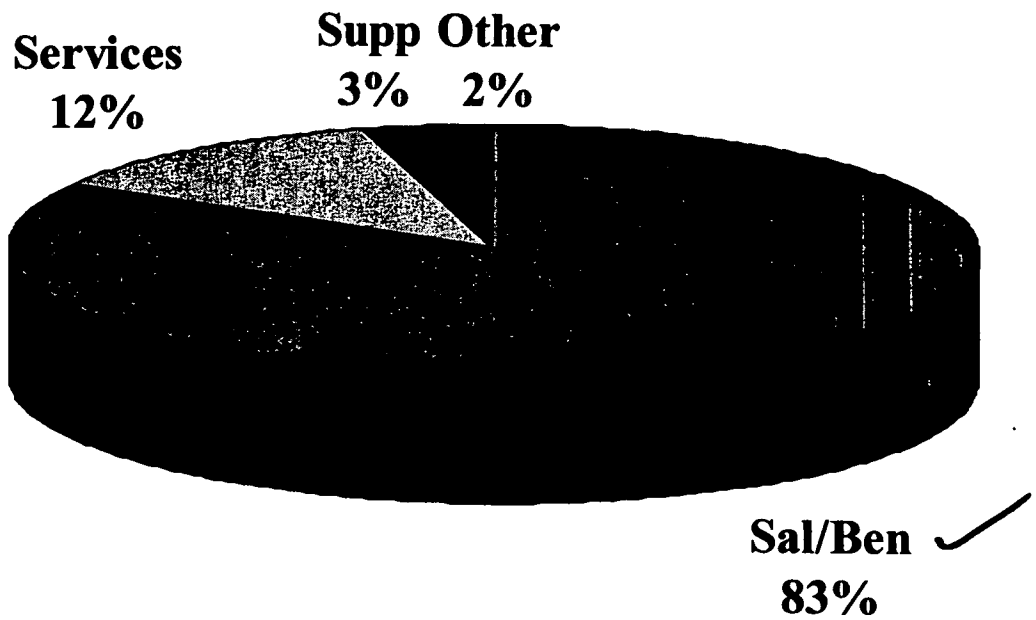
Custody/Sec:	$512.8
Medical:	122.2
Programs:	42.4
Food/Cloth:	72.4
Mgmnt. :	11.7
TOTAL:	*$761.5*



Custody and Security Authorized Budget as of December 31, 2000

Budget by Purpose

Sal/Ben.:	$426.5M
Purch Srvcs:	63.4
Supplies:	13.9
Other	2.2
Equip/prop	6.8
TOTAL	*$512.8*



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Growth in Custody and Security Budget

Purpose	98-99 Expenditure	99-2000 Expenditure	2000-01 Authorized
Sal/Ben	$384.5	**$384.1**	**$426.5 M***
Purchased Services	70.9	$77.1	63.4
Supplies	14.8	13.6	13.9
Equip/Property Line Item	5.3	4.9	6.8 (5.6 is equip.)
Other	2.1	8.7	2.25
TOTAL (with other)	$477.6	$488.46	$512.8

*Increase due to officer salary changes, reallocation of CCA contract line item to salaries and increased positions at former CCA facilities.

Cost Drivers - - Custody and Security Budget

- Major Cost Drivers
  - Staffing/Salaries
  - Purchased Services/Contracts ✓
- Other Budget Items
  - Equipment
  - Supplies
  - Travel

Purchased Services

- Total Budget: $63.4 million 12/31/00
- Includes Miscellaneous Contracts, Utility Bills, Rent and Leases, SIPS Computer Charges
- Where is the majority of budget?

  Miscellaneous Contracts is $20M plus and utilities for prisons over $22 million. CCA lease is $3.8 million (partial year) of $5 million rent and lease item.

Miscellaneous Contracts

- $20 million authorized budget 12/31/01
- Jail Misdemeanants Contract $9.9M (est $11.6 by end of year)
  - Misdemeanants with sentences of 90 days or less must be sentenced to local confinement facilities (G.S. 15A-1352)
  - DOC must pay at rate set by G.A. ($18 a day plus medical) for offenders sentenced to 30 days or more (G.S. 148-32.1)
- Prisoner Legal Services Contract $1.7 million authorized (new contract is $1.96)
  - Negotiated rate to provide legal services to inmates
- Albemarle Maint Contract – $1.24M for use of private vendor
- Balance in authorized budget is for partial year payments to CCA

DOC CUSTODY AND SECURITY EQUIPMENT BUDGET AND EXPENDITURES

1310 Equipment	Exp. 1998-99	Exp. 1999-2000	Auth. 2000-01 - 12/31/2001	Exp. 2/28/2001
Office	$1,498,686	$1,724,254	$2,315,452	$879,448
Computers	2,131,787	2,412,810	324,240	91,212
Radios	677,185	590,078	552,270	276,109
Communications	429,931	911,509	926,894	609,363
Custody and Security (Weapons)	32,284	80,658	116,987	37,163
Other	1,041,608	866,841	748,568	600,597
Vehicle Purchase	1,150,228	258,080	440,000	417,739
TOTAL	**$6,961,709**	**$6,844,230**	**$5,424,411**	**$2,911,631**

Cost Drivers in Custody and Security Budget – Staffing/Salaries

- Total Number of custody and security positions is 11,873 (12,112 on July 1, 1996). Total prison positions 14,818

- Total Number of Correctional Officers and Lead C.O: 9,299 (9.4% vacant 1/31/01)

Cost Drivers in Custody and Security Budget – Staffing/Salaries

- Used salary reserve to increase base pay for Officers and establish Lead Officer
- Possible changes in Salary Line Items to be considered in Continuation Budget
  - Holiday Premium Pay
  - Weekend Premium Pay

  → $6.3 Million for both (Lapsed Salaries in 2001)
- Overtime Pay for Corr. Officers
  - Authorized $8.6 million;estimate is $14.9 million for 2001
  - Actual was 1998-99: $8.9 million 1999-2000: $11.6 million

Methodology for Staffing in Prisons

- Start with DOC staffing guidelines, then review individual facility needs
- Review (1) physical facility such as dorm or single cell; design of housing unit; (2) custody level/classification of inmates; (3) inmate program type and hours of activity; and, other factors
- Determine where a custody "post" should be assigned and then determine how many hours a day and days of week to staff a post
- Assign relief factor to account for days Off– training, holidays etc. to ensure post coverage.

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STFSTND.WK1 STANDARD STAFFING - DIVISION OF PRISONS

USE AS A GUIDE, NOT A RIGID STANDARD, FOR STAFFING VARIOUS SIZES/MISSIONS OF FACILITIES

HOUSING UNIT STAFFING:	1	2	3	TOTAL POSTS
DORM SUPV POSTS-MINIMUM:				
OLD DORM	0	1	1	2
NEW MODULAR DORM	0	0	1	1
50 BED DORM	0	1	1	2
104 BED DORM	2	2	2	6
200/208 DORM	3	4	4	11
DORM SUPV POSTS-MEDIUM:				
OLD DORM	2	3	3	8
104 BED DORM	2	3	3	8
104 DORM W/10 CELL	4	4	4	12
208 DORM W&W/0 MEZZ	4	6	6	16
SINGLE CELL BUILDINGS:				
20 TO 28 SEG	2	2	2	6
40 BED SEG	4	4	3	11
CELL BLOCKS				
128 SING CELL	3	3	3	9
144 SING CELL	6	6	4	16
168 SING CELL	8	8	(8)	24
OTHER-FACILITY SPECIFIC				
USE 1.76 RELIEF FACTOR ✓				

UNIT MANAGEMENT STAFFING:

	1	2	3	TOTAL PSTS	TIMES R.F	EQUAL PSNS
Unit Manager	1			1	1	1
Asst Unit Manager	1			1	1	1
Office Asst III	1			1	1	1
Sergeant	1	1	1	3	1.76	5

FOR OTHER HOUSING STYLES,
SEE INDIVIDUAL UNIT STAFFING LISTS.

STFSTND.WK1 STANDARD STAFFING - DIVISION OF PRISONS

USE AS A GUIDE, NOT A RIGID STANDARD, FOR STAFFING VARIOUS SIZES/MISSIONS OF FACILITIES

	BASE	100 149	150 199	200 249	250 299	300 349	350 399	400 449	450 499	500 549	600 719	720 768	802 828	947 1192
CORRECTIONAL OFFICER POSTS ALL CUSTODY LEVELS:														
YARD - FACILITY SPECIFIC														
1.5 CLTHS/MAIL/CANTEEN			1	1	1	2	2	4	4	4	5	5	5	7
TRANSPORTATION-MEDIUM	3	3	3	3	4	4	5	5	6	6	7	8	10	10
TRANSPORTATION-MINIMUM	2	2	3	3	3	4	4	4	5	5	7	7	9	9
TRANSPORTATION-CLOSE									8	8	9	10	14	18

	1	2	3	TOTAL POSTS
CORRECTIONAL OFFICER POSTS MEDIUM AND ABOVE:				
FACILITY SPECIFIC:				
YARD				
VISITING				
KITCHEN				
GYM				
ENTERPRISE				
ENTERPRISE TOWER				
TOWER				
LOADING DOCK				
VOCATIONAL BLDG				
CLASSROOM BLDG				
OPERATIONS CENTER				
MEDICAL AREA				
MASTER CONTROL				
CENTRAL CONTROL				
INMATE RECEIVING				
DIAGNOSTIC CENTER				
PERIMETER PATROL -MED	2	1	1	4
PERIMETER PATROL-CLOSE	2	2	2	6
GATEHOUSE	2	2	1	5

DOC Prison Staffing Ratios – Custody/Security and all Staff (total population count vs. staff positions)

Date of DOC Report	Inmates to Staff Ratio (Custody)	Inmates to Staff Ratio (All prison staff)*
3/98	2.86: 1	2.14: 1
2/99	2.76: 1	2.0: 1
4/2000	2.8: 1	2.1: 1
2/2001	2.84: 1	2.1: 1

*Custody, admin, food srvc., medical, programs, maintenance

What changes have been made in staffing patterns at prisons?

- Electronic Intrusion = Close Towers and add Perimeter Patrol
- Perimeter Patrol – since reduced to staffing of 2-1-1 at medium and 2-2-2 at close custody (day-evening-night)
- Utility Correctional Officers – Reduce coverage from 7 days a week to six (yard, enterprise, gym etc.)
- Reduced capacity at 16 minimum custody prisons and then security posts/staff by 108.
- Minor reduction to number of posts/positions in prison reserves

Are further security staffing adjustments a budget option?

- Staffing adjustment options
  - Reduce perimeter patrol further?
  - Could some posts be reduced on midnight shifts?
  - Are some posts staffed 24 hours a day/7 days a week that could be 16 hours?
  - Unit Mgmnt. Concept – Effectiveness of unit concept?
  - Effect of reducing correctional officer ratios statewide?
  - Review staffing changes at former CCA Prisons?
  - Add more electronics/reduce staff?
- Close Prisons?
  - GPAC units are minimum custody but program and geographical location issues
  - Older medium custody but capacity issues

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OVERVIEW OF REMAINING GPAC PRISON FACILITIES AT DOC

FACILITY	SECURITY LEVEL	WITH OH COST PER DAY 99-00*	WITHOUT OH COST PER DAY 99-00*	CAPACITY			ESTIMATED ANNUAL BUDGET	Estim. # positions
				SOC	EOC	SEG SPACE		
Alamance	Minimum	66.89	49.04	46	56		$1,038,466	27
Gates	Minimum	47.09	34.31	76	96		1,188,516	28
Haywood	Minimum	48.61	34.65	106	106		1,455,648	33
Henderson	Minimum	49.96	35.97	114	114		1,519,760	33
Scotland	Minimum	102.39	74.80	44	48	24	1,469,810	42
Union	Minimum	56.78	41.69	64	94		1,270,364	32
TOTALS:				**450**	**514**	**24**	**$7,942,564**	**195**

Average cost per day for minimum custody prisons in 1999-2000 was **$52.52 (with overhead). Average cost statewide for close, medium and maximum was $63.65 ($63.43 in 1998-1999).*

PROGRAM STRUCTURE AT REMAINING GPAC PRISONS - DOC (February, 2001)

INMATE JOB CLASSIFICATION	ALAMANCE	GATES	HAYWOOD	HENDERSON	SCOTLAND	UNION
Kitchen	8	10	8	12	12	8
Janitorial	2	5		5	8	2
Canteen Operator	1	1	1	1	1	1
Clotheshouse Operator	1	2	1	1	2	2
Barber	1	1		2	1	1
Recreation Clerk		1		1	1	
Library Clerk		1		1		
Maintenance	2	4	1	3	3	2
Waste Water Worker				2	1	
Minimum Road Squad		18				
DOT Worker			31	27		
Work Release	41	23	7	8	5	78
Community Work Crews		10	40	30	10	
Labor Services Contracts		10		5		
Construction Program						
BRIDGE (NC Forest Service)						
Greenhouse Worker						
Labor Services		7	9	12	4	
Subs Abuse Peer Counselor			2			
TOTALS:	**56**	**93**	**100**	**110**	**48**	**94**
Expanded Capacity	56	96	106	114	48	94

VISITOR REGISTRATION SHEET

Justice and Public Safety — 3-6-01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Margaret Nestbrook	KCLH
NELS ROSECAND	STATE BUDGET
Deb Ross	ACLU
S. Katzenelson	Sentencing Commission
M Coddington	GAL
Gary McLaud	CCPS
Barbara Baker	DOC
	DOC
	DOP
	NCCEASE
David Fenell	Hyde, Caldwell & Fenell

VISITOR REGISTRATION SHEET

Justice and Public Safety
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jim Cruer	BPMHL
Zeb Alley	Alley Associates Inc
Robert H. Hobgood	AOC
Bill Scoggin	Kennedy Covington
Dana Damico	Winston-Salem Journal

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday March 7th, 2001
8:30 a.m. and 15 minutes after last chamber adjourns
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- DOC Recurring Grants to Non-Profit Organization
  Kelly Little, Fiscal Research Staff

  Summit House
  Ted Whiteside, CEO
  Harriet's House
  Jeanne C. Tedrow, Executive Director
  Women at Risk
  Ellen Clarke, Executive Director
  Energy Committed to Offenders (ECO) (Contract)
  Myra Clark, Director
  John Hyman
  Melinda Solomon, Director of the Halifax Project

- DOC Travel Budget
  Jim Mills, Fiscal Research Staff
  Gregg Stahl, Department of Corrections

- Budget and Staffing for former Private Prisons

  Gregg Stahl, Department of Correction
  Danny Thompson, Department of Correction

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Thursday March 8 - Continue Review of Department of Correction
Tuesday, March 13 - Substance Abuse Treatment Program; IMPACT
Wednesday, March 14 – Inmate Medical and Food Budgets; Prison Reserves

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **March 7, 2001,** at 8:30 a.m. in Room 415 of the Legislative Building. Three (3) Senators were present. The following members of the House were present:

Rep. Phillip Haire	Rep. Bill Culpepper
Rep. John Hall	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

A visitors registration is attached and made part of these minutes.

Rep. Bill Culpepper called the meeting to order and introduced the Pages. He stated that because of the number of presentations, the morning meeting would probably be carried over into an afternoon meeting.

Kelly Little gave a brief overview **(Handout #1)** of the DOC recurring grants to the five non-profit organizations who were present to give information about the programs as to what these programs are, how they measure effectiveness, and what the General Assembly funding is used for.

Senator Ballance pointed out an error in the funding history for John Hyman Community Based Substance Abuse Treatment Program which Ms. Little will correct.

Rep. Culpepper introduced Ted Whiteside, CEO, of Summit House for the first presentation. **(Handout # 2).**

Rep. Sexton asked what the six months of outcare services consisted of? Mr. Whiteside that the six months of assistance were counseling services, adjustment services, and lots of referrals. There is much activity in establishing a reattachment a client with the community and linking them with the necessary services in the community. Making certain they are continuing their AA involvement and just making sure that the client is o.k.

Rep. Kiser asked if there have been any occasions of crack cocaine babies being born in the program and how is this paid for? Mr. Whiteside responded that Medicaid Insurance paid for this. However, in the Charlotte program they have been able to move to specialize in dealing with children of substance abusive moms and develop a process for these children.

Rep. Culpepper asked what the total population in the program was? Mr. Whiteside answered 50-60 children and moms at any one time. Rep. Culpepper asked what percentage of the women are diverted away from prison? Mr. Whiteside answered 100%.

Rep. Kiser asked of the total number of people, what percentage of women finish the 2 year

period? Mr. Whiteside responded with 2 answers: 1. Program Completion and 2. Graduation - which is rare. It is a high risk population who have trouble achieving the elements for graduation which are to be substance abuse free, get an education and obtain a job. Any time spent in the program makes the women better and reduces recidivism.

Rep. Haire pointed out under the Mission Statement that it said less than 20% had a recondition and 40% were re-arrested. Have the terms been interchanged here? Mr. Whiteside said that depending on who was measuring and at what level - a mixed metaphor. The recidivism rate for all women with a re-conviction was 20.7% compared to the entire prison population which was 27%.

Rep. Haire asked about the one million $ from DOC and asked where do we come up with $13.94 to keep a child and does that include everything. Mr. Whiteside answered that $131.94 was a combined figure for mother and child.

Rep. Justus asked about the primary reasons for failing to graduate and how often was drug testing done. Mr. Whiteside answered the first question said the main reason a person does not graduate is that they run away and leave the program. Kits for drug testing are done 3 to 4 times per week and upon return from a visit away from the facility.

Rep. Justus asked if they run away from the facility, are they breaking probation? Mr. Whiteside said that they were reported, having broken probation and were incarcerated. Rep. Justus asked if this was part of the recidivism rat of 20% and the answer was yes.

Rep. Sexton commented that drugs are bound to be a problem as they are available. Mr. Whiteside reported that since July,'99, there had only been one report of drugs in the program where cocaine was brought back. Homes are keep under close watch and there had been the one instance in a year and a half and this was reported by two others in the program.

Ms. Jeanne C. Tedrow, Executive Director of Harriet's House gave a presentation on the Harriet's House Program. Ms. Tedrow introduced Lisa Crosslin, Program Manager of Harriet's House. This program was developed 5 years ago because there was no response to the needs of women coming out of prison who had children. Passage Home was asked to develop this program to meet the needs of these women and children **(Handout #3)**.

Sen. Ballance asked if the success rate was 81%? Ms. Tedrow responded that there was a 93% success rate for non-recidivism and 89% total for non-rearrest.
Sen. Ballance further asked about the involvement in substance abuse for these women coming out of prison. Ms. Tedrow said that is was a very high percentage. All participate in AA meetings and random urine checks are done. Sen. Ballance asked if there is any substance abuse treatment at Harriet's House? Ms. Tedrow responded that there is no specific substance abuse program, but they do receive treatment from other programs so that once they leave Harriet's House they have a very strong support system independent of Harriet's House.

Rep. Culpepper asked if the mothers that are coming to them have already been in prison? Ms.

Tedrow explained that it is voluntary - no court order. They may be under parole, but is not a condition of parole that they participate in the program. Lisa and staff interview the women while they are in prison. The key reason that the women will come into the program and continue is that they want their children back. Rep. Culpepper than asked how they know who to interview. Ms. Tedrow answered that they work closely with prison officials and there is word of mouth within the system that leads mothers to seek out social workers as they begin to wonder "what am I going to do when I get out of prison?" They are then asked if they would like to fill out an application for Harriet's House.

Sen. Thomas asked if most are located in Raleigh - primarily from Wake County or statewide? The reply from Ms. Tedrow was that they are from all over - a wide area - not just Raleigh.

Rep. Kiser asked what percentage are from Wake County? Thirty (30)% are from Wake County.

Rep. Haire asked if Harriet House is under the umbrella of Passage Home? Yes. And also is Matthew House the male equivalent of Harriet House? Matthew House if a program for homeless families, for women with children who are not ex-offenders - just homeless. Matthew House is named because of Matthew 25 and Harriet House for Harriet Tubman.

Sen. Bingham noted that the majority are employed minimum wage, but doesn't see how these single mothers can buy a home. Must be taught well on how to manage money. Ms. Tedrow said that they are able to offer affordable home for @ $105,000, through legislative support of housing programs that there are trust funs that are available and that they work closely with the city on their 2nd mortgage program. They are looking to revitalize home in Southwest Raleigh and to rehabitize 10 homes that are now boarded up. These programs help in two ways - to help the mothers as well as the neighborhoods.

Rep. Sexton asked if they have any idea of the average incarceration time? The average is 5 years. He also noted that he sees a 76% substance abuse and assumes that they have addressed this in some way or another in prison. How do you deal with that? Ms. Tedrow answered that there is no program per se, but they do have a case manager who has a speciality in substance abuse treatment. They establish a family care plan at the beginning and have goals to meet (get to AA meetings, work with other agencies to meet special group needs as it is an ongoing issues for most of the women. There is random testing and they know there is a lot on the line.
Rep. Sexton then asked if random testing shows one who is constantly abusing, what is done? The answer is that there is no 'constantly' there is only 1 shot. There is not the opportunity for constantly braking the rules. Most will use outside and they have never found drugs inside the house.

Rep. Justus asked if the total budget for 1 year was 1.3 million? Ms. Tedrow answered that it is for Passage Home for 1 year and has served 44 families in 5 years. Rep Culpepper clarified that the 1.3 million is for numerous programs. Ms. Tedrow stated that Matthew House serves 40-5-homeless families, Harriet House has a capacity of 12 and on the average serves 9 or 10 women. Rep. Justus additionally asked how often they did drug testing. The answer was a couple of times a week randomly.

Rep. Culpepper then introduced Ellen Clarke, Executive Director of Women at Risk. Ms. Clarke asked that the budget figures be corrected to read $250,000 in the year 200-2001 and the last fiscal year was $200,000. Kelly Little stated that this was a typo.

Ms. Clarke spoke on the program and services of Women at Risk (Handouts #4 and #5) and pointed out that the program was very cost effective and had become more diverse and sophisticated. She summed up the effectiveness of the program as being due to public and private partnerships and a volunteer Board of Directors - have stretched the money - a very effective use of state money.

Due to time restraints, Ms. Clark (ECO) and Ms. Solomon (Halifax Project) will make presentations when the committee re-adjourns at 1:30 p.m.

Rep. Culpepper adjourned the meeting.

Respectfully submitted,

Rep. Bill Culpepper, Presiding Chair

Sara Jane Lennard
House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 3/07/01
Name of Committee — **Date** 8:30

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Martin Nesbitt	NC House Assembly
Bill Scoggin	Kennedy Covington
Greg McLeod	CCPS
Dot Ehlers	11th JD Re Entry
Garland Garrett	DOC
Ellen Clarke	Women at Risk
JOYCE KUHN	Sentencing Services. Orange Chatham Counties
Beth C. McAllister	Wake County Summit House
Jed Christensen	Summit House
Melinda Dolan	John Hyman Program
Eddie W. Lawrence	John Hyman Program

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 03/07/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jeanne Tedrow	Passage Home Harriet's House
Lisa Crosslin	Passage Home Harriet's House
Myra Clark	ECO
Scott Bradley	Mediation Network of NC
Lao Rubbert	CJPC
Deb Ross	ACLU
John McMillan	NCAIPA
Doug Hoppin	DOP
Leon McKillop	Mona Lisa
Lisa Hall	DOC
Robert Hodgood	AOC

March 7, 01
Handout # 1

Non-Profit Agencies in DOC Budget

Harriet's House

Harriet's House is a specialized, transitional housing program developed to help women leaving prison make a successful re-reentry into the community, regain custody of their children and maintain full employment and obtain permanent, affordable housing. The two-year program is four phases, supervised living, transitional living, community living, and aftercare. It is part of a larger "parent" organization called Passage Home, a faith based, interracial ecumenical community development corporation designed to help strengthen low wealth families and neighborhoods using community economic development strategy.

Legislative Funding History				
1996-97	**1997-98**	**1998-99**	**1999-00**	**2000-01**
200,000	200,000	200,000	275,000	275,000

John Hyman

John Hyman is a community based substance abuse treatment program serving Warren and Halifax Counties. The most of the clients who attend the program's outpatient treatment classes have alcohol and cocaine addictions. Clients attend the centers because of one or more of the following: DWI convictions or arrests, domestic violence offenders with drug addictions, crimes associated with drug addiction, arrests and/or convictions of selling drugs, Drug Treatment Court, and some volunteer. Services provided by this program include: transportation for clients, tutorials for students, substance abuse counseling and substance abuse prevention.

Legislative Funding History				
1996-97	**1997-98**	**1998-99**	**1999-00**	**2000-2001**
250,000	250,000	312,500	250,000	250,000

Summit House

Summit House serves non-violent women probationers and their children. The program's goal is to assist women in achieving independence from: illegal substances, destructive relationships, criminal behavior and financial dependency. Participates must commit to the program for two years, during which time they will attain relevant job skills, resume a responsible role as a parent, and have the access to several other services, including: crises intervention, substance abuse programming, family planning counseling, and transitional living assistance.

Legislative Funding History				
1996-97	**1997-98**	**1998-99**	**1999-00**	**2000-01**
1,103,759	1,103,758	1,728,758	1,103,758	1,396,592

Women at Risk

Women at Risk is a 16-week community based treatment program serving female offenders as a special condition of regular or intensive probation. The program works with women to remain out of custody, to succeed on probation and to overcome abusive and self-destructive behavior. Services include weekly two-hour intensive group sessions, intensive individual case management and court advocacy. Women at Risk monitors the attendance and participation of each offender and provides individual written reports on probation, the court and other referral sources.

Legislative Funding History				
1996-97	**1997-98**	**1998-99**	**1999-00**	**2000-01**
$115,000	$125,000	$160,000	~~$200,000~~ $250,000 $200,000	~~$200~~,000 $250,000

ECO (Energy Committed to Offenders)

ECO is a non-profit organization established in 1974 to work with inmates and their families. In 1986, legislation authorized ECO to establish a contract prison unit for female inmates. ECO, located in Charlotte, operates 20 minimum custody beds for the Department of Correction. These beds are counted in the prison capacity figures. ECO is considered a "halfway house" or transition program for female inmates who have earned a minimum custody, level III classification and are due to be paroled or released within three years. ECO contract funding has been a recurring DOC Continuation Budget item for a number of years.

Legislative Funding History				
1996-97	**1997-98**	**1998-99**	**1999-2000**	**2000-01***
$262,800	$303,408	$318,200	$331,430	$290,800 auth.

*ECO was also appropriated $60,000 in one-time funding in FY 2000-01 for a pilot program to provide counseling and services to families of inmates.

Handout # 2
March 7, 01

SUMMIT HOUSE

Keeping families together, changing women's and children's lives

Interim Report to

"The Joint Appropriations Subcommittee on Justice and Public Safety"

March 1, 2001

"A mother is not a person to lean on, but a person to make leaning unnecessary."
Dorothy Fischer

JEAN ANOFF, CHAIR, BOARD OF GOVERNORS
TED WHITESIDE, CEO

SUMMIT HOUSE

OVERVIEW

What is Summit House?

Summit House is a community corrections program serving female non-violent offenders and their children. many pregnant

Where is Summit House?

Summit House is located in three locations in North Carolina (Raleigh, Charlotte, and Greensboro).

What does Summit House do?

Summit House receives referrals from judges, probation officers, attorneys, and many others in the criminal justice system. Through a comprehensive intake and placement process Summit House determines a treatment plan for each of its residents. Working closely with community resources, Summit House moves each woman in its program toward higher levels of independence and self-reliance. Summit House also runs a Day Reporting Program in Greensboro.

How long does a woman and her children reside at Summit House?

Each resident makes a commitment to work toward "graduation" from Summit House. To achieve graduation a woman commits to two years in residence. voluntary

What takes place during those two years?

Working from the above-mentioned treatment plan, each woman must achieve the following: recovery from substance abuse addiction, receive a minimum of a GED, attain job skills, and, obtain steady employment above the minimum wage.

What happens to the children while they are at Summit House?

Depending upon the child's age each child will attend either child care or public school. Each child, while having the benefit of being with his/her mother, partakes in community based programming. Many of the children living at Summit House receive specialized services, dependent upon each child's needs.

What happens after a women leaves Summit House?

Having fulfilled her sentencing requirements our mothers move out into the community. First, through a transitional phase a mother is able to gradually establish herself and her child(ren) while still residing at Summit House. After graduation a mother and her family reside in the community and receive at least six months of formal aftercare services from Summit House.
A recent graduate of our Charlotte program moved into her own apartment with her two children, is employed at $28,000 per year, has purchased her own car, and is in application for a low-interest home mortgage.

Is the Summit House program cost effective?

Please refer to accompanying *Fact & Impact Sheet.*

SUMMIT HOUSE OF NORTH CAROLINA

Keeping Families Together – Changing Women's and Children's Lives

FACT AND IMPACT SHEET

FACTS ON NORTH CARLINA FEMALE OFFENDERS:

- In 1983 there were 601 women admitted to prison in North Carolina; in 1989 882; in 1994 1,135, and in 1998 1,849
- Over 3,300 children are without their mothers due to incarceration
- 24-48 hours after birth babies are taken from their incarcerated mothers
- Children of incarcerated parents are much more likely to be incarcerated themselves
- Over 1,900 women are incarcerated in our state on any given day

FISCAL IMPACT TO OUR STATE

- The average cost of a residential child care facility group home (foster care) is $116.45 per day
- The annual cost to incarcerate a woman is $24,867.45 per year ($68.13 per day), using the medium custody per inmate figures from DOC
- As of 1999 the cost of building one minimum security prison cell for a female facility was $21,000

SUMMIT HOUSE FISCAL IMPACT

- The cost to the State for a mother and one child at Summit House is $131.94 as compared to $184.58 for one incarcerated mother and one foster care child
- The recidivism rate over a three year period, based on women released from prison in FY88-89 was 40%
- The recidivism rate for Summit House women is 21% (20.7%)
- Since 1996, Summit House has served 132 women. A 40% recidivism rate indicates that 53 of these women would have been reconvicted. Summit House's reconviction rate of 21.7% means that 27 of these women have been reconvicted. The difference of 26 women times the average $68.13 per diem in prison would have resulted in a cost to the state of $1,771.38 per diem or $646,554 per year (1)(2)

SERVICE DIFFERENCES BETWEEN SUMMIT HOUSE & PRISON:

- Every mother completes parenting classes and is able to use those skills by living in residence with her child(ren)
- Every mother, if appropriate (80%), must complete all substance abuse counseling, participate in random drug screening, and continue to attend NA/AA
- Every mother learns appropriate behaviors via an intensive cognitive behavior modification program linked to her treatment plan and goals
- Every mother must complete their GED to graduate
- Every mother must obtain employment at pay rate above minimum wage to graduate

1998 Improvement of Justice Award
Chosen "Best Practices" Program by the American Correctional Association
1996 President's Service Award Recipient

1. Data provided by DOC Research and Planning
2. Windham School System, *Three-Year Outcome Study of the Relationship Between Participation Windham School System Programs and Reduced Level of Recidivism* (Huntsville, TX; Windham School System, 1994

Summit House of North Carolina
PRINCIPLES

MISSION STATEMENT

The Summit House program strengthens the family by intervening in the lives of non-violent women offenders and their children. Comprehensive services are administered to the women and their children through the efforts of a public-private partnership in a highly structured environment. The program strives to break the cycle of crime. Summit House also advocates nationally for community based sentencing programs.

PURPOSE

The structure and practice of Summit House strives to prevent the unnecessary fracturing of families. Believing that keeping mothers and their children together while a mother reconstructs her life and pays a societal debt, Summit House functions as the facilitative environment wherein families reconnect and women become productive members of our society.

GOAL

The aim of Summit House is to assist in the process of women taking control of their lives. This includes achieving independence in a number of areas in their lives: illegal substances, destructive relationships, criminal behavior, and financial dependency.

TARGET

Summit House receives referrals from attorneys, public defenders, District Attorneys, Judges, Probation officers, and other sources. Summit House serves non-violent female offenders (minimum age of eighteen) and their children (male children must be eight years old or younger). Each of our mothers must commit to our program for two years, complete a battery of screening evaluations, and make a commitment to abide by the demanding Summit House rules and regulations. Failure to abide by Summit House's rules and regulations may result in dismissal.

OUTCOME

Through overcoming addiction, achieving, at a minimum, a high school degree, attaining relevant job skills, securing an above minimum wage full-time job, and resuming the role of responsible parent, a Summit House mother builds the necessary foundation for a productive law-abiding life and achieves the elements necessary for "graduation" from the Summit House program.

EFFECTIVENESS

The ultimate measure of effectiveness of the Summit House program is a low longitudinal recidivism rate. Summit House's research indicates that over an eight-year period of time 75% of all women who had been placed in the Summit House program had not been reconvicted within a three-year period post-placement. A less than 20% reconviction rate for Summit House graduates has also been shown. These rates compare with a reported over 40% rearrest rate for women in the general prison population. Summit House is currently undertaking a ten- year recidivism study that will be reported in mid-2001.

SUMMIT HOUSE
COMPARISON OF ACTUAL FY 2000 WITH BUDGET FY 2001

	ACTUAL FY00	BUDGET FY01
REVENUE		
PUBLIC SUPPORT		
Individual Donors	28,167	34,200
Corporations	5,080	58,000
Organizations	51,517	47,100
Board Donations	15,701	23,100
United Way	51,094	110,000
Foundations	147,000	65,598
Total Public Support	298,559	337,998
GOVERNMENT SUPPORT		
County/City Government	35,635	37,000
Free Lunch Program	7,900	8,500
State Government - DOC	1,103,758	1,396,592
State Government - DHHS	100,044	100,000
Total Government Support	1,247,337	1,542,092
OTHER		
Miscellaneous income	166,679	92,200
Total Other Revenue	166,679	92,200
TOTAL REVENUES	1,712,575	1,972,290
OPERATING EXPENSES		
Payroll related (detail provided)	1,171,831	1,461,259
Professional Fees (detail provided)	36,143	65,100
Office Supplies	14,993	15,520
Telephone	25,820	28,960
Postage	7,553	10,350
Occupancy (detail provided)	91,746	91,283
Rental/Maintenance - Equipment	19,855	17,855
Printing	6,744	15,000
Books & Software	1,463	5,200
Travel & Transportation (detail provided)	40,340	54,530
Conferences and Meetings (detail provided)	10,687	14,500
Spec Assist to Individuals (detail provided)	113,585	115,712
Miscellaneous other (detail provided)	91,780	102,474
TOTAL OPERATING EXPENSES	1,632,540	1,997,743
Excess Revenues over Expenses	80,035	(25,453)

PAYROLL RELATED DETAIL		
Salary Expense	982,282	1,196,928
Fringe Benefits	189,549	264,331
TOTAL PAYROLL RELATED DETAIL	1,171,831	1,461,259
PROFESSIONAL FEES DETAIL		
Counseling/Consultants	3,181	30,850
Legal Fees, Auditing Services, Payroll	12,193	17,350
Employment Ads & Expenses	12,176	5,400
Public Relations	8,593	11,500
TOTAL PROFESSIONAL FEES	36,143	65,100
OCCUPANCY DETAIL		
Office/Apartment Rents	29,127	26,305
Insurance	6,371	6,666
Mortgage Interest	17,948	17,436
Utilities	23,547	27,415
Security & Pest Control	4,943	5,873
Repairs & Maintenance - Building	9,810	7,588
TOTAL OCCUPANCY	91,746	91,283
TRAVEL/TRANSPORTATION DETAIL		
Mileage & Gasoline for Autos	20,279	25,860
Auto Repairs & Maintenance	1,339	3,900
Auto Insurance	16,893	18,900
Air Fare and Hotel	1,829	5,870
TOTAL TRAVEL/TRANSPORTATION	40,340	54,530
CONFERENCES AND MTGS. DETAIL		
Meeting Expenses	6,430	6,850
Conference Registrations	4,257	7,650
TOTAL CONFERENCES & MTGS.	10,687	14,500
SPEC ASSIST TO INDIVIDUALS DETAIL		
Groceries & House Supplies	58,707	55,660
Education, Enrichment & Recreational	28,634	6,352
Rent Subsidy	968	3,000
Child Care	19,198	35,700
Drug Screening & Evaluation	6,078	15,000
TOTAL SPECIFIC ASSISTANCE	113,585	115,712
MISCELLANEOUS OTHER DETAIL		
Dues & Subscriptions	3,403	4,125
Insurance	4,888	5,123
Miscellaneous/Volunteer Expenses	6,668	6,760
Depreciation	69,727	79,016
Non-Capitalized Additions	7,094	7,450
TOTAL MISCELLANEOUS OTHER	91,780	102,474

SUMMIT HOUSE
CASH POSITION AT JUNE 30, 2000

Operating Cash	195,575
Reserved Cash	293,077
Restricted Cash	142,171
Other Cash	19,446
	650,269

Summit House of North Carolina
PROGRAM STATISTICS
ALL PROGRAMS
1996-2000

Residential Programs	1996-1997	1997-1998	1998-1999	1999-2000	Total
Total number of clients served for fiscal year	81	66	90	79	316
Women	33	27	39	33	132
Children	48	39	51	46	184
Total number of new clients admitted during the year	55	27	56	46	184
Women	22	12	25	20	79
Children	33	15	31	26	105
Number of continuing clients from last fiscal year	26	39	34	33	132
Women	11	15	14	13	53
Children	15	24	20	20	79
Number of pregnant women during fiscal year	4	4	24	24	56
Number of babies born during fiscal year	4	2	8	15	29
Number of referrals received during fiscal year	141	114	85	113	453
Number of intakes conducted during fiscal year	56	56	43	52	206
Number of mothers this fiscal year who:					
Completed parenting training	33	16	30	26	105
Secured their GED	3	1	2	2	8
Completed substance abuse treatment	15	17	8	13	53
Remained drug free for a year	11	12	24	16	63
Completed training for employment	15	17	12	15	59
Secured part-time employment	15	10	10	12	47
Secured full-time employment	4	6	10	7	27
Secured independent living arrangements	4	8	7	7	26
Number of children this fiscal year who:					
Succeeded in public school or day care	49	39	51	46	185
Completed counseling	11	10	11	10	42
Received a developmental screening with recommended services	6	5	7	7	25
Number of clients who graduated from program during fiscal year	11	9	13	11	44
Mothers	4	4	6	5	19
Children	7	5	7	6	25
Number of prison days saved this fiscal year	**5329**	**5374**	**5499**	**5400**	**21,602**
Number of potential foster care days saved this fiscal year	**8456**	**7692**	**7251**	**7799**	**31,198**
Number of clients non-compliant/reported	12	8	11	11	42
Number of clients whose probation was revoked	6	2	8	7	23
Number of clients in Transitional status			13	17	30
Women	N/A	N/A	6	7	13
Children			7	10	17
Number of clients in After Care			16	21	37
Women	N/A	N/A	7	9	16
Children			9	12	21

Summit House of North Carolina
PROGRAM STATISTICS

GREENSBORO DAY REPORTING CENTER

1996-2000

	1996-1997	1997-1998	1998-1999	1999-2000	TOTAL
Number of clients served	24	73	97	76	270
Number of referrals	8	91	25	40	164
Number of intakes/interviews	8	55	34	32	129
Number of treatment plans	7	52	27	29	115
Number of client non-compliant/reported	5	12	9	9	35

Summit House of North Carolina

Partial List of Services

- Client transportation
- Children's school liaison
- Children's programming
- Liaison with mental health professionals
- Transitional living assistance
- Standardized testing evaluations
- Plan development
- Crises intervention
- Family planning counseling
- Substance abuse programming
- Cultural activities
- Life Skills education
- Liaison with substance abuse professionals
- Nutrition education
- Family visitation supervision
- Aftercare services
- Drug screenings
- Progress reporting
- Group counseling
- Liaison with medical professionals
- Counseling
- Child care
- Parenting education

Handout # 3
Mar. 7, 01

The Harriet's House Program

Established 1995
Managed and Operated by

PASSAGE HOME Community Development Corporation

An Interim Report to the
NC General Assembly

March 2001

"I had crossed the line of which I had so long been dreaming,
but there was no one there to welcome me
to the land of freedom."

Harriet Tubman, Under Ground Railroad

Lisa Crosslin, Program Manager: 919.834.0666 X 226
Jeanne C. Tedrow, Executive Director: 919.834.0666 X 230

PASSAGE HOME CDC
PO Box 17588
Raleigh, NC 27619

PASSAGE HOME
Harriet's House Program

ORGANIZATION MISSION	PASSAGE HOME is a faith based, interracial, ecumenical community development corporation designed to help strengthen low wealth families and neighborhoods using a community economic development strategy.
PROGRAM PURPOSE	HARRIET'S HOUSE is a specialized, transitional housing program developed to help women make a successful re-entry into the community, regain custody of their children, gain and maintain full employment and obtain permanent, affordable housing.
GOAL	To reduce recidivism (re-incarceration) among women with children who are leaving correctional facilities.
RESIDENT PROFILE	Harriet's House women are all mothers, 76% have a history of substance abuse, 30 % are Caucasian, 70% African-American, the average age is 36, 89% have completed high school, the average number of children per family is 2, and most of the mothers have experienced physical and emotional abuse issues.
PROGRAM OVERVIEW 3 Duplexes in west Raleigh all participate in life of the community. Sunday nite community meeting. Life skills	**<u>The Harriet's House program operates in three phases</u>:** **Phase I: <u>Supervised Living</u>** Residents live in 24 hour supervised housing upon leaving prison for at least their first 6 months. **Phase II: <u>Transitional Living</u>** Residents are reunited with their children and will live with them in their own apartments. Clients are still supervised and monitored by Case Manager and continue to receive intensive case management, support services, community meetings, counseling and budget assistance. Clients will live in this phase for an additional 6 months. Receiving intensive case management. **Phase III: <u>Community Living</u>** Clients will live an additional 6 months in affordable housing in a scattered site away from Harriet's House. Clients may receive a housing voucher for one year. **<u>Aftercare:</u>** Clients will be monitored for the last 6 months to make sure they are stable. <u>Note:</u> Successful clients will go through each of these phases although some will experience different lengths of time in each phase.

HARRIET'S HOUSE

TRANSITIONAL HOUSING FOR EX-OFFENDER MOTHERS AND CHILDREN

	JULY 2000- JUNE 30, 2001	
Total Families served to Date: (1995)	44*	
Number Of Children Served To Date	97	
Total Number of Families Tracked	32	
Family Success Measures		Percentage (of 44)
• Recidivism • # re-incarcerated • # re-arrests	3 5	7% 11%
•		Percentage (of 32)
• Employed	25\32	78%
• Housed(unsubsidized)	18	56%
• Subsidized housing	14	44%
• Savings	32	100%
• Reduced debt & repaired Credit	32	100%
• Meeting Parole Obligations	14\14	100%
• Custody of Children	28	88%
• Sobriety • # relapsed	6	19%

* 12\44 - 1st year of program

Passage Home
Harriet's House Budget
Ending 12.31.01

Income	Budget Amount					
DOC 2001	$ 275,000					
DOC carryover	$ 15,000					
HUD	$ 35,429					
ESGP	$ 10,000					
FEMA	$ 2,500					
Total Revenue	$ 337,929					
		Total YTD	By Source YTD			
Expenses			DOC	HUD	ESGP	FEMA
Employee Compensation	$ 190,393	$ 80,050	$ 80,050			
Direct Program	$ 23,681	$ 23,712	$ 21,504			$ 2,208
Client Housing	$ 73,650	$ 36,543	$ 32,960		$ 3,583	
Direct Services	$ 22,705	$ 10,188	$ 9,238			$ 950
Administrative	$ 27,500	$ 14,139	$ 14,139			
Total Expenses	$ 337,929	$ 164,632	$ 157,891		$ 3,583	$ 3,158

Notes to the budget:

1) In addition to direct expenditures, PH has raised an additional $30,000 of in-kind contributions for program activities including household furnishings, donated cars, computers, etc.

2) A portion, $15,384 of DOC funds are included in the PH line item budget under Housing & Property management. In addition, $27,500 of DOC funds is included in PH's G&A budget. Under the PH total budget, $295,045 is included.

3) Reference the PH total budget by Cost Center:
The total of $15,384 plus $27,500 plus $295,045 equals the total revenue/expense of $337,929 identified in the Harriet's House budget.

Passage Home Amended Budget, Fiscal Year 2000-2001

Exhibit 1: Total Budget by Cost Center

Revenue	TOTAL BUDGET
FY 2001	1,196,988
Fund Balance	85,409
Total Revenue	**1,282,397**
Cash Reserve Fund	**6,272**
Cost Center Expenses	
General & Administrative	251,907
Fundraising	6,000
Board of Directors	1,000
Catering with CONN.	70,760
Harriet's House	295,045
Matthew House	269,080
Phoenix Square	98,106
Brown Birch	123,308
Lundy St.	55,026
Paul's House	1,800
Poole Rd.	14,800
Housing & Property Mgt	77,201
Total Expenses	**1,270,305**
Surplus (Deficit)	**12,092**

Handout # 4
March 7, 01

·WOMEN·AT·RISK·

I. PURPOSE OF THE WOMEN AT RISK PROGRAM

Women At Risk works to reduce recidivism among female offenders, as well as the necessity to imprison them, by providing a comprehensive treatment alternative to prison. Women At Risk assists women to remain out of custody, to succeed on probation and to over self-destructive and abusive behaviors that brought them to the court's attention and the risk of imprisonment.

II. NUMBER OF OFFENDERS

In FY1999-00, Women At Risk, operating in Buncombe, Burke and Catawba Counties, reviewed the cases of 388 female offenders and enrolled 129 women in the program. Based on data from six months of FY00-01, Women At Risk projects at least to meet, or even exceed last year's numbers of clients served.

III. RECIDIVISTS

Annually, Women At Risk conducts criminal record checks on Program graduates and on Program terminations to determine which offenders are complying with probation requirements and which offenders have failed to comply with probation and are serving an active sentence. (A Program graduate is an offender who completes at least four months of treatment groups and any other treatment/vocational/educational requirement assigned by the court to Women At Risk to manage. A Program termination is an offender who either drops out of Women At Risk before graduation or is dismissed by the Program for non-compliance.)

On July 1, 2000, Women At Risk conducted such record checks on 95 Program graduates over a three-year period (from 7/1/97-6/30/00) and found that only 6 graduates had their probation revoked and an active sentence imposed. However, similar record checks on 167 Program terminations from that same time period (7/1/97-6/30/00) indicated that 39 terminations violated probation and were serving an active sentence of at least one year.

IV. PROGRAM COMPONENTS OF WOMEN AT RISK

The Women At Risk Program is grounded in three primary and interrelated program components: case management, court advocacy and group therapy. All the new program services which Women At Risk has added in recent months, including substance abuse counseling, individual psychotherapy, psychiatric consultations, GED/literacy assistance, links to job training, abuser

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treatment/anger management and on-site HIV/STD testing stem from this core approach to treating prison-bound women offenders.

Services of the Women At Risk Program

A. ***Assessment***: All clients participate in an extensive interview and assessment process that includes information about case management needs and criminal history, mental health and substance abuse evaluations, and LSI-R and ASUS screening instruments.
B. ***16 Week Therapy Group***: All clients are required to attend this psycho-didactic group, co-directed by two licensed, masters-level clinical therapists. The therapy is oriented toward creating a cognitive awareness of the relationship between a woman's personal choices, her current court involvement, and her past, including victimization and abuse.
C. ***Case Management***: Case management services are offered to clients who are active in our therapy groups. This includes direct assistance with needs such as employment, medical care and housing, as well as referrals to other agencies.
D. ***Court Advocacy***: We have a representative in criminal district court 4 days a week. She is available to provide support to our clients and sentencing alternatives to the court.
E. ***Jail Outreach and Screening***: We screen weekly at the Buncombe County Detention Center and interview inmates with case management and criminal justice needs. We also make referrals to other agencies and community treatment programs.
F. ***Substance Abuse Services***: Recovery is a primary issue for many of our clients. We offer substance abuse assessment at intake, three weekly substance abuse groups (active addiction, relapse prevention, substance abuse education), and support for recovery in our therapy group. In addition, there are two AA groups for women that meet in our building (Buncombe site) each week.
G. ***Abuser Treatment Group***: The Buncombe site conducts an abuser treatment/anger management group for offenders, called Deciding Against Violence, in consultation with the NC Council on Women.
H. ***Psychiatric Services***: At the Buncombe site a consulting psychiatrist sees clients referred by our clinical staff.
I. ***Job Readiness/Literacy***: A literacy specialist works on-site with our clients on job skills, literacy and GED requirements. A-B Technical Community College conducts a GED class on-site in Buncombe.
J. ***HIV and STD Screenings***: Once a month, free health screenings and blood tests for HIV and STD's are conducted by the WNC Community Health Services at the Buncombe site.
K. ***Food Distribution***: Four times a year the Buncombe site participates in the TEFAP program through Manna Food Bank and distributes food boxes to indigent clients.

V. PROGRAM EFFECTIVENESS

> "Measured against the yardstick (of successful women offender programs), Women At Risk looks quite good...(T) he range of services the program has developed over the years is quite impressive."
>
> Chesney-Lind, M. 2000. "Program Assessment of 'Women At Risk' Program of Western Carolinians for Criminal Justice, Asheville, North Carolina." *Report Prepared for the National Institute of Corrections.*

To appreciate Dr. Chesney-Lind's recent assessment of the effectiveness of the Women At Risk Program, we turned to that "yardstick" for effective female offender programs, as developed by sociologist Barbara Bloom for the National Institute of Corrections, and learned that her findings about effectiveness resonate with the thrust of the Women At Risk Program. (See Bloom, B. 2000. "Gender-Responsive Supervision and Programming for Women Offenders in the Community." *Responding to Women Offenders in the Community, National Institute of Corrections.*)

For example, Women At Risk utilizes effective assessment and classification tools. The Program philosophy of supervision is need-based. The model of supervision used by Women At Risk is relational and includes case management, a team approach, individual and/or group counseling. And the Women At Risk Program is well networked with an array of community agencies at its treatment sites.

The Women At Risk Program has also been able to expand successfully to a new jurisdiction. According to Dr. Pat Carlen, a sociologist from the University of Bath, England who visited the Women At Risk Program in Burke and Catawba Counties in November 2000, the flexibility of the Women At Risk Program model to be replicated at a new site is another indicator of program effectiveness.

Furthermore, Women At Risk Program expansion includes not just geographic expansion to new counties but also expansion and adaptation of the adult offender model to serve adolescent girls at risk of incarceration. In November, the Women At Risk/Repay, Inc. site piloted a juvenile treatment component called "Just Girls" in Burke County with referrals from juvenile court counselors and the school system. And this month, Women At Risk/WCCJ, Inc. will begin an adolescent therapy group for Buncombe County girls, aged 16-19, facing prison sentences.

At Women At Risk, we also evaluate program effectiveness in terms of stewardship of the public dollar. That is, how cost-effectively is the Program able to develop and deliver services to our target population? And, how do those Program costs compare with incarceration? On both levels, the Women At Risk Program is a bargain and a good example of a public-private partnership that works.

In the end, Western Carolinians for Criminal Justice, the parent organization for Women At Risk, along with the board of our expansion site at Repay, Inc. measure program effectiveness by how well staff can assist recidivist offenders to turn away from prison

and toward meaningful and productive lives in their communities, working to take care of themselves and their children. The desired treatment outcome for Women At Risk is to reduce the degree of self-destructive attitudes and negative personal choices that shape a woman's criminal activity and court involvement. The desired correctional outcome is to lower recidivism among this offender population. It is clear to us that graduates leave Women At Risk significantly more stable than when they arrived.

Women At Risk could not have developed into the nationally recognized and successful treatment alternative to prison that it is without the continued support of the NC General Assembly. State funding has enabled Women At Risk to stabilize and grow and to attract critical matching funds from county governments and private foundations. We appreciate this recurring funding and look forward to an even more productive association.

The Women At Risk Program 28th & 25th Judicial Districts (Buncombe, Burke, & Catawba Counties) Operating Budget		
REVENUE	PROJECTED TOTAL REVENUE July 1, 2000-June 30, 2001	ACTUAL TOTAL REVENUE July 1, 1999-June 30, 2000
Cash On Hand	0.00	0.00
NC General Assembly	250,000.00	200,000.00
Foundations	42,500.00	16,140.00
Buncombe County	7,500.00	10,000.00
Burke United Way	7,000.00	2,332.00
Churches	6,000.00	5,430.00
Burke DSS	6,000.00	6,000.00
Catawba DSS	5,000.00	6,300.00
AOC/Sentencing Services Program	2,500.00	2,000.00
Client Fees	603.00	472.00
Miscellaneous/Special Projects	1,023.00	4,844.00
Total Revenue	**328,126.00**	**253,518.00**
EXPENSES	PROJECTED TOTAL EXPENDITURES	ACTUAL TOTAL EXPENDITURES
Personnel		
Salaries (5 FTE/6 PTE)	201,154.00	151,845.00
Benefits	49,562.00	34,193.00
Total Personnel	**250,716.00**	**186,038.00**
Contractual		
Clinical	19,054.00	16,480.00
Clinical Supervision	2,160.00	2,160.00
Accounting, Childcare, other	5,722.00	4,587.00
Substance Abuse Treatment	1,780.00	2,540.00
Literacy & Job Readiness	1,500.00	2,766.00
Total Contractual	**30,216.00**	**28,533.00**
Supplies		
General Supplies	3,250.00	1,783.00
Total Supplies	**3,250.00**	**1,783.00**
Travel		
Transportation	6,450.00	5,559.00
Training	3,329.00	3,391.00
Total Travel	**9,779.00**	**8,950.00**
Operating Expenses		
Rent	18,128.00	12,128.00
Utilities	1,053.00	1,048.00
Telephone	6,620.00	5,554.00
Postage	536.00	438.00
Printing	1,047.00	517.00
Repairs/Maintenance	3,482.00	3,632.00
Insurance	1,528.00	326.00
Dues & Subscriptions	400.00	189.00
Client Services & Supplies	1,050.00	1,234.00
Advertising	227.00	149.00
Miscellaneous	2,270.00	4,635.00
Total Operating Expenses	**36,341.00**	**29,850.00**
Equipment	**0.00**	**0.00**
Total Expenses	**330,302.00**	**255,154.00**
Net Income	**(2,176.00)**	**(1,636.00)**

Women At Risk Program/WCCJ, Inc. 28th Judicial District (Buncombe County) Operating Budget		
REVENUE	PROJECTED TOTAL REVENUE July 1, 2000-June 30, 2001	ACTUAL TOTAL REVENUE July 1, 1999-June 30, 2000
Cash On Hand	0.00	0.00
NC General Assembly	250,000.00	200,000.00
Foundations	42,500.00	15,000.00
Buncombe County	7,500.00	10,000.00
Churches	6,000.00	5,430.00
Client Fees	603.00	447.00
Miscellaneous/Special Projects	1,023.00	1,344.00
Total Revenue	**307,626.00**	**232,221.00**
EXPENSES	PROJECTED TOTAL EXPENDITURES	ACTUAL TOTAL EXPENDITURES
Personnel		
Salaries (4 FTE/2 PTE)	144,128.00	108,922.00
Benefits	38,366.00	28,050.00
Total Personnel	**182,494.00**	**136,972.00**
Contractual		
Clinical	2,100.00	16,480.00
Clinical Supervision	2,160.00	2,160.00
Accounting, Childcare, other	2,500.00	4,130.00
Substance Abuse Treatment	1,780.00	2,540.00
Literacy & Job Readiness	1,500.00	2,766.00
Repay	80,000.00	40,000.00
Total Contractual	**90,040.00**	**68,076.00**
Supplies		
General Supplies	1,000.00	787.00
Total Supplies	**1,000.00**	**787.00**
Travel		
Transportation	2,500.00	1,049.00
Training	2,500.00	2,913.00
Total Travel	**5,000.00**	**3,962.00**
Operating Expenses		
Rent	16,250.00	9,016.00
Utilities	1,053.00	1,048.00
Telephone	4,220.00	4,170.00
Postage	400.00	289.00
Printing	1,000.00	457.00
Repairs/Maintenance	3,322.00	3,524.00
Insurance	1,103.00	223.00
Dues & Subscriptions	400.00	171.00
Client Services & Supplies	1,050.00	1,234.00
Advertising	200.00	0.00
Miscellaneous	2,270.00	4,120.00
Total Operating Expenses	**31,268.00**	**24,252.00**
Equipment	**0.00**	**0.00**
Total Expenses	**309,802.00**	**234,049.00**
Net Income	**(2,176.00)**	**(1,828.00)**

Women At Risk Program/Repay, Inc. 25th Judicial District (Burke & Catawba Counties) Operating Budget		
REVENUE	**PROJECTED TOTAL REVENUE July 1, 2000-June 30, 2001**	**ACTUAL TOTAL REVENUE July 1, 1999-June 30, 2000**
Cash On Hand	0.00	0.00
NC General Assembly	65,000.00	40,000.00
Foundations	15,000.00	1,140.00
Burke United Way	7,000.00	2,332.00
Burke DSS	6,000.00	6,000.00
Catawba DSS	5,000.00	6,300.00
AOC/Sentencing Services Program	2,500.00	2,000.00
Client Fees	0.00	25.00
Miscellaneous/Special Projects	0.00	3,500.00
Total Revenue	**100,500.00**	**61,297.00**
EXPENSES	**PROJECTED TOTAL EXPENDITURES**	**ACTUAL TOTAL EXPENDITURES**
Personnel		
Salaries (1 FTE/4 PTE)	57,026.00	42,923.00
Benefits	11,196.00	6,143.00
Total Personnel	**68,222.00**	**49,066.00**
Contractual		
Clinical	16,954.00	0.00
Accounting, Childcare, other	3,222.00	457.00
Total Contractual	**20,176.00**	**457.00**
Supplies		
General Supplies	2,250.00	996.00
Total Supplies	**2,250.00**	**996.00**
Travel		
Transportation	3,950.00	4,510.00
Training	829.00	478.00
Total Travel	**4,779.00**	**4,988.00**
Operating Expenses		
Rent	1,878.00	3,112.00
Utilities	0.00	0.00
Telephone	2,400.00	1,384.00
Postage	136.00	149.00
Printing	47.00	60.00
Repairs/Maintenance	160.00	108.00
Insurance	425.00	103.00
Dues & Subscriptions	0.00	18.00
Client Services & Supplies	0.00	0.00
Advertising	27.00	149.00
Miscellaneous	0.00	515.00
Total Operating Expenses	**5,073.00**	**5,598.00**
Equipment	**0.00**	**0.00**
Total Expenses	**100,500.00**	**61,105.00**
Net Income	**0.00**	**192.00**

WESTERN CAROLINIANS FOR CRIMINAL JUSTICE (ALL PROGRAMS)

REVENUE	Projected Total Revenue July1, 2000-June 30, 2001		Actual Total Revenue July 1, 1999-June 30, 2000	
Cash On Hand	1,565.00	1,565.00	1,537.00	1,537.00
Government Revenue				
AOC/SSP 29th & 30th	278,725.00		277,855.00	
County Match/SSP 29th & 30th	8,000.00		9,500.00	
NC General Assembly/Women at Risk (WAR)	250,000.00		200,000.00	
Buncombe County/Women At Risk (WAR)	7,500.00		10,000.00	
Total Gov't Revenue		544,225.00		497,355.00
Non-Government Revenue				
SSP 29th & 30th	2,000.00		1,568.00	
Women at Risk (WAR)	50,126.00		22,221.00	
Education & Advocacy	17,087.00		15,199.00	
Total Non-Gov't Revenue		69,213.00		38,988.00
Total Revenue		**$615,003.00**		**$537,880.00**
EXPENSES	**Projected Total Expenditures July1, 2000-June 30, 2001**		**Actual Total Expenditures July 1, 1999-June 30, 2000**	
PERSONNEL				
SSP 29th & 30th	227,423.00		228,834.00	
Women at Risk (WAR)	182,494.00		136,972.00	
Education & Advocacy	5,891.00		4,092.00	
Total Personnel		415,808.00		369,898.00
CONTRACTUAL				
SSP 29th & 30th	5,519.00		5,018.00	
Women at Risk (WAR)	90,040.00		68,076.00	
Education & Advocacy	200.00		215.00	
Total Contractual		95,759.00		73,309.00
SUPPLIES				
SSP 29th & 30th	2,272.00		2,273.00	
Women at Risk (WAR)	1,000.00		787.00	
Education & Advocacy	300.00		245.00	
Total Supplies		3,572.00		3,305.00
TRAVEL				
SSP 29th & 30th	20,578.00		19,350.00	
Women at Risk (WAR)	5,000.00		3,962.00	
Education & Advocacy	500.00		274.00	
Total Travel		26,078.00		23,586.00
OPERATING EXPENSES				
SSP 29th & 30th	33,933.00		31,659.00	
Women at Risk (WAR)	31,268.00		24,252.00	
Education & Advocacy	10,196.00		11,493.00	
Total Operating Expenses		75,397.00		67,404.00
EQUIPMENT (Total all programs)	0.00	0.00	0.00	0.00
Total Expense		**$616,614.00**		**$537,502.00**
Total Revenue		**$615,003.00**		**$537,880.00**
Difference		**($1,611.00)**		**$378.00**

Handout # 5
March 5, 01

·WOMEN·AT·RISK·

Cost Analysis of the Women At Risk Program in the 28th and 25 Judicial Districts

	97-98	98-99	99-00	7/1-12/31
Referrals	118	152	220	115
Cases Opened	80	112	129	58
Successful progress (Graduates + Active Clients who remain out of custody)	55	68	109	84
Graduates who remain out of custody (6/30/00)	25(4)	31(2)	42	*22*
WAR terminations in custody (6-30-00)	24	8	7	

For fiscal year ending June 30, 2000

Average Daily Costs of Women At Risk Program
(Based on total operating budget)

Cases Opened	$ 5.41	$255,154/365 = $699/129 = $ 5.41
Successful Progress	$ 6.41	$255,154/365 = $699/109= $ 6.41

Average Daily Costs to Women At Risk Program
(Based on state appropriation)

Cases Opened	$ 4.25	$200,000/365 = $548/129 = $ 4.25
Successful Progress	$ 5.03	$200;000/365 = $548/109 = $ 5.03

Average Daily State Correctional Costs of Women At Risk Program and Probation

WAR successful progress ($5.03) + regular probation ($1.89) = $ 6.92
WAR successful progress ($5.03) + electronic house arrest ($6.41) = $ 11.44
WAR successful progress ($5.03) + intensive probation ($12.23) = $ 17.26

Average daily state costs for minimum custody inmate = $ 52.52

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Women At Risk is a community based treatment program, serving female offenders, sponsored by Western Carolinians for Criminal Justice

JUSTICE & PUBLIC SAFETY

DATE: 3/7/01
8:30

SENATE PAGES:

NAME Divya Gopal

HOME Wake Co. (Cary)

SPONSOR Sen. John Carrington

NAME _____

HOME _____

SPONSOR _____

HOUSE PAGES:

NAME Amber Diaz-Pellot

HOME Robeson County (Maxton)

SPONSOR Representative Donald A. Bonner

NAME Sheena Pankey

HOME Robison County (Maxton)

SPONSOR Rep. Donald A. Bonner

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday March 7th, 2001
8:30 a.m. and 15 minutes after last chamber adjourns
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- DOC Recurring Grants to Non-Profit Organization
  Kelly Little, Fiscal Research Staff

  Summit House
  Ted Whiteside, CEO
  Harriet's House
  Jeanne C. Tedrow, Executive Director
  Women at Risk
  Ellen Clarke, Executive Director
  Energy Committed to Offenders (ECO) (Contract)
  Myra Clark, Director
  John Hyman Harris
  Melinda Solomon, Director of the Halifax Project

- DOC Travel Budget
  Jim Mills, Fiscal Research Staff
  Gregg Stahl, Department of Corrections

- Budget and Staffing for former Private Prisons

  Gregg Stahl, Department of Correction
  Danny Thompson, Department of Correction

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Thursday March 8 - Continue Review of Department of Correction
Tuesday, March 13 - Substance Abuse Treatment Program; IMPACT
Wednesday, March 14 – Inmate Medical and Food Budgets; Prison Reserves

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on March 7, 2001, at 1:30 p.m. in Room 415 LOB. One (1) Senator was present. The following members of the House were present:

Rep. Bill Culpepper	Rep. Larry Justus
Rep. Phil Haire	Rep. Joe Kiser

A Visitors' Registration sheet is attached and made part of these minutes.

Rep. Bill Culpepper chaired the meeting and began by introducing Myra Clark, Director of Energy Committed to Offenders (ECO) who made a presentation on EOC, Inc - Energy Committed to Offenders (**Handout #1).** Ms. Clark emphasized that preparing inmates for release cannot be considered a luxury - it is a necessity. Their mission is to turn out law abiding citizens.

Rep. Kiser asked who decides and how do they decide to release a prisoner? Ms. Clarke indicated that the Parole Commission decides.

Rep. Culpepper asked if the 20 bed capacity stayed full? Ms. Clark answered yes, that the only time it was not full was when they were waiting on a transfer bus to bring in someone else. Rep. Culpepper noted that the $46.00 per day per inmate seems to be a bargain. The cost is $52.50 per day per inmate in minimum security.

Sen. Ballance asked with the 20 bed capacity at any one time, what is the staffing at this center? Ms. Clark stated that there were 7 full time staff members.

Rep. Kiser asked if the inmates were all fair sentencing inmates or are some of these structured sentencing? Ms. Clark said that they were now receiving structured sentencing and had a mix of both. Rep. Kiser asked if the structured sentencing get out earlier? Ms. Clark replied no.

Rep. Haire asked as a point of clarification if all are on work release? Ms. Clark said yes.
Rep. Culpepper asked if this is treated as minimum custody? Jim Mills said that it was.

Rep. Haire mentioned that these other non-profit organizations file an annual report and asked Ms. Clark if they filed such a report? Ms. Clark responded that they do file a monthly report with the Department of Correction. Rep. Haire asked if we could get figures to get some consistency. Ms. Clark said that would be possible.

Rep. Hall said that last week we had a discussion about renting beds from the county - how much did that cost per day? Jim Mills responded that we are not renting them now, but they were $40.00 per day. End of presentation.

Rep. Culpepper then introduced a Page who was not present at the earlier meeting.

Sen. Ballance introduced Eddie Lawrence, Director of the John A. Hyman Substance Abuse Program for some comments on the program. Rev. Lawrence then turned the program over to Ms. Melinda Soloman Harris, Director of the Halifax Project for a presentation, The Halifax Project **(Handout #2)**.

Sen. Ballance asked how many employees of the Halifax Project were full time? Ms. Harris said that the only full time employee was the transportation worker who works everyday because of all the transportation requirements - all others were part time. Sen. Ballance then asked the same question of Rev. Lawrence regarding the Hyman Program who stated all seven employees were part time.

Rep. Hall, being very familiar with the program, strongly commended it.

Sen. Ballance asked Rev. Lawrence to comment briefly on what has been done with the old Warren County Correctional Institute. Rev. Lawrence said that basically they had no place for recreation - no boys' or girls'clubs, no basketball courts, no gym, so that part of what they have done is to try and move all programs into one location and develop the entire facility into recreational and a training services center for substance abusers. He stated that they are convinced, that if you get to those who are abusing, change their focus, and help them develop skills, they will stay clear and not become part of the cycle of abuse. Concentration will be on the children. Sen. Ballance commented that DOA has leased the property to John Hyman program for $1 per year for 5 years - and the condition is that the only usable building on the property be sublet to the Warren County Probation Department. The buildings need to be redone so that the programs can move out of the basement of the church. Programs have been very successful. Rev. Lawrence stated that the programs are at capacity - more than they can handle - especially the DWI classes.

Rep. Justus asked about the duration of courses (drug and DWI). Rev. Lawrence said that it varies according to the assessment, but about 40 hours. Rep. Justus asked about the recidivism rate and if it was 100%? Rev. Lawrence said it was not 100%, but in the nine year history, he knew of two clients who had returned. This does not mean though that they might have failed and gone somewhere else.

Rep. Haire asked about the rent figures for 99-2000 being on one sheet $1,800 and another place $28,000? Sen. Ballance replied that there is a lease agreement with the church that reflects both programs - space and equipment are provided. Rep. Haire then asked how many employees are in both programs and if any are full time? Rev. Lawrence stated that there are eleven employees, only one full time at Halifax. Rep. Haire asked further if there was a bi-annual report that was filed and Rev. Lawrence said this was filed with the Department of Corrections. Rep. Haire stated that he felt all programs should be treated the same and follow the same procedures. Rep. Culpepper asked staff to note that for later discussion.

Jim Mills, staff, began a presentation on the DOC Travel Budget **(Handout #3(1310) and Handout #4(1110)**.

Sen. Ballance asked about the policy on extradition - does that have to be a felon? Mr. Gregg Stahl answered in the affirmative.

Due to time restraints, Rep. Culpepper adjourned the meeting at 2:45 to be continued on March 8, 2001.

_____

Rep. Bill Culpepper, Presiding House Chair

_____

Sara Jane Lennard, House Committee Clerk

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Rep. Bill Culpepper, Presiding House Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 2/07/01
Name of Committee — **Date** 8:30 & 1:30

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Martin Nesbitt	NC Leg Assembly
Bill Scoggin	Kennedy Covington
Greg McLeod	CCPS
Dot Ehlers	11th JD Re Entry
Rowland Barnett	DOC
Ellen Clarke	Women at Risk
JOYCE KUHN	Sentencing Services. Orange Chatham Counties
Beth C. McAllister	Wake County Summit House
Jed Whitesell	Summit House
Melinda Adams	John Hyman Program
Eddie W. Lawrence	John Hyman Program

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 03/07/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Joanne Tedrow	Passage Home Harriet's House
Theresa Cassella	Passage Home Harriet's House
Myra Clark	ECO
Scott Bradley	Mediation Network of NC
Lee Rupert	CJPC
Deb Ross	ACLU
John McInnis	NCFIPA
Tony Hayes	DOP
Leon McKillop	Mona Lisa
Tina Hall	AOC
Robert Hobgood	AOC

JUSTICE & PUBLIC SAFETY

DATE: 3/7/01
1:30

SENATE PAGES:

NAME _____

HOME _____

SPONSOR _____

NAME _____

HOME _____

SPONSOR _____

HOUSE PAGES:

NAME Dion Donaldson

HOME Wake

SPONSOR Art Pope

NAME _____

HOME _____

SPONSOR _____

mar. 7
Handout # 3
1:30

DOP Administrative Services
1-Mar-01

DOP 1310 Travel Budget Analysis for Fiscal Year 2000-2001

Authorized Budget 5327 Travel Lines: 1,211,742

Breakdown of Estimated Travel Expenses for Fiscal year 2000-2001

BCOT travel	877,000
DOP facility travel	210,000
DOP conference expenses	55,066 - outlined on back.
2005 travel expenses	69,676
	1,211,742

BCOT Travel - Basic Correctional Officer Training to include meals, lodging, mileage, and facility fees.

DOP Facility Travel - Facility travel to include meetings, transportation officers, workshops, seminars, conferences, DOP Administrative Services training, OPUS training, and inmate escapes.

DOP Conference Expenses - Conference expenses to include Administrative Officer conference, Mental Health conference, Programs Symposium, and Chaplains conference (see detail provided 2/25/01).

2005 Travel Expenses - 2005 personnel travel to include SORT (Special Operations Response Team) training, PERT (Prison Emergency Response Team) training, HNT (Hostage Negotiation Team) training, SOTIT (Special Operations Target Interdiction Team) training, DOP Administrative training section, Auxiliary Services training section, transition of Pamlico and Mountain View to DOC, nurse managers meetings, superintendent meetings, individual in-service training, workshops and seminars, out of state medical workshops, Fugitive officers, and contractual employee travel as related to the job.

NORTH CAROLINA DE[illegible]MENT OF CORRECTION
DIVISION OF PRISONS
CONFERENCE EXPENSES FY00-01

2

CONFERENCE TITLE (INTERNAL CONFERENCES)	MEETING ROOM (532513900)	MEALS (532724)	LODGING (532721)	BREAKS (532724)	SPEAKER (532199)	PRINTING (532850)	NOTEBOOKS (533110)	MILEAGE (532714)	TOTAL
Administrative Officers (09/27/00 - 09/29/00)	$337.97	$4,114.00	$7,509.37	$2,156.00		$411.48	$1,322.35	$785.83	$16,637.00
Mental Health (09/24/00 - 09/26/00)	$572.40	$6,232.00	$6,966.13	$686.69		$164.14		$1,524.20	$16,145.56
Programs Symposium (09/17/00 - 09/19/00)	$1,052.16	$3,226.00	$6,215.39	$2,485.67		$286.12		$864.11	$14,129.45
Chaplains (09/11/00 - 09/13/00)	$358.00	$2,199.00	$4,162.00		$1,435.00				$8,154.00

55,066

PLANNED

CONFERENCE TITLE (EXTERNAL CONFERENCES)	REGISTRATION (532930)	MEALS (532724)	LODGING (532721)	MILEAGE (532714)	TOTAL
AM. CORR. FOOD SVC ASSOC (04/08/01 - 04/11/01) (projected costs)	$4,510.00	$2,624.00	$5,503.68		$12,653.68

Note: Other external conferences attended by Division of Prisons employees were funded by the Office of Staff Development and Training. (American Correctional Association's Annual Conference, American Correctional Association's Mid-Winter Conference, National Association of Blacks in Criminal Justice Annual Conference, North Carolina Correctional Association's Annual Conference, North Carolina Chapter of the National Association of Blacks in Criminal Justice Annual Conference)

March 7, 01
Handout # 9
1:30

DEPARTMENT OF CORRECTION
1-Mar-01

1110 Travel Budget Analysis
Fiscal Year 2000-2001

Authorized Budget 5327XX Travel Lines: $1,294,343

Breakdown of estimated travel related expenses for fiscal year 2000-2001

1	OSDT Certified Basic Training (DCC & DOP):	$229,468
2	Other OSDT In-Service Training:	143,071
3	DOC Personnel Trainers:	43,029
4	OSDT Trainers and adjuncts :	92,614
5	DOC Management :	57,058
6	Internal Auditors:	43,668
7	Extradition:	290,814
8	Central Engineering:	214,812
	TOTAL FUND 1110:	**$1,114,534**

10
50
10
26
26

$563,200 to 26% extradition

1) OSDT - Certified Basic Training to include meals, lodging, mileage, and facility fees.

2) Other OSDT In-Service Training related travel expenses - travel to include meetings, software training, seminars, workshops and OPUS training.

3 & 4) Travel related expenses for OSDT and Personnel trainers.

5) Travel related expenses for DOC Management.

6) Travel related expenses for internal auditors field audit work.

7) Extradition Officers and inmates travel related expenses.

8) DOC Engineering employees travel related expenses.

Fund 1110 has not paid for any statewide DOC conferences.

March 7, 01
Handout #1
1:30

ECO, Inc. (Energy Committed to Offenders)

Mission: ECO's mission is to improve the quality of life in Charlotte-Mecklenburg by restoring the offender and their family, reducing recidivism and promoting self-sufficiency.

History:

Pre 1974- Grant written by NCDOC for Vista volunteers to provide assistance to released offenders for jobs and housing. Eventually the Vista volunteers formed ECO (Ex-Convicts Organization)

1974- Obtained IRS 501c3 status

1974-present- continue with Aftercare program, name changed to Energy Committed to Offenders

1986- Bill passed to allow ECO, Inc. to house 20 female offenders in a work release program in Charlotte. nearing end of sentence.

1987- ECO Center for Women opened.

1997- Deborah's House opened- 10 bed facility purchased by an anonymous donor, 150K given by the Parker Foundation and 100K start up provided by General Assembly.

1999- ECO's 25th anniversary

Monthly family support groups resume - mon. nite Family Groups

2000- Family Support Program, 23,500 provided by Sisters of Mercy Foundation, 60K provided by General Assembly for 2000-2001

ECO CENTER FOR WOMEN

The ECO Center for Women came into existence when the NC Department of Correction closed all but one residential facility for women. The closest location for a woman from the Piedmont area to serve a sentence was Raleigh or Black Mountain, both a 5 hour round trip from Charlotte. ECO became interested in opening a work release facility to provide assistance for transition from prison to the community, to provide women a place to serve their sentence closer to home thereby allowing needed family reunification and to add bed space for the overcrowded prison system.

What we have seen throughout this program are women who are released from our facility, who keep the job they had while at our facility and who continue to live their life as they did with us, just from a different location. A review of the last 11 years shows that of the 181 who were released from the Center for Women, 24 or 13% returned to prison for a parole violation or a new crime. work release

Eligibility: Within 3 years of a possible parole date, must have earned minimum level three.

Selection process: The DOC chooses who comes to the Women's Facility. **ECO does not screen or select residents.** Inmates at one of the other women's facilities must notify their case manager that they would like to come to ECO and be placed on a waiting list. There has been a waiting list since the facility opened. We prefer that inmates have at least one year remaining on their sentence.

Crime types: The Center for Women takes any woman who has earned minimum level III. We have and continue to house inmates with a wide range of charges, from DWI to first-degree murder. ECO has housed long-termers and lifers. The majority of residents are drug offenders, assault and property offenses. We rarely house misdemeanants.

Length of Stay: Average 9 months. Longest stay 5 years.

Program Components: Offer same privileges as all other facilities in the DOC. Work Release, Study Release, Home Leave, Community Volunteer Leave. Additionally, ECO offers participation in community programming such as AA and NA, support groups, life skills, and recreation to list a few. Community resources are utilized to provide clothes for work, domestic violence groups, county mental health services for which residents pay a fee, Mecklenburg County Park and Recreation, YMCA for recreation, Community Link for release housing and support services for up to one year and local drug assessment and treatment programs when warranted.

The ECO Center for Women continues to provide a needed service to this state. Bed space for minimum-security beds for women is still needed. All residents work in the community, pay child support, restitution, and part of the cost of incarceration. The quality of the ECO program is reflected in the numbers who successfully complete the program and who do not return to prison within three years of release. In the 11 years this program has operated the average recidivism rate is 13%, compared to 35% as noted by the state. During the time of operation, we have experienced only 5 escapes, all but one captured within days. This is exceptionally low for a minimum-security facility.

Resident earnings for 1999-2000 total $ 224,297.87
Resident payment for housing for the same period total $ 60,676.00
Deposits made to residents work release accounts total $ 115,565.89, these monies were used to pay child support, restitution, court fines and when paid off or not required will accumulate for the resident to use to begin life in the community.

Cost per resident for 1999-2000 was $50.86 per day including the resident's contribution.

Family Support:

Over 3200 children in Mecklenburg County alone have a parent sitting in a jail or prison cell on any given day. The numbers of children who have a parent under state supervision in the community is almost three times that number. The Family Support program exists to teach inmate parents the importance of staying in their child's life, of maintaining an amicable relationship with the caregiver of their children, of taking responsibility for their children in any way available under the circumstances, helping the outside caregiver

Parenting classes are offered at Charlotte Correctional Center for male offenders. At the completion of the class, a family event is held. Classes are also taught at the Mecklenburg County Jail (funding for this class is not covered by monies allocated from the General Assembly).

All families who have a family member who is incarcerated are eligible for Family Support Services. Monday has been designated as Family Night and a local church has provided free space for meetings. Caregiver meetings, a children's therapeutic support group, and a monthly family support group currently meet. A Father's Support group for released offenders led by the Mecklenburg Fatherhood Initiative will begin in April.

ECO, INC.
Energy Committed to Offenders

ECO, Inc. is a non-profit organization based in Charlotte, North Carolina providing a variety of services for ex-offenders, prisoners and their families. Through counseling and referral services and job assistance programs and other community volunteer projects, services are provided for the ECO client that would otherwise be unavailable in this community.

In 1973 a concerned prison guard befriended the destitute family of an inmate from Mecklenburg County. He paid for their winter fuel with a portion of his own salary. He believed that the family should not suffer for the offender's wrong doing. Inspired by this incident, Dan Doody, a VISTA worker organized a small group of ex-offenders, families of prisoners, and citizens who were concerned with the plight of offenders and their families. For two years this group worked at the grass roots level helping families with food, shelter and clothing and began working with inmates and ex-offenders to help them get jobs. From this grass roots group came the organization they named ECO an acronym for Ex-Convicts Organization and a symbol for the sound of Hope coming from outside the prison walls. Ex-Convicts Organization was eventually changed to Energy Committed to Offenders.

A Board of Directors whose officers are elected annually governs ECO. The board is made up of between 20-30 members of the Charlotte community. Board meetings are held every other month on the last Wednesday of the month.

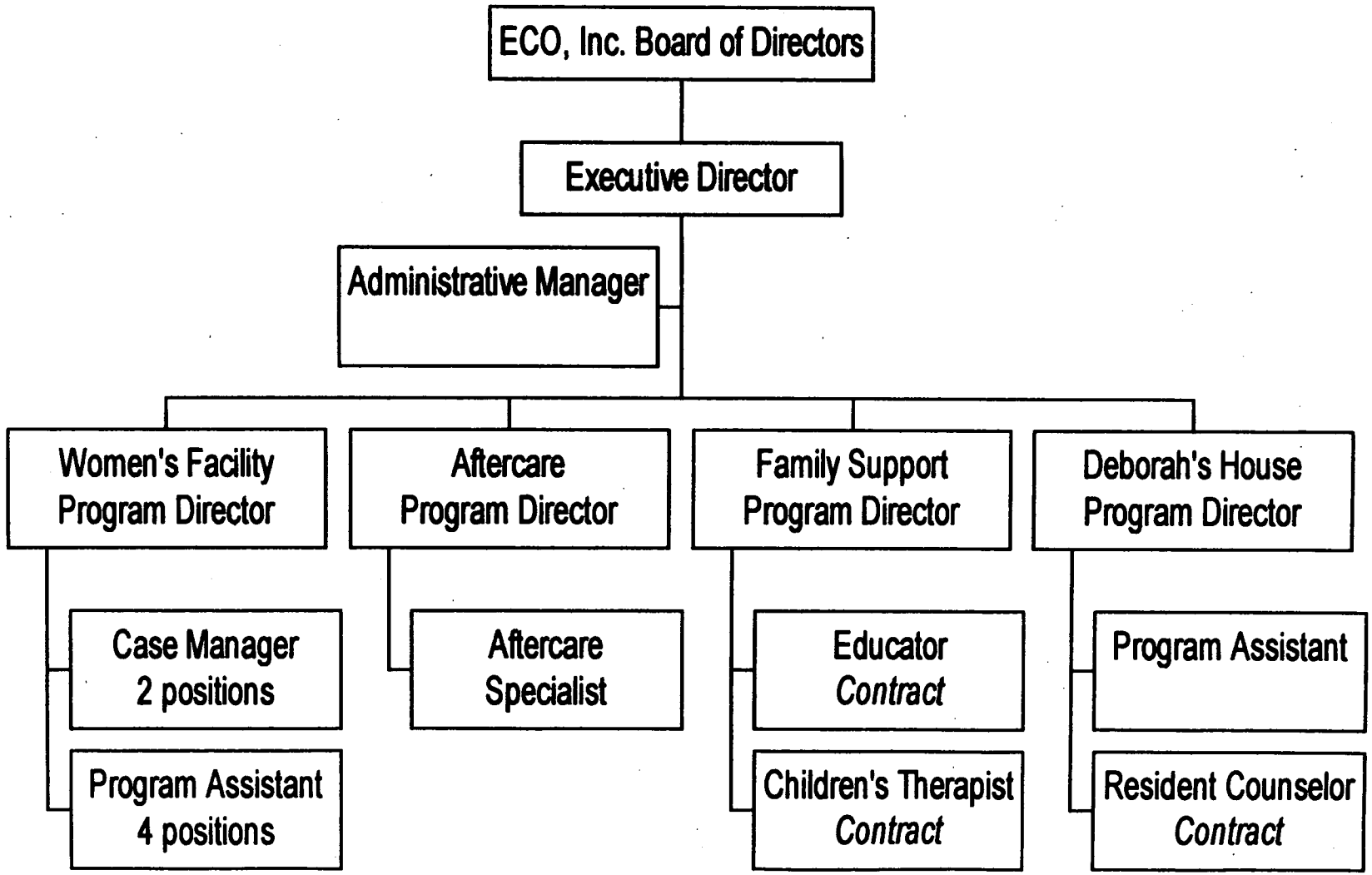
ECO operates several programs and services, the oldest the **Aftercare/Family Program** began in 1974. Our Aftercare/Family Program assists offenders with pre-release planning and communication support. ECO assists offenders with options and suggestions as they prepare their employment and home plan. Presentations are made in the prisons and jails to help offenders understand how the agency can assist them prior to and after release. ECO also serves offenders through letters, phone calls, and office appointments. Collect calls are accepted from 7:30a.m.-4:00p.m. Monday- Friday. The **Family Program** helps the family stabilize after an arrest or conviction. The program operates out of Caldwell Memorial Presbyterian Church in the Elizabeth neighborhood.

In 1987, ECO opened the state's first, non-profit community correctional facility. **The ECO Center for Women** is located in the Southend neighborhood near downtown Charlotte. The ECO Center for Women serves as the residence for 20 women who are nearing release from the state prisons. All residents participate in the Work Release program and earn a modest income. Each resident at the Center pays a portion of her income for room and board. Child support, restitution and court fines and fees are also deducted by the North Carolina Department of Corrections. The participants are completing their prison sentences and preparing for release to the community. The Center is operated under a contract with the North Carolina Department of Correction. At least one professionally trained staff person is on duty at all times.

In 1997, ECO opened **Deborah's House** - a half way house for women making the transition from prison or jail back into society. Deborah's House is located in the Dilworth neighborhood. The program focuses on community living skills and individualized life plans. The life plans includes six areas of concentration Spiritual, Physical, Intellectual, Career, Emotional and Social (SPICES).

ECO believes that people who are incarcerated have worked hard toward their release; they deserve a chance on the outside. Likewise, ex-offenders who are willing to work hard at staying out of prison but need supportive services to make it deserve the opportunity to have those services.

ECO, Inc. Organization Chart



ECO, Inc. Services

Inmate Services

Pre-release Planning

- ✓ Presentations
- ✓ Communication
- ✓ Needs Assessments
- ✓ Counseling

Inmate Publications

- ✓ Parenting Inside

ECO Center for Women

- ✓ Work Release
- ✓ Study Release
- ✓ Family Leave
- ✓ Volunteer Programs
- ✓ Life Skills
- ✓ Substance Abuse Aftercare

Advocacy / Education

- ✓ Prerelease Preparation Experiences
- ✓ Think Smart

Aftercare

Non-Residential

- ✓ Needs Assessment
- ✓ ID Services
- ✓ Employment Readiness
- ✓ Job Search Services
- ✓ Emergency Referrals
- ✓ Counseling
- ✓ Transportation Assistance
- ✓ Fatherhood Support Group

Deborah's House

- ✓ SPICES
  - Spiritual
  - Physical
  - Intellectual
  - Career
  - Emotional
  - Social
- ✓ Follow-Up

Advocacy / Education

- ✓ Speaker's Bureau

Family Support

Court Outreach

Family Stability Services

- ✓ Needs Assessment
- ✓ Emergency Referrals
- ✓ Prison Information & Advocacy
- ✓ Job Search Services

Family Support

- ✓ Family Support Groups
- ✓ Grandcare Program
- ✓ Jail and Prison Parenting Classes

Children's Services

- ✓ Therapeutic Support / Activities Group
- ✓ Summer Camp
- ✓ Counseling

Advocacy / Education

- ✓ Speaker's Bureau

ECO, Inc.
Budget 2001-2002

Acct	Income	Aftercare	Deborah's House	Family Support	Center for Women	TOTAL
4000	Monthly allotments					
4010	UW	114,030	28,970			143,000
4011	Meck	13,470				
4012	Church Grants			6,100		
4040	Restricted Funds					
4041	HUD		50,000			
4042	NCDOC				332,880	
4045	Government Funding			50,000		
4047	Foundation		30,000			
4050	Events			8,000		
4060	Donations					
4061	Churches	5,000	5,000	5,000	5,000	
4062	Indvidual	3,300	5,000	5,018	2,891	
4063	Anonymous Grant	6,692	4,243			
4064	Business			500		
4065	Gifts In Kind					
4066	Board and Staff Donation			750		
4070	Dividends			230		
4080	Pay phone revenue				1,900	
4090	Program Fees		18,500	16,000	62,400	
4900	Interest			1,300	3,875	
	Fund Balance					
	TOTAL INCOME	142,492	141,713	92,898	408,946	786,049
	EXPENSE					
5000	Total Compensation					
5020	Salaries/wages	75,097	66,381	56,078	266,808	464,364
5030	Payroll Taxes	5,745	5,087	4,290	19,879	35,001
5050	Health Benefits	8,375	8,128	4,257	29,874	50,634
5060	Long Term Disability	379	310	283	1,170	
5080	SEP	4,506	2,423	3,365	9,500	19,794
	TOTAL Compensation				327,231	

6040	Temp					
6050	Office Program Supplies	5,000	1,800	1,200	2,200	10,200
6090	Telephone	9,000	5,000	1,200	5,000	20,200
6110	Postage	1,800	400	400	800	3,400
6140	Occupancy					
6141	Food		8,500		25,000	33,500
6142	Supplies		2,800		3,000	5,800
6143	Utilities		7,500		15,000	22,500
6144	Pest Control		600		600	1,200
6145	Security	400	1,019	100	500	2,019
6147	Mortgage	6,000	8,400	1,000	7,000	22,400
6148	Programs	100	1,000	300	500	1,900
	TOTAL Occupancy					
6170	Rental/Maintenance	3,600	200	200	3,000	7,000
6210	Print Publication Audio	2,000	1,500	600	2,000	6,100
6230	Travel	350	1,000	250	1,000	2,600
6250	Specific Assistance	10,000	4,000		300	14,300
6330	Volunteer Support	75	250	75	250	650
6340	Vehicle Expense	1,500			2,000	3,500
6350	Events					
6430	Professional Fees	2,100	2,100	800	2,100	7,100
6450	Miscellaneous					
6070	Ofc. Exp. Adv.	100	100	100	100	400
6150	Contract Labor		5,200	15,600		20,800
6180	Repairs	1,500	2,500	250	3,500	7,750
6270	dues/subscriptions	350	250	50	300	950
6290	Ins. and Bonding	2,500	3,500	1,500	5,000	12,500
6310	Staff Development	750	750	500	1,000	3,000
6360	Gifts	150	150	75	250	625
6400	Board/Staff Luncheons	100	100	100	250	550
6410	Conferences	750	500	250	500	2,000
6420	Licenses & Fees	65	65	25	65	220
6560	Payroll Expenses	200	200	50	500	950

1512	Equipment Purchase					
2390	Notes Payable (van)					
	TOTAL EXPENSE	142,492	141,713	92,898	408,946	783,907

ECO, Inc
Budget 2000-2001

Acct	Line Item	Aftercare	Deborah's House	Family Support	Center for Women	TOTAL
4000	Monthly allotments					
4010	UW	108,600	21,500			130,100
4011	Meck	12,830				12,830
4012	Church Grants	10,000				10,000
4040	Restricted Funds					
4041	HUD		50,000			50,000
4042	NC Department of Correction				330,040	
4043	Support and Outreach					
4045	Government Funding			60,000		60,000
4047	Parker Foundation		35,150			
4048	Sisters of Mercy			11,500		
4050	Events					
4060	Donations					
4061	Churches	4,390	2,000		9,300	15,690
4062	Indvidual	14,000			2,560	16,560
4064	Business	500			500	1,000
4065	Gifts In Kind					
4066	Board and Staff Donation					
4070	Dividends	230				230
4080	Pay phone revenue				1,970	1,970
4090	Program Fees		18,500		54,240	72,740
4900	Interest				6,300	6,300
	TOTAL INCOME	150,550	127,150	71,500	404,910	754,110
5000	Total Compensation					
5020	Salaries/wages	82,500	57,000	48,430	253,500	253,500
5030	Payroll Taxes	6,500	3,945	4,500	19,200	19,200
5050	Health Benefits	8,100	5,500	3,860	18,000	272,700
5060	Long Term Disability	450	250	170	1,300	1,300
5080	SEP	4,800	1,900	570	12,500	12,500
	TOTAL Compensation	102,350	68,595		304,500	475,445
6040	Temp					
6050	Office Program Supplies	5,150	525	750	2,275	2,275
6090	Telephone	8,260	4,020	1,200	5,500	5,500

ECO, Inc
Budget 2000-2001

6110	Postage	2,500	300	500	1,250	7,775
6140	Occupancy					
6141	Food		9,000		25,420	25,420
6142	Supplies		2,000		4,000	4,000
6143	Utilities		6,500		14,500	29,420
6144	Pest Control		470		630	630
6145	Security	355	1,335		850	850
6147	Mortgage	2,700	8,400	900	6,180	6,180
6148	Programs		1,800			1,800
	TOTAL Occupancy	3,055	29,505		51,580	84,140
6170	Rental/Maintenance	2,800	40	250	2,400	2,400
6210	Print Publication Audio	3,600	2,060	1,500	2,470	2,470
6230	Travel	1,200	500	250	1,900	4,870
6250	Specific Assistance	11,250	3,700		1,000	1,000
6330	Volunteer Support	200	500	50	500	500
6340	Vehicle Expense		1,350		1,750	1,500
6350	Events	500	750	250	750	750
6430	Professional Fees	2,750	2,750	800	2,750	2,750
6450	Miscellaneous					
6150	Contract Labor	500	620	5,615	140	140
6180	Repairs	500	1,800		8,500	8,500
6270	dues/subscriptions	1,000	500	100	550	8,640
6290	Ins. and Bonding	2,000	4,000	500	6,000	6,000
6310	Staff Development	1,250	1,000	250	1,500	1,500
6360	Gifts	250	250	50	250	7,500
6400	Board/Staff Luncheons	250	250	25	250	250
6410	Conferences	500	750	400	1,000	1,000
6420	Licenses & Fees	135	135	30	135	1,250
6450	Total Miscellaneous	6,385	9,305		18,325	34,015
6560	Payroll Expenses	250	250	50	450	450
1512	Equipment Purchase	300	1,000	500	1,000	1,000
6999	Uncatogorized Expenses		2,000		2,000	1,450
2390	Notes Payable (van)				4,510	4,510
	TOTAL EXPENSE	150,550	127,150	71,500	404,910	754,110

Revised 7/26/2000

ECO, Inc.
Profit & Loss
July 2000 through February 2001

	Jul '00 - Feb '01
Ordinary Income/Expense	
Income	
4040 · Restricted Funds	
4042 · NC DOC Funding	193,982.00
4045 · Program Fees	39,458.00
Total 4040 · Restricted Funds	233,440.00
4060 · Donations	
4061 · Churches	977.30
4062 · Individual Donations	50.00
Total 4060 · Donations	1,027.30
4080 · Payphone Revenue	798.48
Total Income	235,265.78
Expense	
5000 · Total Compensation	
5020 · Salaries/Wages	149,080.24
5030 · Payroll Taxes	10,247.22
5050 · Medical Benefits	14,827.12
5060 · Long term disability	765.11
5080 · SEP	4,555.83
Total 5000 · Total Compensation	179,475.52
6050 · Office/Program Supplies	2,737.41
6090 · Telephone	2,682.54
6110 · Postage	243.75
6140 · Occupancy	
6141 · Food	14,626.88
6142 · Supplies	4,901.95
6143 · Utilities	8,870.69
6144 · Pest Control	360.00
6145 · Security	165.27
6147 · Rent	4,141.97
6148 · Programs	658.28
Total 6140 · Occupancy	33,725.04
6170 · Rental and Maintenance	1,571.95
6210 · Print-Publications-Audio	1,993.89
6230 · Travel	216.07
6250 · Specif. Assistance to Indiv.	70.00
6330 · Volunteer Support	5.05
6340 · Vehicle Expense	794.76
6430 · Professional Fees	1,630.66
6450 · Miscellaneous Expenses	
6150 · Contract Labor	1,747.18
6180 · Repairs	1,739.64
6270 · Membership Dues & S...	77.09
6290 · Insurance & Bonding	1,682.45
6310 · Staff Development	799.12
6360 · Gifts	55.64
6400 · Board & Staff Lunche...	179.31
6410 · Conferences	100.00
6420 · Licenses & Fees	75.00
Total 6450 · Miscellaneous Exp...	6,455.43
6560 · Payroll Expenses	277.45
Total Expense	231,879.52
Net Ordinary Income	3,386.26
Other Income/Expense	
Other Expense	
7550 · Interest Expense	7.95
Total Other Expense	7.95

ECO, Inc.
Profit & Loss
July 2000 through February 2001

	Jul '00 - Feb '01
Net Other Income	-7.95
Net Income	**3,378.31**

ECO, Inc.
Profit & Loss by Class
July 1999 through June 2000

	WF	TOTAL
Ordinary Income/Expense		
Income		
4040 · Restricted Funds		
4042 · NC DOC Funding	331,430.00	331,430.00
4045 · Program Fees	60,676.00	60,676.00
Total 4040 · Restricted Funds	392,106.00	392,106.00
4060 · Donations		
4061 · Churches	2,913.65	2,913.65
4062 · Individual Donations	310.00	310.00
4065 · Gifts in Kind	1,328.00	1,328.00
Total 4060 · Donations	4,551.65	4,551.65
4080 · Payphone Revenue	1,398.08	1,398.08
Total Income	398,055.73	398,055.73
Expense		
5000 · Total Compensation		
5020 · Salaries/Wages	222,143.09	222,143.09
5030 · Payroll Taxes	17,521.95	17,521.95
5050 · Medical Benefits	19,773.97	19,773.97
5060 · Long term disability	1,343.79	1,343.79
5080 · SEP	9,480.48	9,480.48
Total 5000 · Total Compensation	270,263.28	270,263.28
6050 · Office/Program Supplies	2,132.84	2,132.84
6090 · Telephone	4,850.83	4,850.83
6110 · Postage	723.55	723.55
6140 · Occupancy		
6141 · Food	24,587.96	24,587.96
6142 · Supplies	3,136.29	3,136.29
6143 · Utilities	13,320.93	13,320.93
6144 · Pest Control	674.00	674.00
6145 · Security	233.31	233.31
6146 · Miscellaneous	135.82	135.82
6147 · Rent	6,923.26	6,923.26
6148 · Programs	342.25	342.25
Total 6140 · Occupancy	49,353.82	49,353.82
6170 · Rental and Maintenance	2,618.39	2,618.39
6210 · Print-Publications-Audio	1,924.96	1,924.96
6230 · Travel	749.81	749.81
6250 · Specif. Assistance to Indiv.	295.98	295.98
6330 · Volunteer Support	46.71	46.71
6340 · Vehicle Expense	1,691.51	1,691.51
6350 · Events	241.66	241.66
6430 · Professional Fees	2,370.68	2,370.68
6450 · Miscellaneous Expenses		
6150 · Contract Labor	2,851.21	2,851.21
6180 · Repairs	9,300.87	9,300.87
6270 · Membership Dues & Subs.	299.50	299.50
6290 · Insurance & Bonding	6,660.71	6,660.71
6310 · Staff Development	390.60	390.60
6360 · Gifts	343.13	343.13
6370 · Miscellaneous	40.00	40.00
6400 · Board & Staff Luncheons	261.58	261.58
6410 · Conferences	119.19	119.19
6420 · Licenses & Fees	73.34	73.34
Total 6450 · Miscellaneous Expenses	20,340.13	20,340.13
6560 · Payroll Expenses	499.09	499.09
Total Expense	358,103.24	358,103.24
Net Ordinary Income	39,952.49	39,952.49
Other Income/Expense		

ECO, Inc.
Profit & Loss by Class
July 1999 through June 2000

	WF	TOTAL
Other Expense		
7550 · Interest Expense	245.20	245.20
7600 · Depreciation	12,951.70	12,951.70
Total Other Expense	13,196.90	13,196.90
Net Other Income	-13,196.90	-13,196.90
Net Income	**26,755.59**	**26,755.59**

Cash flow for next month

ECO CENTER FOR WOMEN
1999 – 2000 REPORT

RESIDENT MOVEMENT

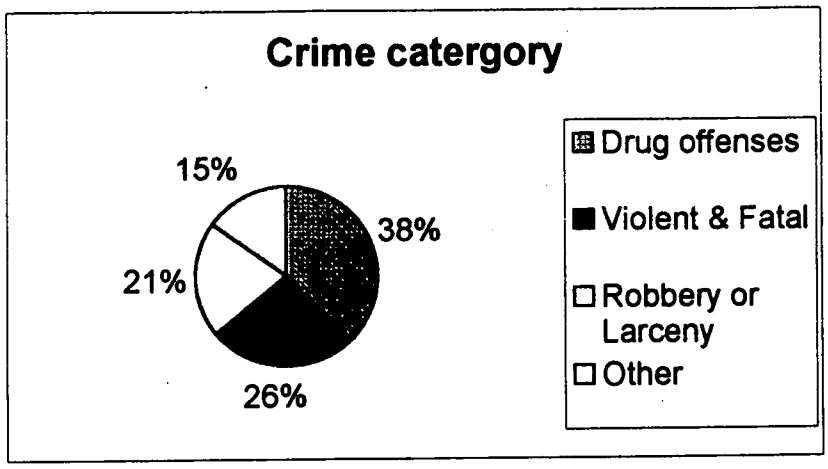
During the course of the year, thirty-nine residents lived at the ECO Center for Women. The center operated at a full capacity of twenty for 301 days of the year. The occupancy number changes as residents are transferred and released. When a resident leaves, we receive a new transfer on the first Tuesday after the vacancy. Each of the female units is required to maintain a waiting list for residents who are qualified to come to ECO. As openings become available, the new resident is chosen based on availability and by rotating from one unit to another. From July 1999 to June 2000, one resident received an administrative transfer and eighteen residents were released. Among the eighteen released, five residents remained in Mecklenburg County.

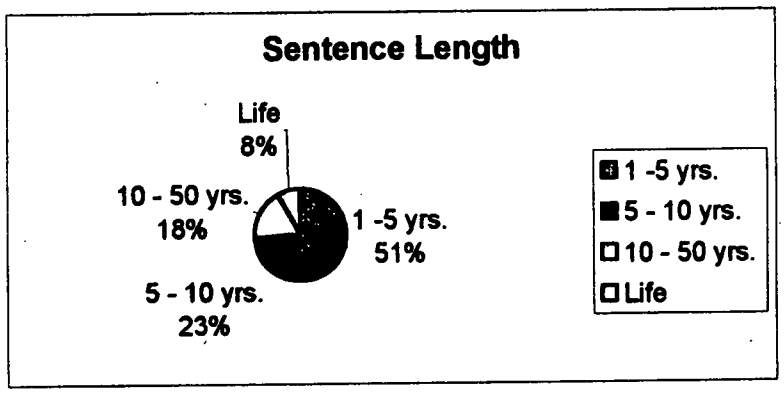
DEMOGRAPHICS

Sixty-four percent of the residents were African-American women and thirty-six percent were Caucasian women. The resident's age ranges from nineteen years old to age 52. The median age was 35 years old. Twenty-eight percent of the residents did not have children and 72% had children. Out of the seventy-two percent who had children, 36% had adult children and 64% had children under the age of eighteen. Almost half (49%) of the children under the age of eighteen were between the ages of five and ten years old, more than one third (34%) were five years old or less and 17% were between the ages of ten and eighteen. Many of the residents had the opportunity to earn trade certificates for completing some type of vocational training while incarcerated. Some of those areas are baking, cosmetology, dental lab, furniture upholstery and sewing. Twenty-three of the thirty-nine residents had earned a high school diploma or GED prior to arriving at ECO, two had associate's degrees and one had earned a bachelor's degree.

Due the high percentage of parents currently incarcerated, there is a great need for parenting education classes and workshops for incarcerated women and the caretaker of their children. Residents are encouraged to invite the caretakers to the support groups that are offered by the ECO aftercare program. Residents also may meet the criteria to have home leaves passes, which give them the opportunity to spend time with their children and have overnight visits under the supervision of their home leave sponsor. The case manager and the residents develop plans of action to keep the resident involved in their children's lives in a healthy and productive way. A healthy relationship between the caretaker and the resident promote a loving and safe environment for the children.

OFFENDER INFORMATION





Inmates sentenced in the State of North Carolina are required to work their way up to a minimum level three status within the Department of Correction's prison system before earning the opportunity to reside at ECO Center for Women. The ladies come from many different environments and may have committed very different crimes. Often times we have residents who have shorter sentences mixed with residents who are required to spend a lengthy amount of time at ECO. Residents transferred to the ECO Center for Women have reached parole eligibility status and are usually within three years of being released. The length of stay at ECO Center for Women ranged from 3 months to four years. The average stay was approximately one year and 4 months.

*The Recidivism Rate for the Fiscal year 1996 – 1997 was 22%. Out of the nine residents paroled that year, two of them returned to prison. The goal for each resident who participates in our program to remain at our facility until she is released from state supervision or placed into post-release supervision for the remainder of the sentence and never return to prison.

EMPLOYMENT

A primary focus of the Women's facility is to help residents find employment and establish positive work records prior to release from prison. Residents at ECO are required to work full time during their stay. Due to the generosity of the community, we have several employers who are always willing to hire work release candidates. Twenty-six companies employed ECO residents during this fiscal year. Residents and employers sign an agreement to seal their working relationship at the time of hire. This agreement validates the agency support to the resident and to the work release employer. Each resident has a case manager who monitors their progress at work and encourages their success.

All residents use their work release earnings to pay a small portion of the incarceration expense, personal expenses and child support or restitution, if mandated by the state. The remaining amount is saved in an account until the resident's final release. The hourly wage earned by residents ranged from minimum wage to approximately $10.50/hr.

JOB CATEGORIES

Hospitality - Cashiers, Food Service, Fast Food Industry, Housekeeping, Waitresses
Medical - Certified Nursing Assistants
Clerical - Billing Clerks and PBX Operators
Industrial - Dry Cleaning, Sewing, Warehouse workers

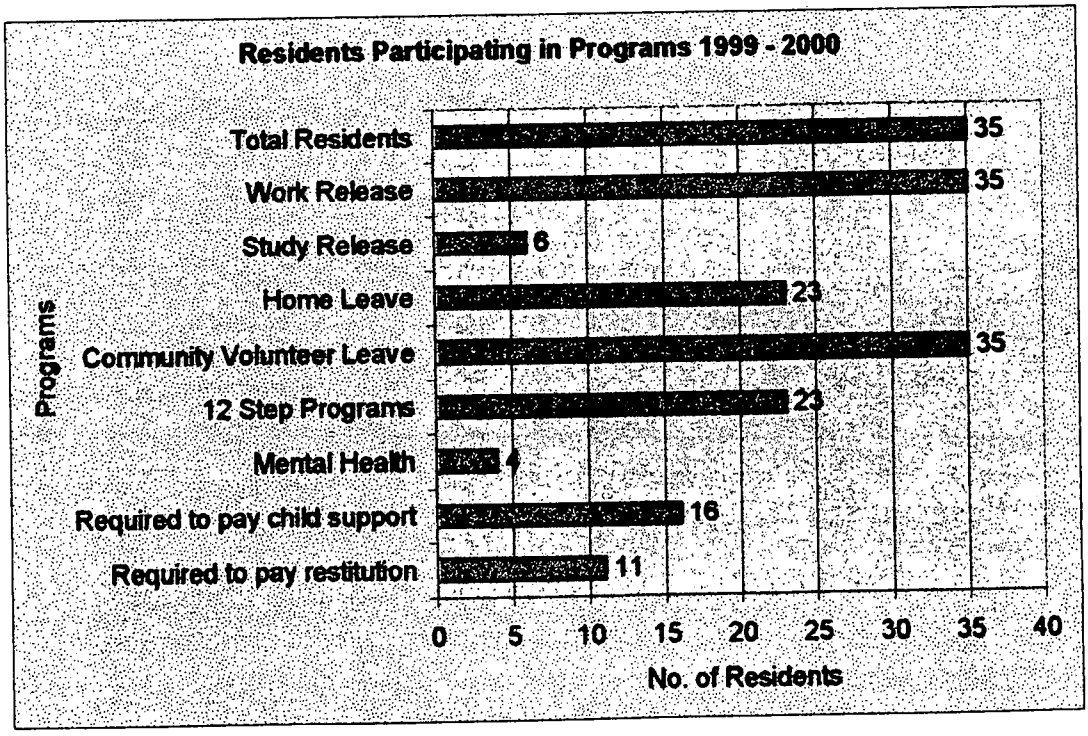
ECO Work Release Employers

Adams Mark Hotel	Lorraines Home Fashion
American Transitional	Marriott Hotel
Arby's	McDonald's
Belks	Merita Bakery
Brian Center	Park-N-Shop
Bojangles	Payless Cleaners
Britthaven Nursing Home	Shoney's
Burger King	Southpark Suites
Einstein Bagel, Bros.	Sub Station II
Hannafords	Taco Bell
Hilton Hotel	Wendy's
Hyatt	Zacks Hamburgers
Intergrated Health Services	

Residents are encouraged to continue their education or gain a skill in a trade so that they will be able to compete in the job market upon their release. Central Piedmont community college is a state-supported school that the resident may attend tuition free. The resident has to pay for the cost of their books and materials. This lends a great opportunity for the residents to continue her education and have the support of the agency while balancing work and school life.

PROGRAMS

During their stay at ECO residents with responsible family members are allowed to take supervised home leaves with their family members. Twenty-five of thirty-five residents were eligible to participate in the home leave program; these residents took 301 passes throughout the year. All residents participated in Community Volunteer (CV) passes. Volunteers who have completed six hours of training are allowed to take residents on planned outings. The community leave program is a great service to the resident because it allows them to spend supervised time in the community. Resident activities on CV passes consist of dining, movies, shopping and church. All residents participated in CV passes during 1998. Six residents furthered their education, five attended Central Piedmont Community College and one attended GED classes at the local YMCA Able Center. Ten memberships for use of the local YMCA are given to the facility. Residents are given full use of the facility and must participate consistently in order to remain on the active YMCA list. Residents are rotated monthly based on performance and availability. ECO residents attended counseling sessions during their stay. This included mental health or anger management counseling and several types of 12-step programs, such as alcoholics, co-dependency, emotions and narcotics anonymous.



Does ECO make a difference in the lives of the residents that are served? The answer is YES. The residents always tell us, "It's the small things that mean the most".

Ms. V arrived at ECO in April 1995; at the time she had served nineteen years on the life sentence that she received in 1976 for first-degree murder. Due to the length of time that Ms. V was sentenced to serve and her prior record, the N. C. Parole Commission had to grant permission for her to receive work release privileges and be allowed to transfer to ECO. Her record included many infractions during her adjustment to prison and even an escape. Within one month of her stay at ECO, Ms. V was transferred to Raleigh for disciplinary action. She remained there for three months and then returned. That experience may have been the turning point for Ms. V. she finally realized what getting a second chance meant to her and she promised that there was no way that she was going to mess it up. Considering Ms. V had been in extremely controlled environments for almost twenty years, life at ECO was about to be one of the most challenging experiences she had faced. All the things that she had dreamed about seemed possible because she felt like she was not just another number. After all, she was able to go to sleep in a room that she shared with two others, instead of a group of people. She was able to go to the grocery store with a staff person and feel, touch and smell the fruit and vegetables. A cup of coffee was just a few feet away and most of all; she could prepare her own grilled cheese sandwiches. It's the little things that mean the most.

In 1996, while at ECO, Ms. V began working as a cashier. She later was able to take home leaves sponsor supervised home leaves with her mother, her sister and her child, who was placed in a residence care facility due to a childhood accident twenty years ago. Ms. V's performance at work was very good and her performance reviews clearly reflected her behavior at work. After a couple of years, Ms. V realized that she had been present when ladies came and still here after their departure. When would it be her turn? Did life mean her entire life? Was the transfer for to ECO a stepping stone or a holding place? As Ms. V was considered for parole every year and then denied these questions arose. Unfortunately, Ms. V parole consideration date was always around Christmas time. For many years the letter would come right before or right after Christmas. It was Christmas 1999 and Ms. V's only hope was that if she was denied that the letter came after Christmas this year.

Ms. V was released in March of 2000 and is currently on post release supervision, after serving twenty-three years and three months in prison. She is on her fourth year of employment with the work release employer that she obtained during her stay at ECO. She repeatedly said while at ECO, "All I want is a little place of my own and a little car." It appears that her persistence and hard work has paid off; upon release, Ms. V used her accumulated work release earnings (the money she saved) to assist her in obtaining a car and an apartment. Excited about the future and her return to society, Ms. V plans to remain in Mecklenburg County.

Deborah's House
July 1, 1999 – June 30, 2000

Deborah's House serves adult women who have been incarcerated. Therefore, during the period being reviewed 100% of the 30 clients who accessed the program were female. These women ranged from 24 years to 60 years in age. When they entered the program, 33% were in their twenties, 43% were in their thirties, 20% were in their forties, and 3% were in their sixties. Exactly half the women were African American and half were Caucasian. No other racial groups were represented.

Deborah's House provides transitional housing for up to ten adult women at any given time; it does not provide residential services for children. Nonetheless, 63% of the clients had children. Of these, more than a third (37%) had no plans to ever again provide primary care for their children, but another 63% did plan to reunite with their children someday. DSS cared for 17% of the women's children while the women were enrolled in the Deborah's House program; the rest of the women placed their children with relatives.

All of the women (100%) being described in this report were homeless prior to their incarceration and/or prior to their enrollment in the Deborah's House program, though some had found temporary, sporadic shelter with friends or relatives. Because of their inability to meet even their most basic physical needs, it is to be expected that these women would be beset by a wide array of health problems. The most common minor conditions (i.e. problems that could be treated fairly quickly and easily by a round of antibiotics or something similar) included anemia, urinary tract infections, "simple" STDs and other infections, ringworm, etc. Many evinced small but significant hearing and vision loss. Almost half (47%) produced irregular PAP test results; several of these had to have irregular cells removed through out-patient surgery.

The most common persistent health problem was major depression. Again, nearly half (47%) of the women had a history of suicidal gestures or attempts and were still severely enough depressed to require medication when they entered Deborah's House. Hepatitis was the next most common ailment, affecting 17% of the women. Tuberculosis, HIV/AIDS, and asthma each affected 13% of this population. Another 10% of the women suffered from high blood pressure, anxiety disorders or suspected mental illness, nerve damage to the feet or legs, or cysts that needed to be surgically removed. Progressive deterioration of the eye (retinopathy) affected 7% of the women, as did severe hearing loss or deafness, and dsylexia/learning

disabilities. The following disorders each affected 3% of the women: diabetes, epilepsy, arthritis, abnormally high cholesterol, skin diseases, hypoglycemia, anorexia, and dysfunction of the thyroid. Only 14% of the women entered the program with no major health problems. It should be noted that none of the women (0%) had any form of insurance, and, though it was possible to obtain diagnoses of disorders, it was a struggle to find treatment for everything except the STDs.

Educational level attained by the women prior to entering the program varied widely. Fully one-third (33%) had not completed high school and had made no effort to improve their education; in this group, highest grade completed ranged from grade three to grade 11. All of these women were required to begin work on their GEDs when they enrolled in the Deborah's House program. Another 10% of the women who had not completed their basic education had chosen to earn their GEDs while in prison. Those who had earned a high school diploma comprised 43% of the group. Of the High School graduates, 10% had sought further training resulting in a certificate of some sort (e.g. secretarial skills, child care certification) at some point in their past. One individual (3%) had earned a four-year college degree (B.A.), though ironically she had never sought legitimate employment. Education and vocational training are strongly encouraged by the Deborah's House program; 17% of all clients who entered the program completed either their GED or other certification while enrolled in Deborah's House. Many others began training, but did not complete it while in the program.

Chemical dependency played by far the strongest role in clients' decisions to commit the crimes that led to their incarceration: 97% of these women were addicted to one or more drugs, including alcohol. Only 7% of the women had been addicted for less than ten years, the rest for much longer: 40% had been addicted for more than ten years, but less then twenty years; 30% had been addicted for more than twenty years, but less than thirty years; 17% had been addicted for more than thirty years, but less than forty years; and 3% had been addicted for more than forty years. Of the women who were addicts, 100% had spent their entire adulthood on drugs, i.e. were daily users. Specifically, only 10% had begun using drugs at age 20 or 21. The majority, 64%, began using during their teen years. Significantly, though, nearly a quarter (23%) had been using since elementary school or earlier. Such figures obviously represent very entrenched, very dysfunctional patterns of living and reasoning.

All of the women (100%) had been convicted of multiple crimes. Not surprisingly, the most common group of offenses was directly related to the women's substance abuse: 47% were convicted of possessing or dealing

drugs. Another 23% had at least one DUI conviction; some had as many as five. Assault in its various forms was the next most common crime (30%), followed by prostitution (23%). It should be noted, though, that virtually all of the women had prostituted at one time or another in order to obtain drugs; they just hadn't been caught. Other crimes included larceny (20%), writing worthless checks (17%), forgery and uttering (17%), breaking and entering (13%), child abuse or neglect (10%), and stolen vehicle (10%). The following crimes were each committed by 3% of the women: safecracking, arson, uttering threats, burglary, conspiracy to commit murder, dealing in stolen goods, and robbery. When the women entered the Deborah's House program, 53% were entirely free from the criminal justice system; 47% were still on some form of probation or parole. However, it was not a condition of anyone's probation or parole that she enter this program; Deborah's House remains an entirely voluntary program.

Of the 30 women who entered the Deborah's House program during this time period, 17% were still enrolled in the program as of June 30, 2000. Another 17% graduated, i.e. successfully completed the program during the period being reviewed. Sadly, yet another 17% remained in the program for less than a week. Of the remainder, 17% were able to complete the Assessment Phase of the program (thirty days), 10% participated for thirty to sixty days, and 7% finished ninety days. Four of the women (14%) completed more than six months of the program and would have been eligible to graduate. Of this group, two simply panicked at the thought of having to leave the program and left abruptly and relapsed to drugs; one of these was later persuaded to enter another program. One made the decision to date an active drug dealer and had to be asked to leave; she relapsed within ten days. The last one relapsed to anorexia and left the program when her repeated fainting spells prompted us to require that she seek medical attention.

Case example

Marti, age 34, entered the Deborah's House program after serving several months in state prison for credit card fraud. Her case file included eleven pages of previous convictions, most of them larceny. After earning her high school diploma, she had entered the navy and married a man serving on her base. She had two children. While in the navy, she was introduced to drugs and, with her husband, quickly progressed to using crack cocaine. When her responsibilities as a supply clerk began to interfere with her drug use, she left the navy with an honorable discharge.

After her discharge, she and her family returned to this region of North Carolina. Her husband quickly became consumed by the drug culture and disappeared. Several years later he sent her notice via his mother that he had divorced her. He never attempted to contact his children or pay child support. Martie, meanwhile, continued to abuse cocaine, but used her considerable intelligence to set up a business of sorts dealing in stolen goods and credit cards. Her mother, the children's grandmother, raised the children.

Martie was arrested numerous times on petty charges, but it was not until she went to prison that she made the decision to change her life. She became involved in Narcotics Anonymous and made the commitment to end all drug use. She did excellent work in the two secretarial classes she completed. She began to write poetry and had one poem published while she was incarcerated. She decided to come to Deborah's House.

Martie announced with no prompting when she arrived at Deborah's House that she was going to attend 90 NA meetings in 90 days- and she did. She obtained an NA sponsor as quickly as she could and aggressively worked the 12 Steps. Eventually she became secretary of her home group and helped to establish a new chapter of Cocaine Anonymous in Charlotte.

Martie had hoped to secure secretarial work when she came to Charlotte. Time and again she was called in for second interviews, but her record stood in the way of her being hired by most businesses. She took a job cashiering at Harris Teeter and continued to search and interview. During this time she was referred to Vocational Rehabilitation and decided to pursue more comprehensive training through a full-time office systems technology program at CPCC. VR paid for this.

During the five months Martie was in school from 8:00 – 3:30 Monday through Friday, she stayed after school for an extra hour or two twice each week to help tutor other students, worked at Harris Teeter 24 hours per week, attended a minimum of 3 NA meetings per week, participated in classes at the House two evenings per week and a House Meeting another night of the week, and began attending a church (which she eventually joined) on Sunday mornings. Because her children did not live in Charlotte, it was difficult for her to visit them. She therefore bought herself telephone cards and arranged specific times of the week when they would know she would call. She tried to repair her relationship with her mother, but her mother was not open to this.

Martie graduated from CPCC with a certificate in Office Systems Technology; she was awarded the "Outstanding Student" honor in her class. In fact, her instructors were so impressed by her drive and "professionalism"

that they arranged for CPCC to hire her upon her graduation. She is now a full-time department secretary there. She has received a grant to continue her education and is currently working on her Associate's degree.

A month after her CPCC graduation, Martie celebrated the anniversary of her first year of sobriety. Shortly thereafter she was able, with some help, to rent a house and reunite with her children. She is still working, still attending school, still considered a pillar of the NA fellowship, and still serving as an inspiration to the women following in her footsteps in the Deborah's House program.

Family Services Program
Annual Report 2000

Family Services Program
First Annual Report

Introduction

The Family Services Program began in March, 2000 with a part-time parent educatoer serving incarcerated men and women housed at Jail North. This report will describe the program, the changes that have occurred since the program's inception, as well as the rationale for these changes Other information in this report includes demographics of inmates, caregivers and children who have participated, the clientele served and the obstacles and challenges in working with this population. Other projects and plans for the future development of the program will also be addressed.

The Program

The Sister's of Mercy provided a $23,000 grant to provide a part-time person to teach parenting skills to inmates. The program began with a search for a curriculum that would provide both depth and breadth. To accomplish this, several resources, each with differing strengths, were combined to produce a curriculum with important aspects of parenting including Drieker's parenting theory, *Strengthening Families, Developing Capable People, and Organizational Vision, Values and Mission.* Together these resources provide the basic curriculum topics of child development, discipline verses punishment, a family values piece, communication skill building and family traditions.

Classes began at Jail North on April 10th, meeting 4 days a week, two and a half hours per day for two weeks with the men's and women's classes alternating every two weeks. Prior to each class, the Program Director at Jail North and the Family Services Coordinator visit each housing facility (pod) to recruit participants for the class. A presentation is made about the program, the curriculum and the requirements to complete the program and earn a contact visit with the participants children. The Mecklenburg County Sheriff's Office screens all applicants for appropriate placement in the program based on security issues and other concerns.

A contact visit is awarded if the inmate participants complete the course work and have no disciplinary action against them from the beginning of classes through the date of the visit. Caregiver participants must attend 3 parenting/support group or individual sessions. Those living an hour from Charlotte may complete the course work by mail. At least one telephone contact is made to each caregiver and a follow up letter is sent that further explains the program and provides other pertinent information. A follow up phone call to inquire about the children's reactions and behavior is also made after the contact visit.

Changes in the Program

In May, 2000, the parenting program, *Parenting From the Inside* expanded to full-time to provide extended services for inmates, caregivers and children. With this expansion the program changed to Family Services with a full-time Family Services Coordinator. The name of the parenting component changed to the *Parent Connection.*

Rationale for the Change

After 2 months, the needs of this population became overwhelmingly obvious. Inmates were encountering family issues that arose from the parenting classes. Their family of origin issues ranged from troublesome to abusive. Men shared their experiences growing up and begin to cry, they experience desperation at having not seen their children for 2 years and shed tears because they did not even know where their children were. The caregivers experienced stress because of the responsibility they faced becoming a single parent household. Many did not have a job or skills to find work that would provide for their children. These caregivers were angry, alone and overwhelmed. Children were having behavior problems, experiencing guilt and shame because a parent was incarcerated, suffered from feelings of loss and abandonment, some were depressed and angry. It was apparent that our small beginnings had opened a flood gate of needs that could not go without being addressed.

Changes were made to address these emotional, psychological, and social needs of inmates and their families. Services offered to caregivers included weekly parenting and support groups, as well as individual counseling sessions, children receive individual and/or support group sessions that help them understand their feelings. Services are tailored to each family's needs rather than having a specific set of services offered to each family. Research shows that outcomes and success are improved when families' specific needs and issues are addressed (Halpern, 1990.)

Classes and support groups are offered Tuesday nights from 7:00-9:00 pm. If the family schedule does not allow for this meeting time, individual sessions are offered to accommodate the family.

Other Specific Needs of the Population

Children who have an incarcerated parent are at risk for substance abuse, violence and intergenerational incarceration. Often these children experience behavioral problems, problems at school including truancy, dropping out of school, and poor academic achievement. Caregivers face isolation with very little or no support.

Inmates may stay in contact with their family by telephone, but with frequent calls and additional charges for telephone calls, the family often cannot pay the bill. As a result many families are forced to have a "block" put on their phone which isolates the family and the emotional support they might have given one another. Caregivers frequently continue to rely on the inmate for emotional support. Critical issues and family crisis can and does occur. Life threatening illness, a family member's death, paternity issues, child placement issues, Department of Social Services intervention, and a child's depression leading to a suicide attempt are not uncommon. The Family Services Coordinator is needed to intervene during these times of crisis.

The Modality to Address the Changes in the Program

The caregivers can meet the requirements of the program or may participate at whatever level of care is needed. Several options are available; (1) participating in the Tuesday night parenting classes, (2) attending a support group, (3) individual sessions when issues are not appropriate for group sessions, or individual counseling is needed, or (4) attending a caregiver/child help group. If the caregiver lives an hour from Charlotte, he/she may participate in the parenting class via the mail and follow up phone calls.

Inmates can receive individual counseling sessions while incarcerated. Upon release from jail, the inmate and/or family may receive up to three additional counseling sessions. If the individual or family is in need of further counseling, an appropriate referral is made. In extreme cases, when no funds or resources are available the Family Services Coordinator may accommodate the need when time and other considerations permit.

Contact Visits

April through June,. 13 fathers, 3 mothers, and 28 children received a contact visit. Visits are scheduled on Sundays, once a month. Pictures are taken of the incarcerated parent with their children. After the contact visit, an interview is held with the inmate to discuss any issues that have arisen as a result of the visit and to discuss any behaviors that were not appropriate. Inmates have shared their feelings both prior to and after the visit. The inmates report feelings of doubt and apprehension prior to the visit with their children. After the visit fathers report feeling closer as a family and self esteem is rated as improved. Mothers report a sense of attachment to their children and feel comforted to have held their children.

Client Demographics

Since the program inception, 111 inmates have received parenting education with 89 men and 22 women entering the program. Fourteen women were African American, 7 Caucasian and 1 Filipino. Of the 89 men who participated in the program, 79.5% were African American, 16.5% were Caucasian, and 4% were Hispanic. Participants ranged in age from 18 to 64 years of age. 47 men and 16 women graduated the program and received certificates. Three of the inmates did not have children, others had from 1 to 9 children with many of these individuals having 2 or more relationships with offspring. Caregivers include spouses, ex spouses, grandmothers, foster parents and other family members. 11 caregivers attended parenting classes and/or support groups, 15 children attended individual or group counseling sessions.

Family Instability and Barriers to Success

Barriers to successful completion of the program include education level, resources, multiple adult relationships with offspring, poor relationships with caregivers, increased mobility of caregiver and inmate upon release from jail, poor family history, lack of trust, inadequate interpersonal skills, and a lifestyle that has included multiple and intergenerational incarcerations. Caregiver participants are reluctant to start or complete the class because of long distance. Inmates may drop out of class because of early release, transfer to a work release program or prison before completing the class, strained relations with the caregiver, caregiver is not willing to meet for the required 3 sessions and as a result the inmate looses hope, becomes depressed or overwhelmed with disappointment. In some cases inmates have dropped out because of disciplinary action taken by jail personnel.

Other Projects

Fatherhood Video Project Underway — In collaboration with the Mecklenburg County Public Information Department and the Mecklenburg County Sheriff's Oficce, ECO has produced a video about the issues and challenges that incarcerated fathers encounter. The video features interviews with four fathers who attended the class, their contact visit with the children, and a follow-up interview after the contact visit.

Plans to write a $25,000 grant to the Mecklenburg County Alcohol Beverage Control Board to further the goals of the program and meet the needs of the children. The announcement of those awarded the grant will be made the end of August.

The program received a donation of a lap top *Thinkpad* computer from the *IBM Technology Grant* through the *United Way of Central Carolinas, Inc.*

Martha Alexander, an ECO advisory board member and North Carolina House Representative was instrumental in helping ECO receive $60,000 from a state fund that will bring the parenting program to the Charlotte Correctional Center. This program is currently in the beginning stages of development. In addition, these funds will provide a part-time person to work at the court, to work with the children of inmates and provide quality parenting books to the libraries at the DOC and Jail North.

Future Program Development

In addition to expanding the parenting program to Charlotte Correctional Center, the parenting program will also be expanded to include the Work Release and Restitution Program. The caregivers, their children and the inmates on work release will all be eligible to attend classes and support groups.

We are currently seeking a facility that will accommodate the changes and program expansion. Our vision is to have family night with all family members attending a class or support group. We are also seeking donations from restaurants and vendors so that we might provide light snacks and dinner for the participants.

Plans are underway to seek contracted services for a child therapist to work with the young children up to 10 years old, a part-time parent instructor and we will be hiring a part-time employee to work in the courthouse to provide information and services to individuals and families. Other plans include seeking volunteers to provide support and help for the children's support group, to help coordinate the Tuesday Family Night and provide transportation as needed.

Outcomes

A pre and post test are given to each inmate participant. These scores are then analyzed to determine the level of statistical significance. To date the analysis results are as follows: Pre Test Mean (Avg.) = 65, Standard Deviation = 14, Post Test Mean (Avg.) = 81, Standard Deviation = 11, Based on the t-and p- values of an independent samples test the difference in the average scores is statistically significant. Another measurement piece each inmate completes is a class evaluation that includes a 5 point grading scale for satisfaction of content, presentation of information and feedback regarding other considerations. 99% of the participants state they are very pleased with the information and the presentation of the information. 95% comment that more time is needed for this class.

Other outcome measures that are being developed include a stress survey that will measure the reduction in stress for caregivers. There are several measurements that are excellent, we intend to use the Beck's Stress Scale as this can be easily taken and scored and will meet our purposes.

Other outcome measures include:
Caregivers;
60 % will report a 40% reduction in stress, 60% increase in parenting ability, a 40% reduction in feelings of instability, or that they are better able to cope with the demands of their situation.

Incarcerated parents; 50% will report lowered feelings of isolation from their children, reduce stress by 30%, an increase in confidence regarding being a parent by 75%.

Children;
50% of the child participants will experience at least 3 of the outcomes listed below.
Decrease; in truancy, academic failure, behavior problems, feelings of alienation and isolation from peers. reduction in feelings of guilt and shame or anger. As rated by their parent or caregiver, counselors and school personnel.
Increase; in self esteem, decision making skills, feelings of belonging in the family interaction with the family.

80% of family members will rate 30% increase in togetherness and cohesiveness.

Case History/Successes
While it is difficult to measure success for some of our clients, even small successes can be significant for this population.

One family has continued to use our services and avail themselves of individual and group sessions for each of the parents and the children. The middle boy, 11 years of age, was extremely angry and belligerent to his mother. After receiving individual counseling, the child was able to resolve his anger and hostility toward his mother. The dynamics of the issues were addressed and the child has returned to the sweet and caring child he had been prior to his father's incarceration. This family continues to work hard at staying close and caring for one another. Their participation and dedication to one another and this program is what I would hope every family.

Parenting Class Snapshot

At times a class in parenting resembles an "emergency room". Many different scenarios are occurring at one time. Once again the men's and the women's class at first glance appeared to be simply education about parenting similar to the beginning of other classes.

Into the second session individual issues become obvious. Individuals appear to be "going inward", that is, they become quiet and withdrawn. Many times this is the first signal that something is going on internally with the inmate. Others will exhibit a cold, empty stare that reveals pain and/or anger. After a break, someone who was sitting in the front row returns to class and sits at the back of the room. These behaviors are the first indicators to the educator/ counselor that the discussion may be bringing up issues that the inmate is not able to understand or cope with.

One woman realized the pain she experienced in parenting class was greater than the pain she lived with being physically abused by men and raped! This young woman realized for the first time that her experiences growing up in her family were the root cause of her anger, bad choices and deep emotional scars.

Another young mother came to the sudden realization that her priorities had been in the wrong place and made decisions to change her life dramatically including seeking professional counseling to help her focus on her children's needs rather than making hasty personal choices that put her and her children in jeopardy.

One young man experienced an emotional crisis in the classroom as he faced the realization of his own future without his children. This young man became so overwhelmed he was not able to function emotionally in the classroom. A middle aged man sits quietly and listens and it becomes obvious that he is thinking long and hard about something that is being discussed about fatherhood or his own past experiences. He remains quiet and withdrawn. Yet another middle aged man who has been in the class previously begins to share his life experiences including the pain and hurt he experienced as he recalls the death of his unborn baby and his inability to deal with the problem at the time, let alone help his girlfriend to deal with her loss and pain. This man has spent most of his life using alcohol and drugs to numb the pain of losses in his life—pain from a lost childhood, not having been raised by his mother or father, abused and neglected and aware even as a small child that he was unwanted. And lastly the young father who is full of anger because of a fight with his wife during a telephone conversation.

This is a brief picture of the "emergency room" experience during parenting class. All of this going on at one time whether in the women's or men's class. The hats one must wear include "triage, ER physician, trauma and crisis intervention, healer, counselor and educator." Together, the educator/counselor and the class try to help these men and women express their feelings, process the pain and deal with the situation in a positive manner that will facilitate growth and change. And receive quality education that can help their children reduce pain and sorrow in their lives.

A personal note: I have greatly appreciated working with the clients and their families and feel very honored that the men and women have opened their minds and their hearts. Even though these folks are in jail, they continue to care about and care for their children. This has truly been a rewarding experience for me.

ECO

ENERGY COMMITTED
TO OFFENDERS

Helping Offenders and their Families

AFTERCARE PROGRAM SUMMARY

FY 1999/2000

Fiscal year 1999/2000 continued the trend of an increase in the number of clients served. The statistics are summarized at the end of this report. Inmates, ex-offenders, and family/friends are contacting the agency at a higher frequency requesting assistance with basic needs (food, clothing, and shelter) and employment services. One thousand twenty-eight individual clients received some level of service from Aftercare. This is a thirty-five percent increase over the previous year. Six hundred fifty-seven were new clients who had not received services from Aftercare. An average of 200 clients was served per month compared to an average of 142 for fiscal year 98/99 (40% increase). A monthly average of 148 was previous clients returning for additional assistance or to update us on their progress. An average of 108 clients participated monthly at some level in our employment component. Twenty-eight of the total served for the year are clients with severe disabilities seeking services and assistance other than employment.

The new database allows staff to identify those clients who work with Aftercare at a level we believe is necessary to increase the likelihood of making a successful transition from prison/jail to the community. Clients are expected to schedule and keep appointments with the office. They are expected to complete an "Employment Ready Checklist". Completion requires that we have documentation that the client has a State ID and Social Security card (required for employment), that they have a mistake free application, food, clothing, an address, and transportation. The client is also required to have a minimum of three contacts with the office related to employment. Only those clients who meet this expectation are counted as "clients" for the outcome measure of employment and recidivism. There are many clients who meet some of the requirements and gain employment. They were not counted in the employed number for this fiscal year (clients meeting some of the requirements were counted last fiscal year).

Aftercare spent $6023 on cost services. $4544 was spent on bus tickets and bus passes in the fiscal year to assist clients in keeping other agency appointments, application/interview appointments, and to get to work daily until they received a paycheck. Clients also purchased bus tickets at a discounted price (clients spent $3190). $1379 was spent purchasing 257 birth certificates to enable newly released ex-offenders obtain a State ID. Other cost services include 456 school records spending $42 (most are free), 5 marriage licenses ($15), 1 police record ($5), and 8 haircuts ($38). We provided waivers enabling 179 homeless clients to acquire a State ID.

A telephone for clients was installed in the Aftercare area during the fiscal year. An answering machine was donated allowing messages to be received. A space exclusively for clients was provided with a table, note pads, and pens. Clients use the telephone to schedule appointments,

follow-up on job applications, and search for job openings. Clients living at the Shelter or without a telephone can use the telephone number as their number on applications for jobs and with service providers. The answering machine takes messages without identifying the location as the ECO office. The cost for this service was $659 ($115 of the total was for installation).

In May 1998 ECO Aftercare was invited by the Community Resource Council to participate in a pre-release planning workshop to be held monthly at the Charlotte Correctional Center for inmates scheduled to be released within 90 days. These monthly "Get Ready" evening meetings have continued with ECO providing information and resources for 15 to 30 participants each month. The Program Director at the prison has described the program to State officials who are discussing methods to implement "Get Ready" statewide. ECO Aftercare will likely be involved in expansion of this program. The number of meetings per month may also increase.

Increased collaborations with community agencies impacted the success with which clients were able to access needed services in the community. Aftercare referred clients living in Charlotte/Mecklenburg to many community agencies during the fiscal year advocating for their receipt of services. Contact from inmates and families outside Charlotte/Mecklenburg were referred to agencies in their community. Some of these relationships in Charlotte/Mecklenburg are listed on Table I.

Numerous employers in Charlotte/Mecklenburg hired ECO clients this fiscal year. The employers known to have hired ECO clients are listed on TableII at the end of this report. Salaries vary from minimum wage to $16 an hour. ECO clients are working throughout this community in a variety of industries including manufacturing, retail, hospitality, social services, warehouse/storage, clerical, construction, and health care.

Volunteers

Aftercare staff benefited from the assistance of volunteers during the fiscal year. Two Workfirst clients (welfare recipients) contributed 111 hours. Clients provided 60 hours cleaning the office, assembling presentation folders, and reupholstering furniture. Three volunteers contributed an additional 145 hours performing a variety of duties.

A notable volunteer for the year was Bill Parish who volunteered countless hours adjusting the database he created to track statistics. He designed and continually redesigned our statistical report and information gathering procedures enabling us to better answer specific questions about services. It is expected that his hard work will enable Aftercare to track outcomes and statistics more accurately. Mr. Parish was our nominee for the United Way's "Nine Who Care " award for 1999.

Marcus Morris was another volunteer who made significant contributions to Aftercare. He staffed the office an average of 30 hours a week from August 25, 1999 to May 1, 2000. His contributions to our program were vast. He served as a staff member completing client interviews and assessments, making referrals, and compiling resource information. He attended workshops on our behalf to increase our understanding of special populations. He established professional

relationships with many of the prison nurses and social workers to advocate for improved release planning and preparation for inmates releasing to our community. He was our "2000 Governor's Award" nominee and he won for Mecklenburg County.

Statistical Summary

Statistics for the fiscal year are summarized on the following table. The numbers for fiscal year 1999/2000 were calculated using the new database. Since the criteria for "active clients" has been more clearly defined, the numbers are different from the "Statistical Report" included in the monthly reports for the year. The new Statistical Report form is included at the end of this report along with the form used during the fiscal year 1999/2000.

Total number of contacts includes all documented contacts including telephone calls and letters written/received. The number does not include contacts for information only resulting in no documentation. ECO receives numerous contacts daily for information on the criminal justice system and resources/procedures available in this and other communities.

Annual Comparisons

	FY 96/97	FY 97/98	FY 98/99	FY 99/00
Number of unduplicated clients	489	511	762	1028
Total number of contacts	2661	3425	7070	7691
Presentations made	23	30	29	27
Number clients unemployable due to disability or incarceration			384	758
Number of clients employable (available for work with no disabling condition)			378	591#
Number clients completing "Employment Ready Checklist"			214*	220
Number clients known to be employed who were determined employable by established criteria (3+ contacts and completed "Employment Ready Checklist")			157*	147

*May not have had 3+ contacts.
#This number reflects clients who were incarcerated then released this fiscal year resulting in their being counted as both unemployable and employable.

Client Profile

MR was born in Brooklyn, New York and reared in that community. He completed high school and graduated from the Pratt Institute with a Bachelor's Degree. His work experience after college included Behavior Intervention Counselor at a State Corrections facility, Resident Counselor in a treatment facility, Employment Counselor, and Case Manager serving special populations. He began using drugs in the 1980s. In 1988 he was convicted of Robbery and served a year in prison. He was diagnosed as HIV/AIDS infected while serving this sentence. In 1992 he became sick for the first time and went in and out of hospitals due to AIDS related illnesses. In 1995 he was convicted again of "Possession of Cocaine" and was incarcerated. While in prison he experienced numerous hospitalizations. He was assigned to protective custody as result of violent actions against him by other inmates because of his diagnosis. He was released from New York State prison in October 1996 on one-year parole after serving 1½ years of a 4-year sentence.

MR's repeated drug treatment, eventual ability to stay drug-free, medical condition, and prison experience provided unique awareness. That awareness along with his education provided the opportunity for him to effectively help others in similar situations. He worked with a non-profit in New York as a Case Manager providing services for persons living with HIV/AIDS and their return to work. He left the position in February 1999 as his health declined and frequent hospitalizations prevented him from serving clients. He applied for and was granted Supplemental Security Insurance (SSI) benefits and Medicaid.

MR moved to Charlotte in March 1999 to begin a new life. He contacted ECO for assistance with basic needs although he made it clear that employment was not an option due to his condition. ECO assisted him to obtain a State ID, referred him for emergency food and clothing, and referred him to agencies in the community that could assist him with his medical needs. He was provided bus schedules and maps to help him learn how to get around the city. He was counseled on the value and benefits of work but he continued to refuse to consider employment as he was fearful of losing his benefits. He was counted as a client unemployable due to disability that fiscal year.

He maintained contact with ECO by occasional telephone calls and visits providing updates. We continued to inform him of employment opportunities for which he qualified but he expressed no interest.

In August 1999 he had become sufficiently bored and medically stabilized that he contacted ECO and began working full-time as a volunteer. He functioned in Aftercare as a staff member performing most duties such as conducting intake and assessment of clients, answering telephones, and telephoning clients for updates. He took information and recommended appropriate action, took out garbage, and cleaned offices. His experiences and condition gave him credibility with clients that paid staff lacked. He identified, advocated for, and developed an extensive network of resource agencies to provide services and address issues for offenders who are diagnosed with HIV/AIDS.

While volunteering with us, he attended several workshops and training seminars identifying himself as an ECO volunteer. In December 1999 he attended a three-day seminar sponsored by the Raleigh Council on HIV/AIDS focusing on improving coordination between State prisons and community agencies. He gathered valuable information for ECO regarding treatment and services available for this population. He established professional relationships with prison HIV nurses and social workers to advocate for improved release planning and preparation for inmates releasing to our community.

In February 2000 he attended and presented the keynote speech at a conference entitled "Alive and Living" sponsored by the Positive Impact Network, a program of the Eastern Triad HIV Consortium. He also attended "Reflections: A Decade of Regional Response". The job offers he received while being involved in these experiences resulted in his reconsidering employment options. In June 2000 he was hired by a local human service agency providing case management.

ECO, Inc. - Referral Agencies

Alphabetical List of Agencies To Which ECO Has Referred | **Date: 04-Aug-00**

Access
Alcoholics Anoynmous
Carolinas Medical Center
Charlotte Area Fund
Charlotte Center for Urban Ministry
Charlotte Emergency Housing
Charlotte Meck Women's Commission
Community Health Agency
Community Kitchen
Community Link
Consumer Credit Counseling
CPCC
Crisis Assistance Ministry
Detox-SA-Treatmant
Employment Security Commission
Energy Committed to Offenders
Family Jump Start
Fighting Back
Florence Crittenton
Goodwill Industries
Hope Haven
House of Grace
House Of Hope
Jacob's Ladder
Job Link
Loaves & Fishes
Mecklenburg County DSS
Mecklenburg County Mental Health
Metrolina Aids Project
Narcotics Anonymous
Peachford House
Phoenix House
Pritchard Memorial Church
Programs For Accessible Living
Project Star
Rebound
Salvation Army Treatment Center
Salvation Army Women's Shelter
Services For The Blind
Social Security Administration
The Havens
Total Care of the Carolinas
United Way -other counties
Uptown Mens Shelter
Veterans Administration
Vocational Rehabilitation
YWCA -Women's Transition

ECO, Inc. - Client Employers

Alphabetical List of Employers That Have Employed ECO Clients — **Date: 28-Jul-00**

AATEC
Advantage Security
Alamo-Rent-A-Car
All My Sons Moving & Storage
Allied Textile USA
Allison Fence Company
Allstate Insurance Company
Alston Hardwood Floors
Anderson Services, Inc.
Applebee's
Armin Plastics
Armstrong Relocation
Austin Tarp & Cargo Controls
Big L Food Service Distribution
Bijoux Restaurant
Blasé Cleaning Company
Bobby Jones Fencing
Bowen Floors
Boxberger Inc.
Brian Center
Burger King
Burlington Coat Factory
Captain D's
Carolina Bar-B-Q
Carolina Building Group
Carolina Foods
Carolina Transport
Catawba County Camp Grounds
Central YMCA
Charlotte Custom Blending
CIBI Restaurant
Cliffs'
Clovis Brenan Roofing
Colbert David Painting
Community Funding Company
Consolidated Steel
Courtesy New & Used Tires
CPCC
Crowder Construction
David Long Electrical Contractor, Inc.
Dean & Deluca
Deano's Pizza Pasta & Salads
Eagle Electric
Eckerd Warehouse
Eddie Bass Construction
Electric Solutions
Estes Trucking
Fire & Rescue News
Flash Delivery
Fortress Systems International, Inc.
Gas Fired Products
General Tire
Genpak Corp.
Green's Lunch
H & N Construction
Hall's Firestone Tire & Repair
Hannaford Food & Drug
Harris Masonry
Host Marriott
Hunter Chrysler/Plymouth/Jeep/Subaru
Infiniti of Charlotte, Inc.
J. A. Jones Construction Company
Jeff Black Painting Contractors
Jesse's Auto Repair
Jimmie's Restaurant
Joe Reid Construction

Jones Paving & Grading
Lions Services
M & M Carpet
M.B. Kahn Construction Company
Marriott City Center
Masonry Reinforcing Corp. Of America
McDonald's Cafeteria
McDonald's Hamburgers
Measurement, Inc.
Mechanical Industries, Inc.
Mecklenburg County Senior Center
Merita Bakery
Mert's Heart & Soul
Metrolina Dodge, Inc.
Minlow Logistics
Myers Park Country Club
National Linen Service
New River Assisted Living
Omni Hotel
One Source Cleaning Company
Pacesetters Services
PCI Painting Contractors
Performance Exteriors
Piedmont Sweeping
Plyler Paper Stock Company
Port City Electric
Price Demolition
Price's Chicken Coop
Progressive Crane, Inc.
Promise Corp.
Protect America Securities
Providence Café
Qualex, Inc.
Quality Inn & Suites
Quasimodos Bell Tower
Radiator Specialty
Ramada Inn
Red Lobster
Red Roof Inn
REFABCO, Inc.
Reid's Fine Foods
Renaissance Place Restaurant
Resort Promotions
Rock Bottom Café
Rogers Barbecue
S & D Coffee
Selectron Technology Inc.
Sharon Memorial Park
Shaver Woodworks
Souper Salad
Southern Aluminum Finishing Company
Southern Cast, Inc.
Southern Metals Company, Inc.
Sparks Home Builders
Spoon's Restaurant
Stewart Fastener & Tool
Studio Motel 6
Sunstates Maintenance Corp.
Superior, Inc.
Suppliers to Wholesaler's, Inc.
Textile Manufacturing Distribution
The Employment Network
The Tree Factory
Thompson Landscaping
TJ Maxx Store
Todd Pools, Inc.
Total Care of the Carolina's
United Parcel Service
United Scrape, Inc.
Universal Cab

University Hospital
Waffle House
Wal-Mart
Wathco, Inc.
Wendover Child Development Center
Wendy's Hamburgers
Westend Seafood Market
Winn-Dixie Warehouse
Woonsocket Mills
Wyndham Garden Hotel

ECO Family Support and Aftercare 1999-2000

	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00	Average	Annual Rate
Clients Served	54	85	53	55	51	46	62	49	47	43	43	34	52	622
New Clients	154	148	155	153	150	129	161	142	156	147	145	140	148	1780
Carryover From Previous Months	208	233	208	208	201	175	223	191	203	190	188	174	200.2	2402.0
Total Served for the Month	107	108	93	122	114	98	120	95	114	114	98	113	108.0	1296.0
Total Employable this Month														
	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00		
Client Type	67%	66%	69%	73%	74%	73%	71%	76%	72%	60%	52%	50%	67%	
NC State Prison System	28%	29%	26%	21%	21%	22%	24%	18%	21%	32%	40%	43%	27%	
Mecklenburg County Jail	1%	2%	0%	2%	1%	2%	2%	2%	2%	2%	2%	0%	1%	
Federal Prison System	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%	
Family/Friend	4%	4%	5%	4%	3%	3%	3%	4%	5%	6%	6%	6%	5%	
Other States & Counties														
	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00		
Clients Referred by	70%	77%	46%	60%	64%	74%	61%	68%	65%	53%	53%	47%	61%	
Criminal Justice System	14%	12%	34%	26%	22%	17%	24%	19%	16%	26%	28%	33%	23%	
Friend/Family	5%	4%	5%	3%	2%	1%	5%	3%	7%	11%	14%	9%	6%	
Community Agency	5%	3%	4%	4%	3%	2%	5%	4%	5%	4%	4%	4%	4%	
Presentations	1%	1%	4%	3%	3%	1%	2%	3%	3%	3%	2%	7%	3%	
Self	5%	3%	7%	4%	6%	5%	4%	0%	4%	3%	3%	0%	4%	
Other														
	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00		
Client Contacts & Referrals	1038	979	1005	1130	872	727	1005	882	832	728	879	827	909	10904
Total Contacts	60	58	56	65	32	39	74	77	63	46	64	53	57	687
Total Referrals	36	34	57	38	22	26	40	37	34	25	29	25	34	403
Clients Referred	1.7	1.7	1.0	1.7	1.5	1.5	1.9	2.1	1.9	1.8	2.2	2.1		
Average Referrals/Client														
	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00		
Total Direct Expense	$ 731	$ 475	$ 526	$ 624	$ 564	$ 519	$ 646	$ 375	$ 464	$ 335	$ 374	$ 394	$ 502	$ 6,026.75
	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00		
Outcomes	75	68	68	75	80	49	43	49	47	43	40	43	57	680
3 or more Contacts in 30 days	24	20	23	20	15	16	21	19	17	21	12	18	19	226
Referral Appointments Kept	14	19	12	15	13	19	20	10	7	10	22	10	14	171
Obtained New Employment This Month	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Recidivist 3 Yrs From Prison	0	0	0	2	1	0	0	0	2	0	0	1	1	6
Recidivist 6 Mos From Jail														
	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00		
Follow-Up	30	34	30	38	37	22	64	20	39	29	35	30	34	408
Number called	18	21	20	22	25	18	53	17	15	19	20	14	22	262
Number with some follow-up info	15	10	12	17	21	15	79	11	14	10	16	15	20	235
Number employed	0	0	0	0	1	0	2	2	2	0	0	1	1	
Number Known Returned to Prison/Jail														
	Jul-99	Aug-99	Sep-99	Oct-99	Nov-99	Dec-99	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00		
Outreach	8	9	11	3	5	8	3	3	5	4	7	5	6	71
Community Resource Contacts	4	2	2	3	4	0	0	1	2	2	4	3	2	27
Presentations Made	100	48	26	47	57	0	0	25	31	33	71	36	40	474
Total Audience														

ECO Aft[illegible]re 2000-01

	CLIENT CONTACT SUMMARY	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01		
01	Total Contacts	0	0	0	0	0	0	0	0	0	0	0	0		
	This month (change)														
02	Unduplicated Clients (Any Contact)	0	0	0	0	0	0	0	0	0	0	0	0		
	This month (change)														
02a	Employed (O+W+emY)														
02b	New Unduplicated Clients														
03	Employable (O+W er-not X)														
03a	Disabled Not Incarcertd(O+W+ erX)														
03b	Not Employable (I + X)														
04	Employable- erYes (O+W+ erY)														
05	Empbl-3+Cnts- erNl(O+W+3C+erN+erl)														
06	Empbl-3+Cnts erYes(O+W+3C+ erY)														
	[illegible]														
														Average	Annl Rate
	Referral To Outside Agencies	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01	#DIV/0!	#DIV/0!
07	Loaves & Fishes + Crisis Assistance													#DIV/0!	#DIV/0!
	L&F + Crisis Rfrls Accessed													#DIV/0!	#DIV/0!
08	Clients Received At Least One Rfrl													#DIV/0!	#DIV/0!
09	Tot Referrals (All Agencies not ECO)														
														Average	Annl Rate
	ECO Services Provided	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01	#DIV/0!	#DIV/0!
10	Total Service Items													#DIV/0!	#DIV/0!
11	Cost of Direct Financial Aid														
														Average	Annl Rate
	Client Type	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01	#DIV/0!	#DIV/0!
12	NC State Prison System													#DIV/0!	#DIV/0!
13	Mecklenburg County Jail													#DIV/0!	#DIV/0!
14	Federal Prison System													#DIV/0!	#DIV/0!
15	Other States & Counties														
														Average	Annl Rate
	Clients Referred by	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01	#DIV/0!	#DIV/0!
16	Criminal Justice System													#DIV/0!	#DIV/0!
17	Friend/Family													#DIV/0!	#DIV/0!
18	Community Agency													#DIV/0!	#DIV/0!
19	Presentations													#DIV/0!	#DIV/0!
20	Self														
21	Other														
														Average	Annl Rate
	Other Outcomes	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01	#DIV/0!	#DIV/0!
22	Clients Who Obtained Employment													#DIV/0!	#DIV/0!
24	NonRecidivist 3 Yrs From Prison													#DIV/0!	#DIV/0!
25	NonRecidivist 6 Mos From Jail														

Printed - 8/8/00

March 7, 01
Handout # 2
1:30

The John A. Hyman Substance Abuse Program (a)

and

The Halifax Project (b.)

Serving **Warren,** Franklin, Granville, **Halifax,**
Northampton and Vance counties.

Report to:

The Joint Appropriations Subcommittee on Justice and Public Safety

March 7, 2001

The Halifax Project

Parent Program: John A. Hyman Substance Abuse Program

...A dream deferred; a dream reborn...

The Halifax Project is a home and community based treatment program that addresses the whole person, and pursues the development of a broad range of services to meet the individualized needs of clients.

The Halifax Project has goals to refer and facilitate the re-entry of substance abusing clients into society as productive and contributing citizens.

Treatment may include daily home visits, individual and group counseling, alcohol and substance abuse education, nutrition and health education, communication skills sessions, leisure time activities, vocational and career development, and homemaker activities. Transportation services are also provided.

Through home visits, group sessions, and referrals the project's objectives are to:

- Effect change in the use and abuse of impairing substances
- Improve the interpersonal skills of program participants
- Improve the major life activities of the clients
- Extinguish the destructive cycle of substance use

The Halifax Project is located in Halifax County and serves the citizens of Halifax and Northampton counties. Referrals are received from the local Mental Health Center, the Department of Social Services, the Guardian Ad Litem Program, word of mouth, clients and family members.

The John A. Hyman Substance Abuse Program

The mission of the John A. Hyman Substance Abuse Program is to promote community wellness by providing high quality treatment and prevention services to those who wish to break free from the destructive nature of addiction.

Our goals are:

- To design and implement programs that reduce the misuse, abuse, and dependence on alcohol and other impairing substances.
- To provide participants with constructive alternatives to drugs and alcohol.
- To assist substance abusers' recovery, and improve their quality of life through counseling and treatment.
- To prevent the onset of substance abuse and related problems through education, training and counseling. Special emphasis is focused on youth.
- To intervene in the progression of substance abuse through the criminal justice system, in particular through Drug Treatment Court and DWI convictions.

John A. Hyman Substance Abuse Project
Budget Expenditures for July 1, 1999 – June 30, 2000

INCOME

N.C. Dept. of Corrections	$250,000	
Interest Income	720	
Total Income		**$250,720**

EXPENSES

Salaries	94,806	
Social Security Taxes	7,617	
Contractual Services	4,583	
Mini Grants	72,667	
Administrative Fees	25,000	
Sponsorships	5,100	
Supplies	1,885	
Telephone	3,459	
Transportation	4,598	
Rent	1,800	
Utilities	1,584	
Repairs	820	
Conferences	785	
Equipment Purchases	4,785	
Payroll Processing	910	
Miscellaneous	2,559	
Total Expenses		**$232, 958**

Excess Income over Expenses **$17,762**

JOHN A. HYMAN SUBSTANCE ABUSE PROJECT
OPERATING BUDGET FOR JULY 1, 2000 – JUNE 30, 2001

INCOME

N.C. Dept. of Corrections	$250,000	
Total Income		**$250,000**

EXPENSES

Salaries	121,640	
Payroll Taxes	9,773	
Contractual Services	5,000	
Mini Grants	50,000	
Office Supplies	4,000	
Telephone	4,500	
Printing & Postage	5,000	
Transportation/Lodging	5,000	
Rent	28,000	
Utilities	4,800	
Equipment Purchases	10,000	
Payroll Processing	1,000	
Miscellaneous	487	
Total Expenses		**$250,000**

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday March 8th, 2001
8:30 a.m
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative Bill Culpepper
Representative R. Phillip Haire

II. PRESENTATIONS

- Complete Review of DOC Travel Budget
  Jim Mills, Fiscal Research Staff
  Gregg Stahl, Department of Corrections

- Budget and Staffing for former Private Prisons
  Gregg Stahl, Department of Correction
  Danny Thompson, Department of Correction

- Corrections Enterprise Program and Budget
  Lynn Phillips, Department of Corrections

- Inmate Education Program
  Jim Mills, Fiscal Staff
  Department of Corrections' Remarks

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Tuesday, March 13 - Substance Abuse Treatment Program; IMPACT
  Wednesday, March 14 - Inmate Medical and Food Budgets; Prison Reserves
  Thursday, March 15 – Community Corrections; Criminal Justice Partnership Act

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
March 8, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on March 8, 2001 at 8:30AM in room 415 LOB. Two Senators attended. The following House members attended:

Rep. Bill Culpepper	Rep. Wayne Goodwin
Rep. John Hall	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

Representative Culpepper called the meeting to order. The first on the agenda was Mr. Jim Mills, staff. Mr. Mills spoke about the Department of Corrections Travel Budget. Mr. Mills distributed a handout titled DOP 1310 Travel Budget Analysis for Fiscal Year *2000-2001.* He also distributed a document titled *DOC 1110 Travel Budget Analysis Fiscal Year 2000-2001.* Travel expenses for both the Department of Corrections and the Prison security system is $3.1 million. The handouts show the breakdown of those expenses. The bulk of the Department of Corrections' travel is for personnel.

In response to a question by Rep. Kiser, the in state meal rate is$28 per day. It is higher for out of state. Mr. Greg Stahl said that most of the travel for corrections, 75% is for training purposes. As of 1/24/01 the secretary has to review and approve any travel since travel expenses must be limited. Mr. Stahl also said that before Mountain View and Pamlico opened we were taking prisoners out of state at a cost of about $24 million. Those prisons opened in 1998.The prisons were operated by Correction Corporation of America (CCA). Each prison has 526 close custody adult males. The criteria for the prisoners was to be low risk for escape and able to work or attend school. In the two years the facilities experienced a large number of vacancies and other difficulties including an escape from Pamlico. CCA found the contracts to be money losers and they wanted out so September 30, 2000, the Department of Corrections took over the facilities without incident.
Private operators can build quickly, well and less expensive. In response to Rep. Kiser, Mr. Stahl said the problems faced in the privately run facilities were the absence of record keeping and documentation.

Mr. Danny Thompson, Dept. of Prisons distributed a handout comparing CCA staffing to the Division of Prisons staffing. CCA thought prisons could be run by 163 staff, a theory quickly proven to be untrue. When a post goes unmanned, public, inmate and staff safety are put at risk. DOP added 2 sergeants who are assigned to cell blocks. One officer is placed in each cell block on the 1st and 2nd shift. 16 hours a day, the prisoners are not in cells. Everyone is locked in on the 3rd shift. In response to a question by Rep. Justus, Mr. Thompson said correction officers must be able to see inside the cells and surveillance cameras have only been considered for medical area or suicide cells. A camera is only good if someone is available to watch the monitors. Staff at Mountain

View was increased by 56 and at Pamlico by 53. Since the state has taken over, the disciplinary infraction rate and grievances have been substantially reduced. In response to a question by Rep. Kiser, the staffing ratio at the prisons is basically the same.

Mr. Lynn Phillips distributed a handout, *North Carolina Correction Enterprises 1998/1999 Annual Report*. He also distributed a map showing the location of the Enterprise Plants. The 3rd handout distributed by Mr. Phillips is titled North Carolina *Correction Enterprises Cash Flow Analysis* dated 3/7/01. On that handout is an item marked Business Improvement Project, which is a big ticket item because of the comprehensive software. In response to Senator Ballance, they are self supporting unless it is for a capital project. Monies generally do not come from the general fund.

Enterprise requires $6 million a month to operate and they try to maintain $12 million in reserve. Reserves are used for matters such as the industrial accident at Sampson.

Senator Ballance adjourned the meeting at 10AM.

Senator Frank Ballance
Vice Chair Senate Committee

Gloria Haywood
Committee Assistant

DOP Administrative Services
1-Mar-01

DOP 1310 Travel Budget Analysis for Fiscal Year 2000-2001

Authorized Budget 5327 Travel Lines: 1,211,742

Breakdown of Estimated Travel Expenses for Fiscal year 2000-2001

BCOT travel	877,000
DOP facility travel	210,000
DOP conference expenses	55,066
2005 travel expenses	69,676
	1,211,742

BCOT Travel - Basic Correctional Officer Training to include meals, lodging, mileage, and facility fees.

DOP Facility Travel - Facility travel to include meetings, transportation officers, workshops, seminars, conferences, DOP Administrative Services training, OPUS training, and inmate escapes.

DOP Conference Expenses - Conference expenses to include Administrative Officer conference, Mental Health conference, Programs Symposium, and Chaplains conference (see detail provided 2/25/01).

2005 Travel Expenses - 2005 personnel travel to include SORT (Special Operations Response Team) training, PERT (Prison Emergency Response Team) training, HNT (Hostage Negotiation Team) training, SOTIT (Special Operations Target Interdiction Team) training, DOP Administrative training section, Auxiliary Services training section, transition of Pamlico and Mountain View to DOC, nurse managers meetings, superintendent meetings, individual in-service training, workshops and seminars, out of state medical workshops, Fugitive officers, and contractual employee travel as related to the job.

NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
CONFERENCE EXPENSES FY00-01

2

CONFERENCE TITLE (INTERNAL CONFERENCES)	MEETING ROOM (532513900)	MEALS (532724)	LODGING (532721)	BREAKS (532724)	SPEAKER (532199)	PRINTING (532850)	NOTEBOOKS (533110)	MILEAGE (532714)	TOTAL
Administrative Officers (09/27/00 - 09/29/00)	$337.97	$4,114.00	$7,509.37	$2,156.00		$411.48	$1,322.35	$785.83	$16,637.00
Mental Health (09/24/00 - 09/26/00)	$572.40	$6,232.00	$6,966.13	$686.69		$164.14		$1,524.20	$16,145.56
Programs Symposium (09/17/00 - 09/19/00)	$1,052.16	$3,226.00	$6,215.39	$2,485.67		$286.12		$864.11	$14,129.45
Chaplains (09/11/00 - 09/13/00)	$358.00	$2,199.00	$4,162.00		$1,435.00				$8,154.00
									55,066

PLANNED

CONFERENCE TITLE (EXTERNAL CONFERENCES)	REGISTRATION (532930)	MEALS (532724)	LODGING (532721)	MILEAGE (532714)	TOTAL
AM. CORR. FOOD SVC ASSOC (04/08/01 - 04/11/01) (projected costs)	$4,510.00	$2,624.00	$5,503.68		$12,653.68

Note: Other external conferences attended by Division of Prisons employees were funded by the Office of Staff Development and Training. (American Correctional Association's Annual Conference, American Correctional Association's Mid-Winter Conference, National Association of Blacks In Criminal Justice Annual Conference, North Carolina Correctional Association's Annual Conference, North Carolina Chapter of the National Association of Blacks in Criminal Justice Annual Conference)

DEPARTMENT OF CORRECTION
1-Mar-01

1110 Travel Budget Analysis
Fiscal Year 2000-2001

Authorized Budget 5327XX Travel Lines: $1,294,343

Breakdown of estimated travel related expenses for fiscal year 2000-2001

1	OSDT Certified Basic Training (DCC & DOP):	$229,468
2	Other OSDT In-Service Training:	143,071
3	DOC Personnel Trainers:	43,029
4	OSDT Trainers and adjuncts :	92,614
5	DOC Management :	57,058
6	Internal Auditors:	43,668
7	Extradition:	290,814
8	Central Engineering:	214,812
	TOTAL FUND 1110:	**$1,114,534**

1) OSDT - Certified Basic Training to include meals, lodging, mileage, and facility fees.

2) Other OSDT In-Service Training related travel expenses - travel to include meetings, software training, seminars, workshops and OPUS training.

3 & 4) Travel related expenses for OSDT and Personnel trainers.

5) Travel related expenses for DOC Management.

6) Travel related expenses for internal auditors field audit work.

CCADOP.WK4
DIVISION OF PRISONS

POST CHARTS - CCA COMPARED TO DOP

DIVISION OF PRISONS POST NAME	SHIFTS 1	2	3	TOTAL POSTS	TIMES RELIEF FACTOR	EQUALS TOTAL PSNS	CCA POST NAME	SHIFTS 1	2	3	TOTAL POSTS	TIMES RELIEF FACTOR	EQUALS TOTAL PSNS	ADDT'L DOP STAFF
ADMINISTRATION	1			1	1.00	1	**ADMINISTRATION**							
Superintendent IV	1			1	1.00	1	Warden	1			1	1.00	1	
Administrative Officer II	1			1	1.00	1	Business Manager	1			1	1.00	1	
Administrative Secretary II	2			2	1.00	2	Secretary	1			1	1.00	1	
Office Assistant IV	1			1	1.00	1	Administrative Clerk	2			2	1.00	2	
Accounting Clerk V	1			1	1.00	1	Accounting Clerk	2			2	1.00	2	
Administrative Assistant	1			1	1.00	1	Receptionist	1			1	1.00	1	
Personnel Assistant V	1			1	1.00	1	Personnel Coordinator	1			1	1.00	1	
Office Assistant III	1			1	1.00	1	Records Clerk	1			1	1.00	1	
Corr. Training Specialist II	1			1	1.00	1	Training Manager	1			1	1.00	1	
Computer Support Tech I	1			1	1.00	1	Compliance Coordinator	1			1	1.00	1	
TOTAL ADMINISTRATION						12	**TOTAL ADMINISTRATION**						12	0
OPERATIONS							**OPERATIONS**							
Asst. Supt Custody & Oprs. II	1			1	1.00	1	Assistant Warden	1			1	1.00	1	0
Captain	1	1	1	3	1.00	3	Shift Supervisor	1	1	1	3	1.72	5	(2)
Lieutenant	1	1	1	3	1.76	6	Assistant Shift Supervisor	1	1	1	3	1.72	5	1
Sergeant	3	3	2	8	1.76	14	Senior Correctional Officer		2	2	4	1.72	7	7
Fiscal Sergeant	1			1	1.00	1	Safety Officer	1			1	1.00	1	
Office Assistant III	1			1	1.00	1								1
							Chief of Security	1			1	1.00	1	(1)
TOTAL OPERATIONS						26	**TOTAL OPERATIONS**						20	6
CORRECTIONAL OFFICERS							**CORRECTIONAL OFFICERS**							
Housing Control (2)	2	2	2	6			Housing Control (2)	2	2	2	6			
Housing Units (4)	8	8	4	20			Housing Units (4)	4	6	4	14			
Segregation Control	1	1	1	3			Segregation Control	1	1	1	3			
Segregation 48 cells	3	2	2	7			Segregation 48 cells	1	1	1	3			
Gatehouse	1	1	1	3			Gatehouse	1	1	1	3			
Perimeter Patrol	2	1	1	4			Perimeter Patrol	1	1	1	3			
Central Control	2	2	2	6			Central Control	1	1	1	3			
Yard	1	1	1	3			Yard	0	0	0	0			
Transportation	4	3	1	8			Utility/Search and Escort	3	2	1	6			
TOTAL CORRECTIONAL OFFICERS @ 1.76				60	1.76	106	**TOTAL CORRECTIONAL OFFICERS @ 1.72**				41	1.72	70	36

CCADOP.WK4
DIVISION OF PRISONS

POST CHARTS - CCA COMPARED TO DOP

DIVISION OF PRISONS POST NAME	SHIFTS 1	2	3	TOTAL POSTS	TIMES RELIEF FACTOR	EQUALS TOTAL PSNS	CCA POST NAME	SHIFTS 1	2	3	TOTAL POSTS	TIMES RELIEF FACTOR	EQUALS TOTAL PSNS	ADDT'L DOP STAFF
Clothes/Mail/Canteen	3			3			Commisary Clk/Mailroom/Laundry	4			4			
Intake/ID/Property	1			1			Intake/ID/Property	2	0	0	2			
							Visitation	2			2			
							Transportation	2		0	2			
Medical/Dental/Warehouse Area	1	1	1	3			Warehouse/Medical	1		0	1			
Prison Industries	1	1	1	3			Prison Industries	1			1			
Academic/Vocational Areas	2	2		4			Education	2			2			
Gym	1	1		2										
TOTAL CORRECTIONAL OFFICERS @ 1.50				16	1.50	24	**TOTAL CORRECTIONAL OFFICERS @ 1.00**				14	1.00	14	10
TOTAL CORRECTIONAL OFFICERS						130	**TOTAL CORRECTIONAL OFFICERS**						84	46
UNIT MANAGEMENT:							Unit Managers:							
Unit Manager	2			2	1.00	2	Unit Manager	2			2	1.00	2	0
Assistant Unit Manager	2			2	1.00	2								2
Processing Assistant III	2			2	1.00	2								2
MAINTENANCE							**MAINTENANCE**							
Facility Maintenance Supvr.	1			1	1.00	1	Maintenance Supervisor	1			1	1.00	1	0
Plumber II	1			1	1.00	1		1			1	1.00	1	0
HVAC Maint	1			1	1.00	1		1			1	1.00	1	0
Maint Mech IV	1			1	1.00	1	Maintenance Worker							1
Maint Mech V	1			1	1.00	1	Maintenance Worker							1
Electrician II	1			1	1.00	1								1
Electronics Tech II	1			1	1.00	1								1
Grounds Supvr I	1			1	1.00	1								1
Processing Asst III	1			1	1.00	1								1
TOTAL MAINTENANCE						9	**TOTAL MAINTENANCE**						3	6

CCADOP.WK4
DIVISION OF PRISONS

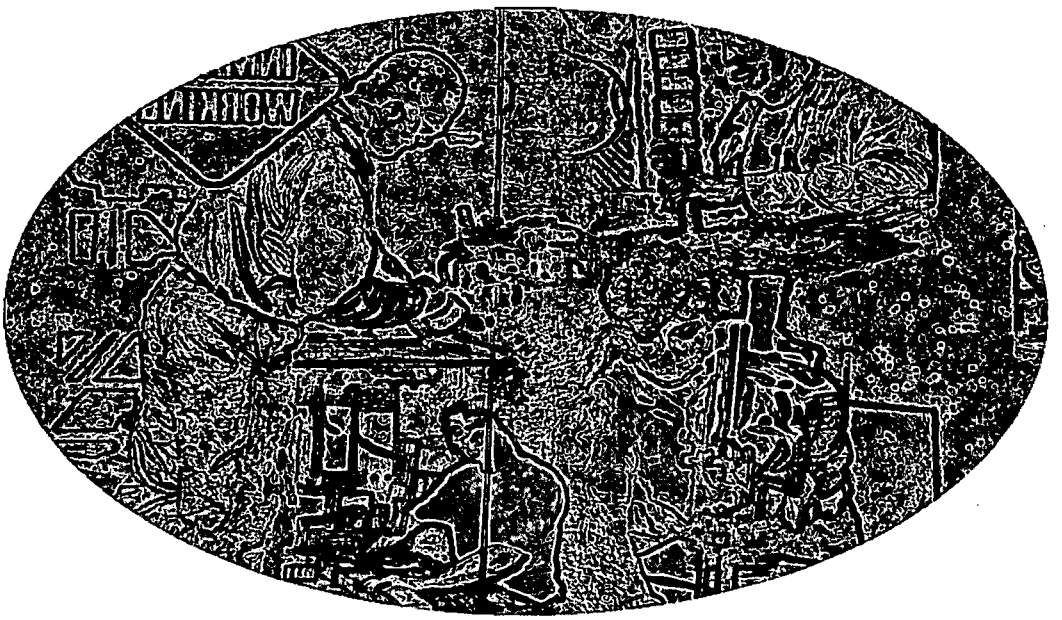
POST CHARTS - CCA COMPARED TO DOP

DIVISION OF PRISONS POST NAME	SHIFTS 1	2	3	TOTAL POSTS	TIMES RELIEF FACTOR	EQUALS TOTAL PSNS	CCA POST NAME	SHIFTS 1	2	3	TOTAL POSTS	TIMES RELIEF FACTOR	EQUALS TOTAL PSNS	ADDT'L DOP STAFF
FOOD SERVICE							**FOOD SERVICE**							
Corr Food Service Mgr II	1			1	1.00	1	PRN Contractor	7			7	1.00	7	
Corr Food Service Mgr I		1		1	1.00	1								
Corr Food Service Officer	1	1		2	1.76	4								
TOTAL FOOD SERVICE						6	**TOTAL FOOD SERVICE**						7	(1)
MEDICAL/MENTAL HEALTH/DENTAL							**MEDICAL/MENTAL HEALTH/DENTAL**							
Nurse Supervisor	1			1	1.00	1	Medical Services Supervisor (RN)	1			1	1.00	1	0
Lead Nurse	1	1		2	1.00	2	RN	1	1		2	1.72	3	(1)
Staff Nurse	1	1	1	3	1.76	5								5
Practical Nurse II	1	1	1	3	1.76	5	LPN	1	1	1	3	1.72	5	0
Medical Records Asst IV	1			1	1.00	1	Medical Records Clerk	1			1	1.00	1	0
Staff Psychologist II	1			1	1.00	1								1
Dentist I	1			1	1.00	1								1
Dental Asst	1			1	1.00	1								1
TOTAL HEALTH SERVICES						17	**TOTAL HEALTH SERVICES**						10	7
EDUCATION							**EDUCATION**							
Education provided by							Principal	1			1	1.00	1	(1)
Community College							Academic Instructor	6			6	1.00	6	(6)
							Vocational Instructor	5			5	1.00	5	(5)
							Librarian	1			1	1.00	1	(1)
							Secretary	1			1	1.00	1	(1)
							Education Counselor	1			1	1.00	1	(1)
TOTAL EDUCATION						0	**TOTAL EDUCATION**						15	(15)
CORRECTIVE PROGRAMS							**CORRECTIVE PROGRAMS**							
Asst Supt for Programs II	1			1	1.00	1								1
Program Director I	1			1	1.00	1								1
Program Supervisor	2			2	1.00	2								2
Program Assistant II	5			5	1.00	5	Counselor	6	4		10	1.00	10	(5)
Inst. Class. Coord.	1			1	1.00	1								1
Office Assistant III	2			2	1.00	2								2
Clinical Chaplain I	1			1	1.00	1								1
TOTAL CORRECTIVE PROGRAMS						13	**TOTAL CORRECTIVE PROGRAMS**						10	3
TOTAL POSITIONS						219	**TOTAL POSITIONS**						163	56

NORTH CAROLINA CORRECTION ENTERPRISES

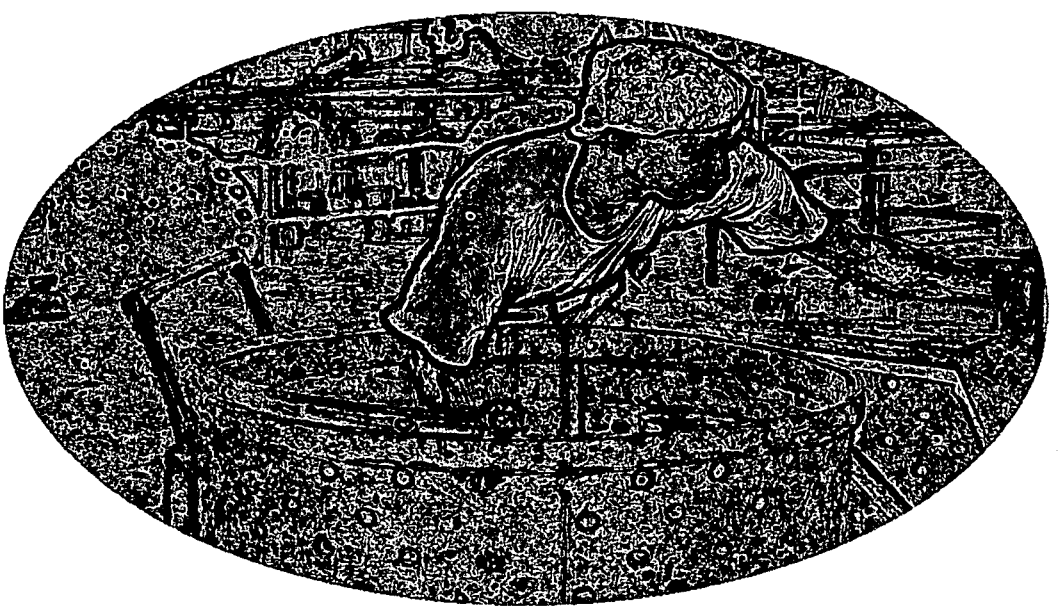
1998/1999 ANNUAL REPORT

North Carolina Correction Enterprises



Mission Statement:

To provide meaningful work experience and rehabilitative opportunities for inmates and provide quality goods and services to tax supported entities at a savings to the taxpayer



North Carolina Department of Correction

Office of the Secretary
4201 Mail Service Center • Raleigh, NC 27699-4201

James B. Hunt, Jr.
Governor

Theodis Beck
Secretary

To the Citizens of North Carolina:

One of the North Carolina Department of Correction's goals is to involve inmates in work programs in order to learn or upgrade their job skills. North Carolina Correction Enterprises helps us achieve this goal by providing jobs for several thousand inmates. Working together, we can help inmates learn valuable skills that will help them maintain stable employment and help keep them away from a life of crime when they are released.

The Department is very proud of the accomplishments of Correction Enterprises, which has experienced tremendous growth over the past 10 years. By producing and selling a diverse group of products and services, Correction Enterprises helps to defray the Department's operating costs. In addition, Correction Enterprises returns excess revenues to the Department's general fund, pays the incentive wages of all non-Enterprise inmate workers and contributes five percent of its net profits to the North Carolina Victim's Compensation Fund.

I would like to take this opportunity to thank all of the customers who support Correction Enterprises by purchasing its goods and services. Buying these products is an investment in North Carolina's future. A product made with pride contributes to an inmate's self-esteem and when you purchase a product or service produced by inmate labor, you are helping that person become a productive member of society.

Please take a few minutes to review the activities of Correction Enterprises for the fiscal year that ended June 30, 1999. In addition, please share the information presented in this report to any and all interested parties. Thank you for your support of Correction Enterprises and the Department of Correction.

Sincerely,

Theodis Beck

Theodis Beck

NC SCHOOLS FIRST IN AMERICA 2010

NC SCHOOLS FIRST IN AMERICA 2010

North Carolina Department of Correction

Correction Enterprises

2020 Yonkers Road • 4240 MSC • Raleigh, North Carolina 27699-4240

James Godwin • Enterprise Director

James B. Hunt Jr., Governor

Theodis Beck, Secretary

Dear Citizens:

North Carolina Correction Enterprises employs over two thousand male and female inmates in a wide variety of industries that include manufacturing, printing, sewing, laundries, farming and food processing. Many of these workers are employed in very specialized jobs that are available in some of our more technical operations. Not only are they taught specific skills valued by many private sector industries, they also earn an incentive wage that increases as the level of job responsibility increases. Our goal is to teach the type job skills and work ethic that will enable these individuals to find meaningful, permanent employment upon release. We believe this is an important step in preventing them from returning to the prison system.

Correction Enterprise employees are proud of the job they do. They are constantly striving to attain the highest quality goods and services for consumers. Whether in product formulation, a moving job or sign construction, our employees work hard to satisfy the customer. With the expansion of our Sales and Marketing Division, we look forward to marketing Enterprise products and services to even a wider audience. It is our desire to contact each tax-supported state and local government entity to become better acquainted with them and they with us. Future sales potential is unlimited!

Another milestone in Enterprises' history is the anticipated completion of the Columbus Sewing Plant. At a cost of $2.2 million, this state-of-the-art facility is scheduled to go into full production July 1, 2000. We are also in the planning stages of designing a new Duplicating and License Tag Plant to be located at the North Carolina Correctional Institution for Women. These efforts reflect Enterprises' commitment to continue its mission to provide meaningful work for inmates, while providing quality products and services to the customer at a substantial savings to the taxpayer.

I would like to thank our customers and dedicated employees for enabling us to enjoy another successful sales year. Thanks also to you, the reader, for taking time to learn more about Enterprises through this Annual Report. It is my hope that you will note our accomplishments and share my personal pride in Correction Enterprises.

Sincerely,

James G. Godwin
Director

Phone: (919) 716-3600

Courier # 53-71-00

Fax: (919) 716-3974

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Mission Statement

Letter from the Secretary of Correction

Letter from the Director of NCCE

Fast Facts about Correctional Industries across the Nation

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Financial Results

Meet the Enterprise Sales Team

List of Plant Operations

Fast Facts about Correctional Industries Programs across the Nation

(For the Fiscal Year ended June 30, 1998)

Information compiled by the Correctional Industries Association

Sales Revenues

(In millions)

1.	California	$151.0
2.	Florida	81.2
3.	***North Carolina***	***76.6***
4.	New York	74.1
5.	Texas	70.0
6.	Illinois	48.0
7.	Missouri	36.2
8.	Pennsylvania	36.1
9.	Indiana	35.0
10.	Virginia	34.9

Inmates Employed

1.	Texas	6,733
2.	California	6,623
3.	New Jersey	3,448
4.	Ohio	3,100
5.	Florida	2,659
6.	New York	2,445
7.	***North Carolina***	***2,354***
8.	Pennsylvania	1,923
9.	Washington	1,708
10.	Missouri	1,450

Total Employment % by State

		Total Inmates	Inmates Employed	% Employed
1.	California	159,820	6,823	4.3
2.	Texas	136,599	6,733	4.9
3.	New York	69,815	2,445	3.5
4.	Florida	66,280	2,659	4.0
5.	Ohio	48,900	3,100	6.3
6.	Illinois	43,738	1,524	3.5
7.	Michigan	42,844	1,259	2.9
8.	Georgia	37,951	1,285	3.4
9.	Pennsylvania	35,623	1,923	5.4
10.	***North Carolina***	***31,881***	***2,354***	***7.4***

Current Year Highlights

Many of the industries of North Carolina Correction Enterprises continued to expand during the past fiscal year. The following represents some of the major events and accomplishments for each industry.

Metal Operations

The stainless steel facility continues to concentrate on kitchen equipment for both new prison and school construction. Large scale jobs completed during the year include new equipment for Avery Mitchell Correctional Institution, Albemarle Correctional Institution and Gaston and Sampson County Schools. All of these products were fabricated to National Sanitation Foundation (NSF) standards and met or exceeded all applicable code requirements. The metal facility at Brown Creek Correctional Institution delivered bunks and lockers to Avery Mitchell Correctional Institution, Albemarle Correctional Institution and to several new modular prison units across the state. The License Tag facility produced approximately two million tags for use on many different types of vehicles in the State of North Carolina. The plant currently produces approximately 50 different types of license tags for a wide variety of uses.

Furniture Operations

During the past year, the Woodworking Plant began stocking standard items in the warehouse, which improved the delivery times for several best selling items. Cabinetry was completed for both the Avery Mitchell and Albemarle Correctional Institutions. In addition, a large order of tables was completed for the Design School at North Carolina State University. These special order tables required wooden tops and black iron bases, which were manufactured in our facility located at Brown Creek. The Upholstery Plant completed large chair orders for the Raleigh Convention Center and the Southwest Campus of Central Piedmont Community College. The Reupholstery Plant was relocated from the North Carolina Correctional Institution for Women (NCCIW) to Piedmont Correctional Institution in the latter part of the year. This move was made to provide space for the development of the License Tag/Duplicating facility soon to be built on the grounds of NCCIW.

Textile Operations

This industry continues to deliver most of its products to the Department of Correction, although emphasis is increasing on the sale of products to other customers. Products introduced within the past few years continue to increase sales. Fire and rescue squad personnel across the state have purchased our EMT coveralls and pants. A new medical scrub suit has been field tested by the Department of Correction and this product is now available for use in other state institutions. Construction is nearing completion on the new sewing facility located at Columbus Correctional Institution. Production is set to begin in the fourth quarter of the next fiscal year.

Chemical and Optical Operations

The Paint Plant continues to be a major supplier of paint products to the Department of Transportation, however, certain circumstances have combined to reduce revenues in this industry. The most prominent reasons for the decrease in revenue is the increased use of thermoplastic pavement markings in new road construction projects, the unusual inclement weather experienced this past year and a shortage of maintenance personnel and budgetary considerations at the Department of Transportation. An increased effort must be placed upon expanding the marketing of our architectural line of paint products in the future.

Enterprise paint is thoroughly tested to insure top quality. This plant produces a high volume of both traffic and architectural paints.

In the first half of the fiscal year, the purchase was completed for a new facility in which to house the Janitorial products operation. This building, adjacent to Warren Correctional Institution in Warren County, will expand the capacity of this industry by more than 25%. Renovations are expected to begin during the next fiscal year. The Optical Plant at Nash Correctional Institution began supplying glasses for the Department of Health and Human Services for disbursement to Medicaid patients across the state. The plant's current daily production is approximately 500 pair per day. There is still potential to increase volume and marketing efforts are underway to bring this operation up to full capacity.

Sign Operations

Production achieved by the Bunn Sign Plant, located at Franklin Correction Center, exceeded one million square feet for the sixth year in a row. The majority of production was devoted to maintenance or replacement signage. Commissioned by the Department of Transportation and the Town of Southern Pines, the plant produced specialty signs for the U.S. Open Golf Tournament. They also produced all signs for the Special Olympics World Games, which were held in the Raleigh area during the last quarter of the fiscal year. Located in Moore County, the Sign Reclaiming Plant uses large sanders to strip old signs down to the metal. This metal is either used to make new signs or sold as scrap.

Print Operations

The emphasis was on capital improvement at the Print Plant during the past fiscal year. New equipment was purchased to replace old technology and expand current technology. New equipment included a Heidelberg two-color press, Jet Press, Image Setter and several types of collators. This past year has seen increased business from school districts and county governments throughout the state. The Duplicating Plant has added digital printing capabilities to their operation. Customers can now transmit their copy jobs to the plant via the Internet. Please see the spotlight section of this report to learn more about our printing operations.

Laundry Operations

Equipment upgrades were completed at several laundries during the past fiscal year including Central Prison, Broughton Hospital and Craggy Correctional Center. New inmate transport buses were also purchased for several of the facilities. On December 1, 1998, the laundry facility at Caledonia Correctional Center was closed. A second shift was added at the Sampson Laundry to service the additional laundry brought about by this closure. The existing equipment at Caledonia was used to replace older equipment at other locations. The Sampson facility added extra lighting and fencing to improve security for the second shift. Other security upgrades such as closed circuit television cameras and monitors will be added during the next fiscal year.

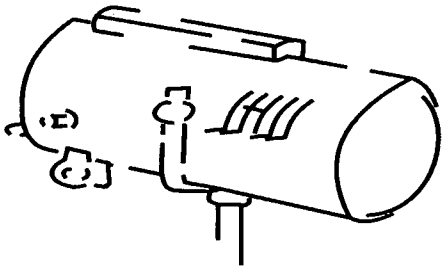
Service Operations

The Manpower Services division continues to expand. In addition to bleacher and canopy installations, numerous man-hours were devoted to painting the interior of Avery Mitchell Correctional Institution. The Division added two new services during the past year, carpet installation and modular furniture installation. Both have been very well received by our customers. The petroleum packaging and distribution enterprise includes as its major customers the Department of Correction, the Department of Transportation and several school bus garages located across the state. Plans are currently underway to provide small, portable tanks to allow our customers to buy Enterprise products in bulk. This service is expected to begin in the near future.

Foods and Farming Operations

The Meat Processing and Cannery operations continue to meet most of the Department's dietary needs. Labor at these plants is provided by inmates from Harnett and Caledonia Correctional Institutions. Capital improvements to these plants include a meat pattie shaper machine, bread and batter machine, a can seamer and a corn silker. Additionally, two new trucks with refrigerated trailers were purchased. Caledonia Farm has scaled back acreage devoted to row crops such as cotton and has planted more vegetables for resale to the Cannery and Division of Prisons. In order to maximize efficiency, the cattle herd was reduced by close to one half and major repairs were made on the poultry houses. The produce operation completed construction of its new warehouse complex and the number of prison units being supplied fresh vegetables has increased. Vegetables were planted at the Dan River and Tyrrell Farms for resale to prison units with distribution through the warehouse.

The Produce Warehouse Division of Caledonia Farms provides fruits and vegetables to North Carolina's prisons.



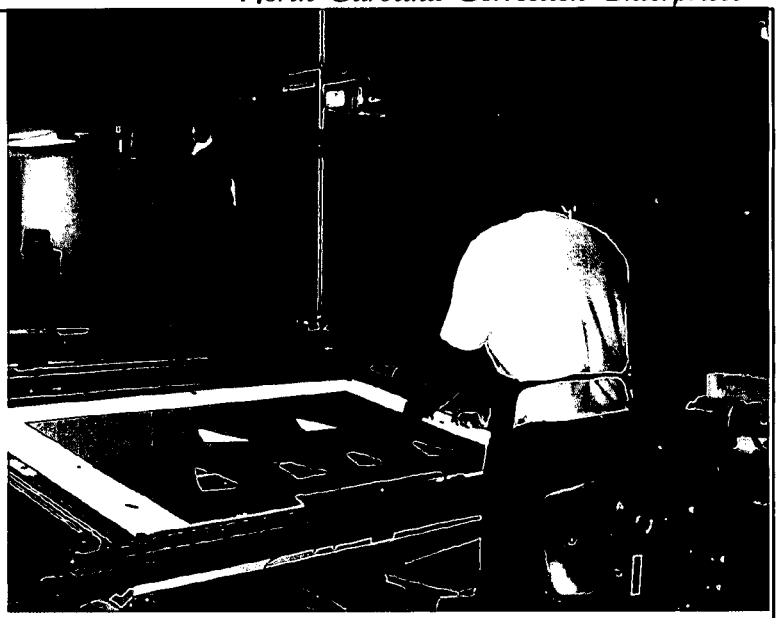
Spotlight on PRINTING

Print Plant Managers Phil Rowe and J Lynn look over a job just off the press.

One of Correction Enterprises' oldest industry operations is printing. In 1919, a small print shop was established at Central Prison to provide inmates with a marketable skill while meeting the printing needs of the Department of Correction. In subsequent years, operations were expanded to provide printing services to colleges, local governments and other state agencies. Because of the steady growth of this industry, this operation was moved in 1995 to a newer, much larger location at Nash Correctional Institution. Duplicating operations were first established at Central Prison in 1959. This operation serves as a quick copy shop for many customers and has grown substantially during the past five years. In 1994, revenues for this industry totaled 5.7 million dollars. For the fiscal year ending June 30, 1999, revenues were close to 7.0 million dollars, an increase of almost twenty-five percent. Marketing efforts are underway to keep the Duplicating operation growing during the next five years. The Director of Printing Operations for Correction Enterprises is Robert Leon. Robert has twenty-three years experience in the printing industry, both in state government and the private sector. Prior to his promotion two

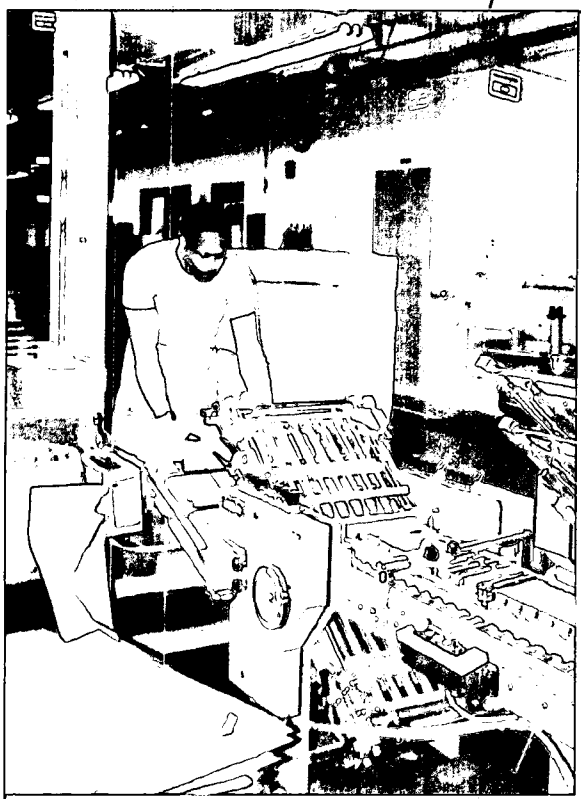
Many print jobs require computer assistance, either with composition or graphics.

years ago, he was manager of the Print Plant. Currently, J Lynn is the plant manager and Phillip Rowe is the assistant plant manager. Brenda Evans manages the Duplicating Plant. These managers bring many years of printing and duplicating experience to their present jobs. In an average year, the Print Plant produces 40 million printed envelopes, 100 million sheets of printed stationery and over 9,500 different jobs ranging in complexity from business cards to full color college catalogs. The plant employs one hundred and five inmates working in a wide variety of jobs that include computer-generated composition and graphics, job routing and distribution, warehousing, press operations and stripping. Each printing job is unique, even if it is a form that has been through several printings. When a customer requests printing, the Sales Department will first quote a price based upon the complexity of the job. After the quote has been accepted, the job is assigned an order number and is entered into a database. Each job order, or jacket, will have all the information provided by the customer included with it. This order is then sent to the plant. When the order reaches the plant, it is checked against previous orders. New orders will be photographed with camera-ready art work provided by the customer. If a print order is on file, existing film will be used. Many new print jobs must be typeset. This is accomplished using the latest computer technology. Next, an imagesetter is used to prepare the job for printing. Using a diskette supplied by the customer, this process separates color while transferring graphics and text onto film. If a customer chooses to supply camera-ready art, it is photographed and transferred to metal plates in preparation for printing. Whether single or multi-colored art is used, each individual color must be



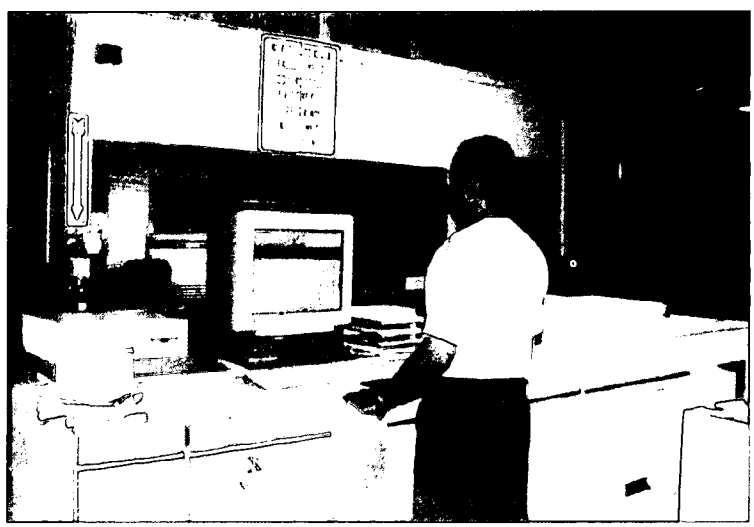
Color stripping involves pulling out individual colors to match color breaks as the customer requires.

Many different types of print presses are used at the Print Plant. Shown above is the new two-color Heidelberg press.



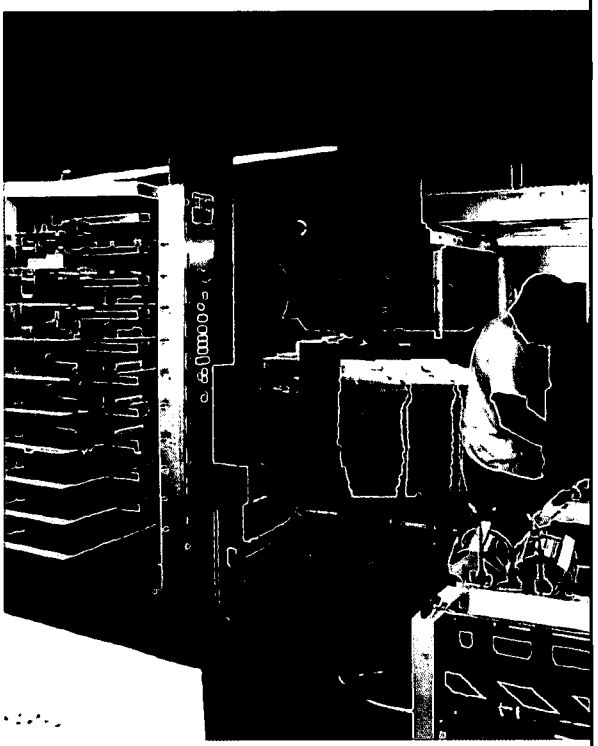
After printing, jobs are collated, bound and prepared for shipment.

stripped prior to plating. Upon completion of plating, the job is ready for press. There are several different types of presses located in the plant, each one capable of handling many types of jobs. After the job has been scheduled, all materials required for completion are issued from the warehouse. The plant utilizes term contracts on much of its warehouse stock in order to facilitate the completion of customer orders. After the job has been run on its assigned press, it can be sent to the finishing department where it will be collated, sorted and if needed, bound together. Many different types of machines are employed in this area to complete these tasks. For example, the plant is capable of providing both the saddlestitch and perfect binding, while high speed folders take printed signatures and fold the pages together in the correct order. Once the job is completed, it is checked for errors and then prepared for shipment. Shipments are made either by Enterprise truck or parcel post. The Duplicating Plant's main function is to provide fast copy service to governmental entities for any size job. The plant has several state of the art, high speed computerized copiers that make this possible. In addition, specially trained personnel are available to assist customers with any unusual requests. A few of the plant's best customers include the Office of State Purchasing and Contracts, the North Carolina General Assembly and the Wake County School System. Most Duplicating orders start similarly to print orders. A quote is given to the customer and the order established through a sales representative. Other customers come directly to the plant and drop off their order. The items to be copied can come in on paper, on computer disk, or downloaded from the Internet. Either way, once an order has arrived at the plant, it is scheduled to a printer. At the printer, the job is programmed into the computer and run. Any number of functions such as collating, sorting and/or cutting to size may be needed next. The order is then packaged and sent out. Digital printing capabilities recently were added to the Duplicating operation.



The Duplicating Plant uses several state of the art computer printers for their jobs.

This technology allows customers to transmit their jobs to the plant via the Internet. Once the job is received, it is downloaded directly into the high quality printers. This procedure saves time, energy and precious natural resources. In addition, by utilizing this technology, both Correction Enterprises and their customers are complying with the sustainability guidelines recently set forth by Governor Hunt. Due to the continued expansion of the Central Prison complex, the current Duplicating building is scheduled to be demolished within the next two years. Consequently, this business will be moving to a larger facility to be located at North Carolina Correctional Institution for Women by the end of the year 2000. This new building will house both the Duplicating and License Tag operations, with a separate entry outside the prison gate for Duplicating customers to drop off their copying jobs. In addition, current floor space inside the plant will be increased approximately twenty-five percent. These businesses are expected to grow steadily during the next five years and concentrated marketing efforts have been initiated in order to attract new customers. In the last few years, significant capital investment has been utilized to replace older equipment with newer, faster technology. Plans are currently underway to add a second shift to the Print Plant which will enable us to serve our customers more efficiently. The bright outlook for this industry, combined with new technology and faster turnaround time, insures that these businesses will continue to be an important part of Correction Enterprises for many years to come.



Many Duplicating jobs involve sorting and collating.

FINANCIAL DISCUSSION

Revenues were slightly lower than expected for the fiscal year 1998/1999. While many industries posted sales dollars at the same level, or showed a slight increase over the previous year, the decreases in a few key industries were larger than expected. The industries experiencing decreased sales included Printing, Chemical, Sign and Metals. The legislative delay in passing the continuation budget contributes to part of these decreases, as monies were not available for spending until the second half of the fiscal year. The slowing down of new road construction is responsible for the Chemical (traffic paint) and Sign decreases. The decrease in Metals is due to a one-time accounting change dealing with license tag revenues that occurred in 1997/1998. In actuality, revenues for the stainless steel and black iron businesses were higher than previous years. Profits in dollars and as a percentage of sales have decreased over the previous year's levels. Most of this decrease is due to additional general fund requirements. Construction spending for the year amounted to 6.0 million dollars. The Apex Complex construction continues with work being completed on the building housing the Enterprise Warehouse facilities. Full-scale construction has begun on the second building in the complex, which will house several sections of the Department of Correction when completed. The new Sewing Plant, located at Columbus Correctional Institution, is nearing completion. The target completion date is October 1, 1999. NCCE has acquired a 75,000 square foot industrial building in Warren County. After extensive remodeling, this building will house the Janitorial Products and the Packaging and Distribution Center for oil based products. The renovation of this building will begin toward the latter part of next fiscal year. Construction was completed on the Fresh Vegetable Distribution Center located at Caledonia Farm. These buildings are now able to handle the produce requirements for the Division of Prisons. Resources were also allocated for design of the new License Tag/Duplicating Plant, to be located at the North Carolina Correctional Institution for Women and for a feasibility study on expansion of the Caledonia Cannery. Equipment spending for the year totaled 4.4 million dollars. New printing equipment accounted for almost one quarter of this spending and is crucial to the expansion of the printing business. Another significant expense was the replacement of obsolete equipment in the laundries. The new equipment supports increased efficiencies in this industry. Caledonia Farm also purchased several replacement pieces of equipment. Other operations that had significant equipment purchases included Sign, Warehouse and Food Processing. Trends indicate that sales revenues will remain stable in 1999-2000; however, NCCE has been asked to provide supplemental revenue to the DOC General Fund. This will result in a reduction of profits.

North Carolina Correction Enterprises
Statement of Operations
Fiscal Year Ended June 30, 1999
(Millions)

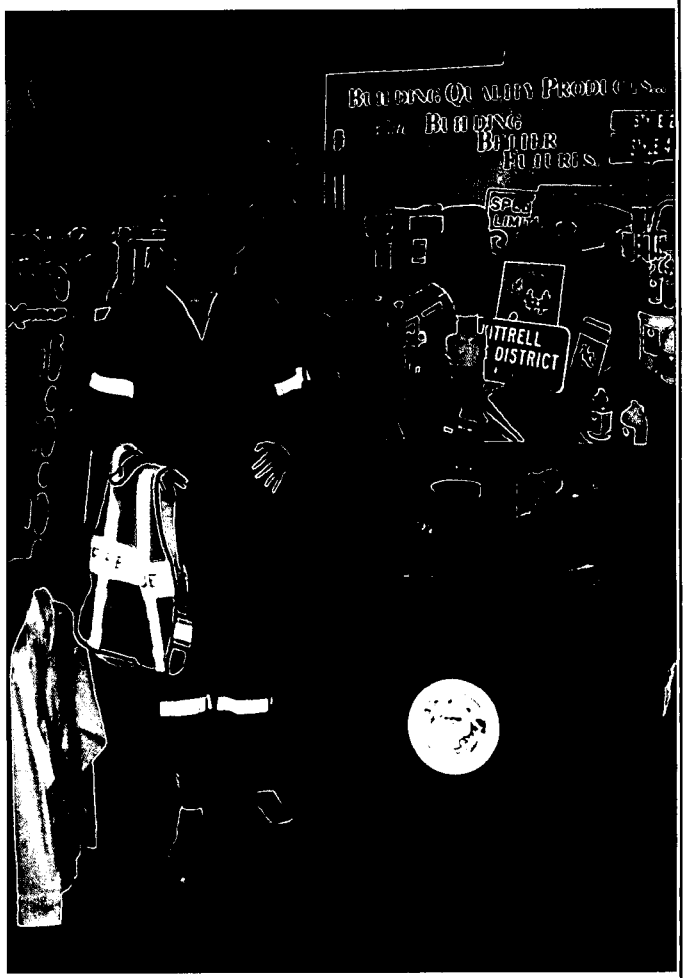
	1999	1998
Sales by Industry:		
Chemical	10.5	11.5
Farming	3.8	3.7
Foods Processing	16.6	16.4
Furniture	3.9	3.9
Laundries	6.9	6.8
Metals	5.4	6.8
Printing	6.6	7.1
Services	2.9	2.8
Sewing	10.6	9.7
Sign	7.0	7.6
Others	0.1	0.3
Total Sales	74.3	76.6
Material Costs	38.0	41.1
Total Expenses	26.1	24.5
Transfers	4.0	3.4
Net Profit	6.2	7.6
Profit %	8.3%	9.9%

The Enterprise Sales Staff: Working Hard for You

Many private industries like to boast that their sales department is the best. At North Carolina Correction Enterprises, we take this one step further - our sales department is the heart of our organization. Often just a voice on the telephone, our professional sales staff puts in many hours of hard work in order to keep our customers satisfied. The Enterprise Sales Offices are located at 2020 Yonkers Road in Raleigh. Adjacent to the sales office is the product showroom. Many of Enterprises' furniture products are displayed here in typical office groupings. You will also find within the showroom examples of numerous other items that we manufacture, such as sewing, janitorial and print products. We invite you to come in and discover the full range of products that we have to offer. Our sales staff will be happy to answer your questions and help you with your selections. The showroom is open during regular business hours. The people who manage this department are "Sales Coach" Sue Rouse, who has been working at Enterprises for over ten years and "Customer Service Coach" Sue Wood, who has been on staff for more than six years. If you choose to have a sales representative call on you, contact Walter Evans, Pam Hedrick or Russell Johnson. If you phone in an order, you will speak with customer service representatives Sue Wood or Gail McLamb. In addition, several members of this department are specifically dedicated to handling printing and duplicating orders. Christy Jackson, Kristi Stewart and Bruce Tart are print experts and can offer advice on any type of print project that you can envision or have produced. Working together with Enterprise executive management, industry directors and

Correction Enterprises' Sales Staff
Front row: Pam Hedrick, Sue Wood, Christy Jackson, Kristi Stewart. Second Row: Walter Evans, Gail McLamb, Sue Rouse, Bruce Tart and Russell Johnson.

plant managers, the sales staff strives to provide the highest level of quality in support and service to both internal and external customers. Our customer service representatives spend much of their day interacting with or on behalf of customers. Many hours are spent on the telephone taking orders, answering questions and solving problems. Frequently, customers will call in and ask about the status of an order. The sales person will first call the plant and, if needed, the warehouse to determine when the order is going to be shipped. If the order is for a small item or a small amount of an item, it can be shipped via parcel post. If not, it will be delivered by an Enterprise truck or common carrier. The customer service representative can determine the best way to get your order to you in the shortest amount of time. If you have a question about placing or receiving an order, please call us toll free at (800) 241-0124. We would be happy to send you a catalog that includes the various products and services that we offer. In addition, Sue or Gail will be glad to assist you by answering your questions quickly and efficiently. Our salespeople spend most of their time out of the office and on the road. Individual sales responsibilities encompass specific governmental agencies as well as extending across a defined geographic territory. On any given day, Correction Enterprise salespeople can be found calling on prison unit supervisors, North Carolina State agencies, municipal governments, fire departments, rescue squads and school district officials. They sell Enterprise products to customers who are within their areas of responsibility. A typical day may find them visiting job sites, taking measurements for kitchen equipment or cabinetry, measuring people for uniforms or discussing specifications of a printing or signage order. Our salespeople are highly knowledgeable about our products and they want you to be satisfied with their quality and performance. We encourage you to schedule a meeting with one of our salespeople at a time and place convenient for you. We introduce new products frequently and a sales person can acquaint you with these new additions as well as discuss our existing product lines. More changes are planned for our sales department during the next fiscal year. First and foremost, a marketing department has been established to assist the present sales staff in managing and directing their sales activities. This department will track and analyze historical and current sales by customer and product line in order to make recommendations for future sales and marketing efforts. To accomplish this, Linda Fuller has recently



You can see a variety of Enterprise products displayed in our sales booth at many different types of shows.

been named the new Director of Marketing for Correction Enterprises. She comes to Enterprises with many years of private industry marketing experience. She is an integral part of the Enterprise management team and has been busy reorganizing the sales and customer service staff and functions over the past few months. We are also in the process of developing specifications for a new computer software system that will link the individuals in all departments and plants of Correction Enterprises. In regard to sales, this system will allow us to improve the level and timeliness of our response to customer inquiries and billings. Currently in the "needs assessment" stage, this system is scheduled for implementation in the 2000/2001 fiscal year. Many members of our sales staff are involved in the design of this system. In fact, the sales and accounting modules are scheduled to be among the first to be implemented. Our sales staff, though at the center of our organization, is externally focused on the most important people, our customers. Each staff member is charged with nurturing every customer with the implicit goal of creating long-term business relationships. Our ultimate mission is to promote and support the sale of North Carolina Correction Enterprise products and services. Towards achieving this goal, we will be proactive, rather than reactive, in providing the products and services our customers want at a fair price and to deliver them promptly. We invite you to get to know our sales staff and the wide spectrum of products we offer...we will all benefit from the relationship!

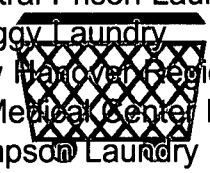
A typical day for an outside salesperson may involve measuring space for new equipment. Billy Brandon, Manager of the Metal Products Plant located at Blanch Youth Center and Pam Hedrick consult drawings for new kitchen construction.

North Carolina Correction Enterprises Directory of Operations

Sewing

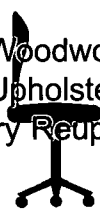
Lincolnton Shirt Plant
Marion Sewing Plant
Moore Sewing Plant
Wake Sewing Plant
Pender Sewing Plant

Laundries



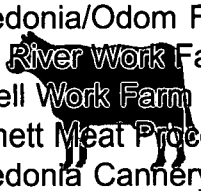
Broughton Hospital Laundry
Central Prison Laundry
Craggy Laundry
New Hanover Regional
Medical Center Laundry
Sampson Laundry
John Umstead Hospital Laundry

Furniture



Iredell Woodworking Plant
Iredell Upholstery Plant
Salisbury Reupholstery Plant

Foods/Farming



Caledonia/Odom Farm
Dan River Work Farm
Tyrrell Work Farm
Harnett Meat Processing Plant
Caledonia Cannery

Metal Operations

Blanch Metal Products Plant
Brown Creek Metal Products Plant
Raleigh Tag Plant

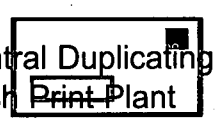
Chemical/Optical

Johnston Paint Plant
Harnett Janitorial Products Plant
Nash Optical Plant

Sign Operations

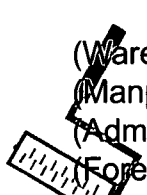
Bunn Sign Plant
Moore Sign Reclaiming Plant

Print Operations



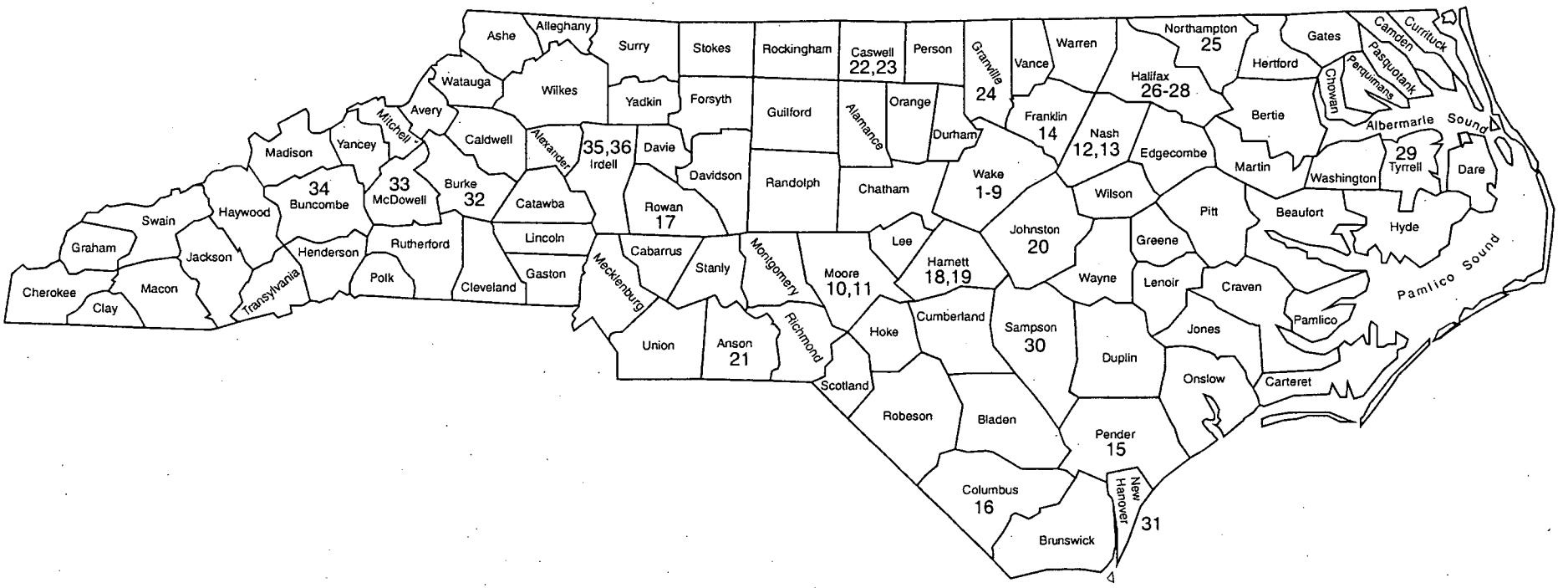
Central Duplicating Plant
Nash Print Plant

Other Operations



Apex	(Warehousing Operations)
Garner	(Manpower Services)
Raleigh	(Administrative Offices)
Raleigh	(Forestry Services)
Wilmington	(New Hanover Landfill)

LOCATION OF NC CORRECTION ENTERPRISES PLANTS



1. Administration - Raleigh
2. Warehouse - Apex
3. Package & Distribution Center - Garner
4. Metal Tag Plant - Raleigh
5. Laundry - Raleigh
6. Sewing - Raleigh
7. Manpower Services - Garner
8. Forestry - Raleigh
9. Duplicating - Raleigh
10. Sign Reclaiming - Carthage
11. Sewing Plant - Carthage
12. Print Plant - Nashville
13. Optical Plant - Nashville
14. Sign Plant - Bunn
15. Sewing Plant - Burgaw
16. Sewing Plant - Whiteville
17. Reupholstery Plant - Salisbury
18. Meat Processing - Lillington
19. Janitorial Products - Lillington
20. Paint Plant - Smithfield
21. Metal Products - Polkton
22. Metal Products - Blanch
23. Dan River Work Farm - Yanceyville
24. Umstead Laundry - Butner
25. Odom Farm - Jackson
26. Caledonia Farm - Tillery
27. Caledonia Cannery - Tillery
28. Fresh Vegetable Warehouse - Tillery
29. Tyrrell Work Farm - Columbia
30. Sampson County Laundry - Clinton
31. New Hanover Laundry - Wilmington
32. Broughton Laundry - Morganton
33. Sewing Plant - Marion
34. Craggy Laundry - Asheville
35. Upholstery Plant - Statesville
36. Woodworking Plant - Statesville

North Carolina Correction Enterprises
Cash Flow Analysis
July 2000 to June 2002

03/07/01

	7/1/00 to 6/30/01	7/01/01 to 6/30/02
Cash Balance (Beg. July 1, 2000)	**22.76**	**14.16**
Projected Cash Receipts 7/2000 to 6/2001	68.65	71.00
Projected Operating Payments 7/2000 to 6/2001	(57.69)	(52.98)
Payments for Committed Projects:		
(Per DOC Engineering)		
Tag/Duplicating Plant Construction	(2.80)	(0.20)
Caledonia Farm Building Upgrade	(0.35)	
Warren/janitorial Building Upfit	(1.15)	(2.50)
Apex Warehouse Complex	(0.10)	
Columbus Sewing Plant	(0.10)	
Sampson Boiler Upgrade	(0.10)	
Caledonia Boiler Purchase	(1.00)	
Cannery Upgrade		(1.50)
Sign Plant Sprinkler System		(0.50)
Meat Plant Upgrades		(1.00)
Other Projects		
Business Improvement Project	(2.00)	(3.00)
Other Miscellaneous Projects	(0.30)	(0.50)
Total Committed Projects	**(7.90)**	**(9.20)**
Encumbered Equipment Expenditures		
New Equipment Expenditures March to June	(0.60)	(1.50)
Additional Cash Outlay for fiscal period		
Ongoing contribution to General Fund	(1.06)	(1.06)
Payment of Inmate Incentive Wages	(3.00)	(3.00)
Contribution to Victim Compensation Fund	(0.40)	(0.40)
Contribution to General Fund (Non-Recurring)	(2.75)	0.00
Funding of Enterprise Accounting position	(0.35)	(0.35)
Additional Fund due to budget shortfall	(2.00)	0.00
Contribution to General Fund (Recurring)	(1.50)	(1.50)
Total Additional Funds	**(11.06)**	**(6.31)**
Projected Cash Balance 6/30/2001	**14.16**	**15.17**

VISITOR REGISTRATION SHEET

Justice and Public Safety — 3/8/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Richard Garrett	DOC
Greg Ward	DOC
Gary McLaughlin	CCPS
NELS ROSELAND	OSBM
Deb Ross	NCLM
LARRY DIX	DJFDP
Renee Winn	NCAOC
Lad Rubsky	CJR
BILL SCOGGIN	KENNEDY COVINGTON
John McMillan	McFarlane P.A.
Claudia Kadis	CAL ambassador.

VISITOR REGISTRATION SHEET

Justice and Public Safety — 3/8/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sonny Haughton	DOP
Barbara Baber	DOC
Patricia Reuben	NCACC

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday March 14th, 2001
8:30 a.m. and 1:30 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper
Representative R. Phillip Haire, Presiding

II. PRESENTATIONS

- Overview of Governor's Budget for JPS Agencies
  - Department of Correction
  - Department of Crime Control and Public Safety
  - Administrative Office of the Courts
  - Department of Justice
  - Department of Juvenile Justice and Delinquency Prevention

  Fiscal Research Staff
  Departmental Staff

- Inmate Education and Programs Budget

  Jim Mills, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Thursday, March 15 – DOC Substance Abuse Treatment Programs; IMPACT
  Tuesday March 20 - Inmate Medical and Food Budgets; Prison Reserves
  Wednesday, March 21 – Community Corrections; Criminal Justice Partnership Act and Parole

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, March 14, 2001** at 8:30 a.m. in Room 415 LOB. Five (5) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. Larry Justus
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton
Rep. John Hall	

A Visitors' Registration Sheet is attached and made part of these minutes.

Representative Phillip Haire chaired the meeting. He began by recognizing the pages.

Representative Haire announced the first item on the agenda would be an overview of the Governor's Budget for the JPS Agencies and requested Jim Mills, Fiscal Research Staff, to begin with the Department of Correction.

Mr. Jim Mills explained that all give (5) agencies were requested to be present today and walk through the items of the budget relating to each agency. A handout detailing the Governor's budget as it pertained to those agencies was passed out for those who may not have brought their copy of the budget with them today **(Handout #1)**.

Mr. Mills began with total recommended appropriations in the Budget (pages 109, 110) with regards to the Department of Correction. A handout which includes a graph and a budget chart was passed out **(Handout #2)** Base Line $927,971,199. Recommended by Governor, $920,050,075.

The Chairman recognized Representative Kiser who stated that sometime ago he requested a population count pertaining to the different units and wanted to know if that was now available. Mr. Mills responded affirmatively and stated that information was available today **(Handout #3)**

Mr. Gregg Stahl (title, department) presented a detailed explanation of the Department of Correction recommended reductions starting on Page 111. He began by pointing out that this Department has had reductions the past few years ($90 million) while other agencies have had increases to their budgets **(Handout #4)**.

Criminal Justice Partnership Program consists of two cuts. The 95 or so counties that participate in this do not spend all the money given every year (allocations). Actual spending amounts to about 86% of total given. So each year we have had a reversion. We are going to take $1 million out of that as a permanent cut. We have given it up as non-recurring in the past.

This year we will give it up as a permanent cut which means we obligate about $9 million to the counties but will only have $8 million to fund that $9 million obligation.

Question raised by Representative Kiser. Is that not based upon participation by the county as to the percentage the county puts in? Mr. Stahl responded by stating there is no match requirement with the partnership program; however, some counties have had to match because there has been no increase or very little increase with this program since inception.

Inmate Disciplinary Fees Program which helps to recover administrative costs and is associated with inmate disciplinary actions takes a $10 fee deducted from inmates' accounts when they are found guilty of an infraction. It will net approximately $120,000 in receipts.

Terminate Substance Abuse Contracts. Currently there are 350 private minimum security beds operated through private contracts that are running long term drug treatment programs at those facilities. We are going to terminate two of the four contracts. That will net a savings of approximately $3 million in dollars annually. We intend to bring the treatment part of the program into existing minimum-security facilities statewide so that we do not lose the substance abuse treatment program.

Chair recognized question of Senator Ballance pertaining to additional staff cost. Mr. Stahl explained the net is $3 million. Current line item $7 million. $4 million left there to pay two contracts: Mary Frances as they have been operating; Evergreen as they have been operating; and we have negotiated with them a $3 per day, per inmate increase for the next year. Full calculations on how much those two contracts will cost us has not been done.

Senator Ballance asked if it was known exactly what that sum of additional staff means? Mr. Stahl said that when they get to Mr. Baker's part of the presentation which is due tomorrow, he may be able to elaborate further.

Abolish Vacant Parole Commission Positions. They have been asked each year to cut 10% and this item is in regards to salaries and fringe benefits regarding two positions.

Close GPAC Facilities. Governmental Performance Audit Committee has recommended to close these facilities. We have six remaining. Alamance, Gates and Scotland, which are minimum-custody, will all be closed placing all staff who desire placement in surrounding facilities.

Question from Representative Kiser. I wonder if Mr. Stahl has a copy of what has been handed out to us here? Mr. Stahl was handed a copy for reference. Representative Kiser pointed to the last page of the Capacity Count **(Handout #3)** and referenced the total count of 34,547. Is that the total inmate count? Mr. Stahl explained the actual count is the last column 31,648 and the total in the column named EOC/SEG/TEMP is actually our total inventory of beds. Representative Kiser asked if they would be eliminating 96 beds. Mr. Stahl responded yes. Representative Kiser went on further to state that the SOC is just a little bit more than 29,000 so would that be coming down 96 beds also? Mr. Stahl answered affirmatively and actually more than that because those three closings would eliminate 266 beds. Representative Kiser asked

how long before new facilities could be bid out and ready for occupancy. Mr. Stahl replied if the current time line was followed, bids would be released July, and we would occupy at the end of 2003 the first one. The next two would come on line one during that fiscal year and the next one in that fiscal year. Mr. Mills explained that even though the first one would be ready July 1, 2003, it would not be occupied until December 2003 (the 1st 1,000 beds).

Representative Kiser commented that even though it might be costsaving, it might not be in the long run to eliminate this many beds when we are already over capacity of the standard operating capacity. He stated that we keep on crowding these people in here and are going to end up with the same situation we did before a judge. And, he stated, that was not good.

Chair recognized Senator Ballance who commented that Mr. Stahl stated they were adding 100 beds at Warren. He was told by Mr. Mills that this does not include any new beds. Mr. Mills further stated this does not include Warren, Women's and Central. There are a couple 100 beds coming in those three ongoing construction projects although each of them are not general population beds. Warren will be a seg or icon unit dealing with difficult inmates; Women's for women; and CP is a death row cell house. We are cutting minimum security beds where we currently have an excess of beds. That is due to this population shifting that we have had over time from a system that started with nearly 50% misdemeanors to today which is only about 10% misdemeanors. You have a system which was built around a less serious prison population and has grown to a more serious prison population.

Representative Haire said that if his arithmetic was correct, that amounts to 200 EOC beds? He was told that was correct.

Reduce Personal Services Contract. This is another cut to the same overall line item as the Substance Abuse Contracts.

Reduce Substance Abuse DART Aftercare. This is a program to pay for after care when leaving the substance abuse program. We are going to eliminate these contracts and cut most of the money that has been spent in this area and hope that the Task Program and Area Mental Health will do the job that they are suppose to do, and they will provide the necessary services in the community to these offenders. This has been a duplication of services. Also, most of these people are eligible to receive the same services from Partnership Programs.

Chair recognized Representative Sexton who requested that they go back to #6 (Reduce Personal Services Contract). How many inmates are being served by this program and kind of impact will this have on them? Mr. Stahl explained he does not know how many, but said that these are not inmates. These are parolees or probationers who are living in the community and are already the responsibility of Area Mental Health which has not done a very good job working with them. So in the past, you have given us dollars to actually contract and make sure money follows the offenders. We are just not in a position to continue that at this time. Unfortunately, this is a difficult population to work with, and we hope that Mental Health will set these offenders as a priority.

Chair recognized Representative Kiser who stated that you cannot get something for nothing. And Mental Health is going to want some money. Somebody is going to have to pay for that. But the worse part of all of this is that I am afraid these people are not going to get the treatment and follow-up they need. And that will cost us more money in the long run.

Chair recognized Representative Sexton who requested information regarding what kind of hardship will be placed on Rockingham County's Mental Health, as others will surely inquire for their counties. Representative Kiser agreed with Representative Sexton that everyone would like to know the county-by-county impact of the situation with regards to mental health.

Reduce Equipment – Autos, Trucks and Buses. We were able to find we could reduce this item by $396,000.

Reduce Division of Prisons Inmate Food Budget. We've been cutting this budget for the last several years and are able to cut again.

Reduce Division of Prisons Travel Budget. This has been done with limitations on travel to only essential trips. Please note this is not in reference to the **Division** of Prisons and Community Corrections but rather the **Department** of Prisons and Community Corrections.

Increase Receipts from Inmate Welfare Fund. This is funded by proceeds from canteen and telephone contracts.

Reduce Office and Data Processing Equipment. All divisions reduce on a one-time basis.

Reduce Management Information System. MIS projects and contract services be reduced and only go with priorities.

Bottom line is a total reduction of $11,300,000 with total number of positions reduced of 98.

Chair recognized Representative Kiser. He wanted to know if in the past this budget was over a billion dollars. Mr. Stahl said he was not sure it was ever over an approved billion dollars. But the budget we submitted with all holes filled and inflationary costs built in was right at a billion dollars.

Representative Kiser stated he was concerned over cutting the treatment programs. He also inquired regarding the Inmate Welfare Fund which consists of receipts generated from the inmates and are supposed to be used for their benefit. Canteen and telephone monies were originally to be used for the inmates since the fund comes from the inmates' monies. This is the second year in a row we are transferring it into the general fund. Is there a legal problem with this?

Mr. Stahl assured him that this was not a problem.

Representative Kiser inquired which area of the budget as it is here be a hardship for the Department of Corrections to administer?

Mr. Stahl responded that there is not any particular area that would be impacted any more than another. We will lapse salaries.

Chair Representative Haire announced that we have another handout, **Requested Adjustments to the 2001-02 Budget (Handout #4)**.

Mr. Stahl went on to explain that this handout is a list (not all inclusive) – It is an indication of items that are prioritized and are all off budget items. He went down the list to explain each item listed and said that this was not an all-inclusive list.

Senator Ballance requested clarification on staffing shortage relating to Mt. View and Pamlico, and was told that those two would be short approximately 60 each on staff.

Recognizing Representative Sexton who asked about repercussions due to non-funding for projected population by the time the new facilities go on line. What will be done about that?

Mr. Stahl explained that the situation is manageable using the key word "short term". You get into a problem legally when you deal with an on-going problem of crowding. We see our light in tunnel as short term.

Representative Sexton wanted to know exactly what will be the shortage by 2003.

Mr. Stahl stated:

2003 Shortage 1,200 EOC
2004 Shortage 2,026 EOC
2005 Shortage 2,970 EOC

We were talking about shortages at the end of this fiscal year and the next fiscal year – not long term. Structured sentencing was passed on the notion that you have resources to handle what the system produces. We got into trouble under fair sentencing because there were no resources to handle the number of offenders sentenced to prison. We don't want to end up there again.

Representative Sexton inquired what is the total amount of money it will take to bring one prison on line by 2003?

All information is shown on page one of **Handout #4** with the breakdown for each of the three prisons as they come on line by year.

Representative Kiser, referring to the staffing question inquired by Senator Ballance earlier, wanted to know if the Department of Correction ever had an independent study on staffing with recommendations as to what the staffing number ought to be or does the Department do all this on their own?

Mr. Stahl replied it had been a while since one had been done Part of our staffing is from the old study done and part of it is by reference from the way we got through lawsuits. Part is also is through the work of Joe Hamilton and Linda Phillips who have done staffing patterns over the years. It is primarily done in-house.

Chairman Representative Haire asked if there were any more questions. Representative Culpepper requested information regarding the rationale of not annualizing these positions and leaving big holes in budget to begin with.

Nels Roseland State Budget described how the formula went for drawing up the budget regarding staffing for all agencies.

Representative Culpepper stated that he never have been able to figure out how they derive at figures and dates which are used in the formulas, and he disagrees with this approach.

Representative Sexton asked that in order to increase funds you would have to go back and cut from another agency. Is that correct?

Jim Mills stated that since they have just seen this, they are not quite sure how to recommend dealing with this. If the committee doesn't make some kind of decision or input, the entire decision is left up to the executive branch. This still needs to be discussed.

The meeting was adjourned until 1:30 p.m. and continue the discussion on the budget.

Respectfully submitted,

Rep. Phil Haire, House Presiding Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 3/14/01 8:30

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
ED TURLINGTON	BROOKS, PIERCE - Raleigh
CAM COVER	" "
Bob Hobgood	AOC
STEVE LUSK	AOC
NELS ROSECAND	OSBM
Barbara Bobo	DOC
Greg Cahill	DOC
Gary COX	DJJDP
Tyc Hunter	IDS
Bill Brown	CCPS
Gary McLeod	CCPS

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Mike Barham	CC&PS
Jay Chaudhuri	DOJ
Melissa Lovell	DOJ
Denise A. Sessoms	DOJ
[signature]	Project Challenge
Peg Dorer	Conference of DAs
[signature]	NCAOC
[signature]	FOP

JUSTICE & PUBLIC SAFETY

DATE: 3/14/01
8:30

SENATE PAGES:

NAME Davie Cox

HOME Leicester

SPONSOR Robert Carpenter

NAME

HOME

SPONSOR

HOUSE PAGES:

NAME Matthew Oettinger

HOME Rocky Mount - Nash County

SPONSOR Gene Arnold

NAME James David Todd

HOME Rockingham - Richmond County

SPONSOR Wayne Goodwin

March 14, 01
Handout # 1

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Department of Correction

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 927,971,199	$ 927,971,199
2.	Consensus Base Line Adjustments (See Footnote)	3,378,876	3,378,876
3.	Base Line Budget	$ 931,350,075	$ 931,350,075
4.	Recommended Reductions	(11,300,000)	(10,729,786)
5.	Recommended Continuation Budget	$ 920,050,075	$ 920,620,289
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 920,050,075	$ 920,620,289

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

		2001-02	2002-03
1.	**Nonrecurring Appropriations Removed** The $500 compensation bonus is removed from the base line budget.	$- (8,446,278)	$ (8,446,278)
2.	**Restore Death and Retiree Benefits** The one-time death and retiree reductions are restored in the base line budget.	$ + 4,612,552	$ 4,612,552
3.	**Eliminate Nonrecurring Increases and Annualization of Reductions** Community Substance Abuse (100,000) ECO Inmate Family Pilot (60,000) Inmate Education and Re-entry (130,000) Medical Cost Containment (13,260)	$ (303,260)	$ (303,260)
4.	**Nonrecurring Reductions Restored** Community Corrections Equipment 110,000 Criminal Justice Partnership Program 420,000 Inmate Welfare Fund 2,250,000 Data Processing Equipment 225,862 Equipment Budget 460,000 Management Budget 300,000 Correction Enterprise Receipts 2,750,000 Automobile Replacement 1,000,000	$ 7,515,862	$ 7,515,862
	Total Consensus Base Line Adjustments	$ 3,378,876	$ 3,378,876

Recommended Reductions:

	2001-02	2002-03
1. **Criminal Justice Partnership Program** It is recommended that the Criminal Justice Partnership Program (CJPP) budget be reduced to reflect current spending trends. The Department of Correction will limit CJPP implementation funding to counties currently participating in the program, which allows for a reduction of $270,000. An additional $1 million, which in previous years has been used as discretionary funds, will be eliminated.	$ (1,270,000)	$ (1,270,000)
2. **Inmate Disciplinary Fees** It is recommended that the Department of Correction adjust inmate discliplinary fee receipts to reflect projected collections. These fees help to recover administrative costs associated with inmate disciplinary actions. $10 fee deducted from prisoner Requirements	$ -	$ -
Receipts	120,000	120,000
Appropriation	$ (120,000)	$ (120,000)
3. **Terminate Substance Abuse Contracts** turn 2 of 4 It is recommended that two private contracts for substance abuse services be eliminated. These substance abuse services can be delivered using existing services now available in the department and by adding some additional staff. Specific contracts include: Treatment into min. sec. systems cutting min. sec. capacity		
Cornell (1,185,700) Right Turn (1,820,477)	$ (3,006,177)	$ (3,006,177)
4. **Abolish Vacant Parole Commission Positions** With the passage of the Structured Sentencing Act, the number of parolees has declined. Therefore, it is recommended that two vacant Parole Commission positions be abolished.	$ (78,000)	$ (78,000)
Number of Positions	(2.0)	(2.0)

Recommended Reductions - Continued:

	2001-02	2002-03
5. **Close GPAC Facilities** Consistent with the recommendations of the Governmental Performance Audit Committee to improve the efficient allocation of correctional resources, the following facilites are recommended for closing:		
Alamance Correctional Facility	$ (801,416)	$ (881,974)
Number of Positions	(27.0)	(27.0)
Gates Correctional Facility	$ (761,746)	$ (929,964)
Number of Positions	(28.0)	(28.0)
Scotland Correctional Facility	$ (1,199,112)	$ (1,320,122)
Number of Positions	(41.0)	(41.0)
6. **Reduce Personal Services Contract** The department provides seed money to contract with community providers of substance abuse services. The state provides substance abuse services through 39 Area Mental Health Programs. To avoid duplication of services, it is recommended that these personal services contract funds be eliminated.	$ (225,000)	$ (225,000)
7. **Reduce Substance Abuse DART Aftercare** The department provides in-house, substance abuse residential services to inmates. Aftercare services are provided through contracts with private providers to inmates who return to the general population. It is recommended that these aftercare services contracts be eliminated and that these services be provided using existing staff and volunteers.	$ (105,000)	$ (105,000)
8. **Reduce Equipment – Autos, Trucks and Buses** It is recommended that the department's vehicle replacement schedule be reduced.	$ (396,000)	$ (396,000)

Recommended Reductions - Continued:

	2001-02	2002-03
9. **Reduce Division of Prisons Inmate Food Budget** It is recommended that the department's food budget be reduced to reflect recent cost saving initiatives. These intiatives include modification of the master menu and improved inventory management.	$ (2,197,549)	$ (2,197,549)
10. **Reduce Division of Prisons Travel Budget** In response to the budget shortfall, the ~~Divisions~~ Dept of Prisons and Community Corrections have limited travel to essential trips. It is recommended that one-time reductions be taken in travel, meals and lodging.	$ (260,000) NR	$ -
11. **Increase Receipts from Inmate Welfare Fund** The Inmate Welfare Fund accounts for canteen and telephone contract proceeds. The proceeds support vocational teachers and supplies. It is recommended that a portion of the available balance be transferred to the General Fund.	$ (280,000) NR	$ -
12. **Reduce Office and Data Processing Equipment** It is recommended that the office and data processing equipment budget be reduced on a one-time basis. all divisions	$ (400,000) NR	$ -
13. **Reduce Management Information Systems** It is recommended that Management Information Systems (MIS) projects and related contractual services be reduced. This reduction has resulted from a more efficient use of staff and thorough prioritization of MIS projects. priority projects	$ (200,000)	$ (200,000)
Total Recommended Reductions	$ (11,300,000)	$ (10,729,786)
Total Number of Positions	(98.0)	(98.0)

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Department of Crime Control and Public Safety

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 37,693,274	$ 37,693,274
2.	Consensus Base Line Adjustments	(139,126)	(139,126)
3.	Revised Base Line Budget	$ 37,554,148	$ 37,554,148
4.	Recommended Reductions	(470,635)	(470,635)
5.	Recommended Continuation Budget	$ 37,083,513	$ 37,083,513
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 37,083,513	$ 37,083,513

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. **Nonrecurring Appropriations Removed** The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (264,123)	$ (264,123)
Top of Salary Range Bonus	(31,585)	(31,585)
Total Appropriation	$ (295,708)	$ (295,708)
2. **Nonrecurring Reductions Restored** The following nonrecurring reductions are restored in the base line budget:		
Death Benefit Contribution Rate	$ 28,470	$ 28,470
Retiree Health Premium Reserve	128,112	128,112
Total Appropriation	$ 156,582	$ 156,582
Total Consensus Base Line Adjustments	$ (139,126)	$ (139,126)

Recommended Reductions:

1. **Adjust National Guard Pension Fund Payments** It is recommended that pension fund payments be reduced to reflect recent actuarial recommendations. This adjustment will not adversely affect employees or retirees.	$ (470,635)	$ (470,635)
Total Recommended Reductions	$ (470,635)	$ (470,635)

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Administrative Office of the Courts

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 314,222,181	$ 314,222,181
2.	Consensus Base Line Adjustments (See Footnote)	(5,452,283)	(5,452,283)
3.	Revised Base Line Budget	$ 308,769,898	$ 308,769,898
4.	Recommended Reductions	(3,639,472)	(3,639,472)
5.	Recommended Continuation Budget	$ 305,130,426	$ 305,130,426
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 305,130,426	$ 305,130,426

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

1.	**Nonrecurring Appropriations Removed** The following nonrecurring appropriations are removed from the base line budget:		
	Compensation Bonus	$ (2,224,997)	$ (2,224,997)
	Court Technology	(3,297,387)	(3,297,387)
	Special Counsel for Mental Ill Expenses	(16,408)	(16,408)
	Business Court Funds	(44,000)	(44,000)
	Court Reporters	(11,956)	(11,956)
	Worthless Check Program	(64,404)	(64,404)
	Domestic Violence Interpreters	(75,889)	(75,889)
	Non-Technology Replacement Equipment	(1,000,000)	(1,000,000)
	Courtroom Wiring and Audio	(211,500)	(211,500)
	Additional Magistrates Expenses	(72,098)	(72,098)
	NDAA Membership	(48,000)	(48,000)
	AOC Positions	(42,955)	(42,955)
	District Court Judge Expenses	(108,261)	(108,261)
	Additional Superior Court Judge Expenses	(17,910)	(17,910)
	Judicial Assistant Expense	(4,954)	(4,954)
	Additional Court of Appeals Judge Expenses	(80,988)	(80,988)
	Court of Appeals Research Assistant Expenses	(13,512)	(13,512)
	Family Court Expansion Expenses	(104,816)	(104,816)
	Sentencing Services Salary Increases	(49,490)	(49,490)
	Guardian Ad Litem Staff	(43,324)	(43,324)
	Drug Treatment Court Funds	(100,000)	(100,000)
	Total Appropriation	$ (7,632,849)	$ (7,632,849)
2.	**Nonrecurring Reductions Restored** The following nonrecurring reductions are restored in the base line budget:		
	Death Benefit Contribution Rate	$ 248,511	$ 248,511
	Retiree Health Premium Reserve	1,435,022	1,435,022
	Total Appropriation	$ 1,683,533	$ 1,683,533
3.	**Building Reserves**		
	Centralized Office and Lease Support	$ 497,033	$ 497,033
	Total Consensus Base Line Adjustments	$ (5,452,283)	$ (5,452,283)

Recommended Reductions:

		2001-02	2002-03
1. **Reduce Various Contracts and Expense Items** It is recommended that various temporary position contracts, administrative contracts, over-budgeted jury fees and FICA fringe benefit items be reduced. These items include:			
Temporary Wages	(1,231,000)		
Administrative Contracts	(1,917,000)		
FICA Unemployment Payments	(216,472)		
Jury Fees	(275,000)	$ (3,639,472)	$ (3,639,472)
Total Recommended Reductions		$ (3,639,472)	$ (3,639,472)

Administrative Office of the Courts - Indigent Defense

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 66,800,796	$ 66,800,796
2.	Consensus Base Line Adjustments (See Footnote)	(140,329)	(140,329)
3.	Revised Base Line Budget	$ 66,660,467	$ 66,660,467
4.	Recommended Reductions	-	-
5.	Recommended Continuation Budget	$ 66,660,467	$ 66,660,467
6.	Recommended Expansion	5,565,313	5,565,313
7.	RECOMMENDED BUDGET	$ 72,225,780	$ 72,225,780

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriation made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. **Nonrecurring Appropriations Removed** The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (153,402)	$ (153,402)
Indigent Defense Position Expenses	(127,439)	(127,439)
Total Appropriation	$ (280,841)	$ (280,841)
2. **Nonrecurring Reductions Restored** The following nonrecurring reductions are restored in the base line budget:		
Death Benefit Contribution Rate	$ 25,547	$ 25,547
Retiree Health Premium Reserve	114,965	114,965
Total Appropriation	$ 140,512	$ 140,512
Total Consensus Base Line Adjustments	$ (140,329)	$ (140,329)

Recommended Expansion:

1. **Indigent Defense Services** It is recommended that indigent defense funding be increased to meet anticipated demand.	$ 5,565,313	$ 5,565,313
Total Recommended Expansion	$ 5,565,313	$ 5,565,313

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Department of Justice

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 76,947,824	$ 76,947,824
2.	Consensus Base Line Adjustments	(476,192)	(476,192)
3.	Revised Base Line Budget	$ 76,471,632	$ 76,471,632
4.	Recommended Reductions	(914,295)	(914,295)
5.	Recommended Continuation Budget	$ 75,557,337	$ 75,557,337
6.	Recommended Expansion	-	-
7.	Recommended Budget	$ 75,557,337	$ 75,557,337

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. **Nonrecurring Appropriations Removed**		
The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (540,270)	$ (540,270)
Top of Salary Range Bonus	(238,592)	(238,592)
Tort Claims Section Positions	(12,897)	(12,897)
Juvenile Justice Information Network	(385,000)	(385,000)
Six Forensic Chemists	(69,566)	(69,566)
Total Appropriation	$ (1,246,325)	$ (1,246,325)
2. **Nonrecurring Reductions Restored**		
The following nonrecurring reductions are restored in the base line budget:		
Death Benefit Contribution Rate	$ 76,378	$ 76,378
Retiree Health Premium Reserve	343,755	343,755
DCI Mainframe Migration Project	350,000	350,000
Total Appropriation	$ 770,133	$ 770,133
Total Consensus Base Line Adjustments	$ (476,192)	$ (476,192)

Recommended Reductions:

		2001-02	2002-03
1. **Reduce Various Contracts and Expense Items** It is recommended that various temporary position contracts and related benefits, administrative and computer contracts, and over-budgeted overtime pay be eliminated throughout the Department of Justice. These items include:			
Temporary Wages and Benefits	(196,157)		
Administrative Contracts	(178,443)		
Overtime Pay	(155,325)	$ (529,925)	$ (529,925)
2. **Eliminate Vacant Positions** It is recommended that 8.0 vacant positions be eliminated throughout the department. It is further recommended that the department be provided the managerial flexibility to identify these specific positions by July 1, 2001.		$ (385,000)	$ (385,000)
Number of Positions		(8.0)	(8.0)
Total Recommended Reductions		$ (914,295)	$ (914,295)
Total Number of Positions		(8.0)	(8.0)

Department of Juvenile Justice and Delinquency Prevention

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 147,206,016	$ 147,206,016
2.	Consensus Base Line Adjustments	500,029	2,250,029
3.	Revised Base Line Budget	$ 147,706,045	$ 149,456,045
4.	Recommended Reductions	(3,137,622)	(3,137,622)
5.	Recommended Continuation Budget	$ 144,568,423	$ 146,318,423
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 144,568,423	$ 146,318,423

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. **Nonrecurring Appropriations Removed**		
The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (861,337)	$ (861,337)
Local Juvenile Justice Funding	(400,000)	(400,000)
Camp Woodson East	(23,978)	(23,978)
Total Appropriation	$ (1,285,315)	$ (1,285,315)
2. **Nonrecurring Reductions Restored**		
The following nonrecurring reductions are restored in the base line budget:		
Retiree Health Premium Reserve	$ 469,917	$ 469,917
Death Benefit Contribution Rate	104,427	104,427
Alexander/Wayne Detention Center Adjustment	561,000	561,000
Multi-functional Juvenile facility (100 bed)	2,000,000	2,000,000
Multi-purpose Group Homes	400,000	400,000
Total Appropriation	$ 3,535,344	$ 3,535,344
3. **Building Reserve**		
Forsyth County Detention Center	$ (1,750,000)	$ -
Total Consensus Base Line Adjustments	$ 500,029	$ 2,250,029

Recommended Reductions:

	2001-02	2002-03
1. **Multi-Functional Detention Center** It is recommended that contract operating funds for a facility in Brunswick County be eliminated. The sole bidder came in over bid and this project is not projected to be cost effective.	$ (2,500,000)	$ (2,500,000)
2. **Police Department – Swananoa Valley** It is recommended that the police unit at Swananoa Valley be reduced to serve mental health facilities and not juvenile justice facilities. New fencing and security measures have reduced the need for this police department.	$ (224,157)	$ (224,157)
Number of Positions	(6.0)	(6.0)
3. **Close Wilkes Detention Facility** Wilkes Detention is an 8-bed facility that is not cost effective to operate and therefore is recommended for elimination. The staff and juveniles will be relocated to the Alexander facility.	$ (413,465)	$ (413,465)
Total Recommended Reductions	$ (3,137,622)	$ (3,137,622)
Total Number of Positions	(6.0)	(6.0)

Department of Correction Total Authorized General Fund Budget Dec 31, 2000

DOC Budget (in millions)

Prisons: $761.5

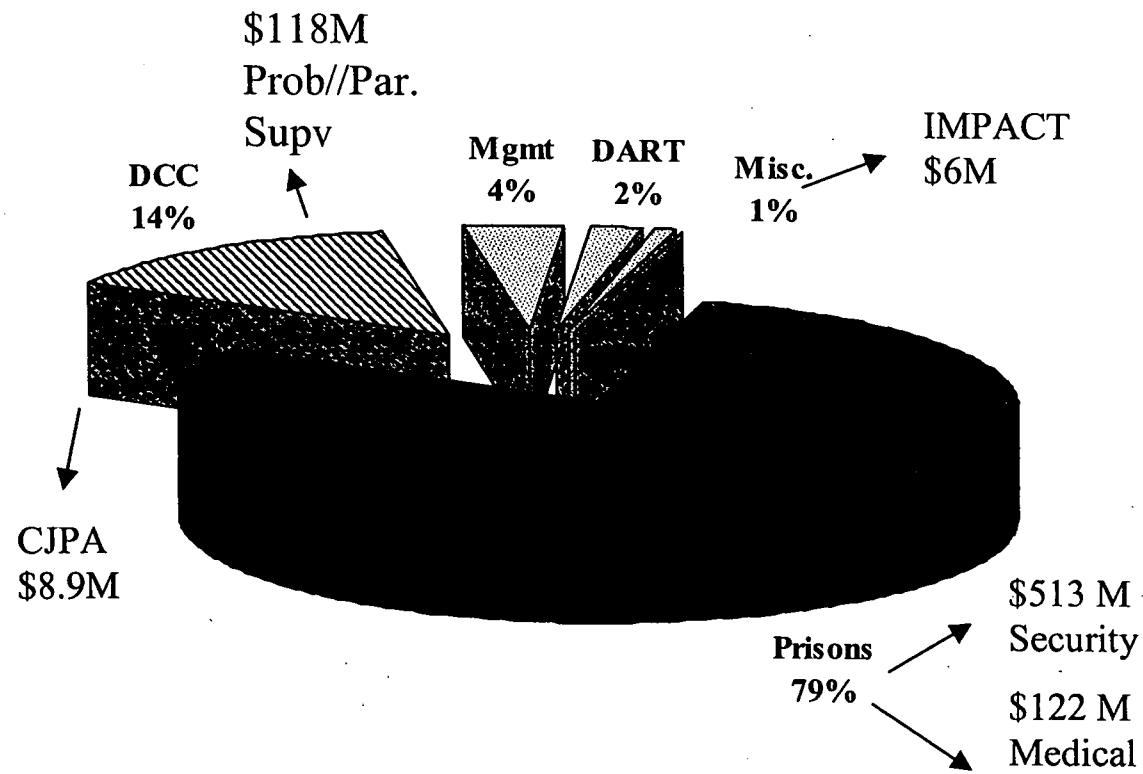
DCC: $134

Mgmnt: $38.5

DART: $18.1

Misc.: $ 8.7

TOTAL: $960.8



Net General Fund Approp. Is $927.9 million; this excludes receipts of approx $33 m.

DIVISION OF PRISONS

Handout # 3
March 14, 01

Capacity (SOC/EOC/SEG/TEMP) Count As of 2/28/01

06-Mar-01

FAC #	FACILITY SHORTNAME	SECURITY LEVEL	TYPE	SOC	EOC	SEG	TEMP	TOTAL EOC/SEG /TEMP	CNT
4410	Alamance CC	Minimum	Adult Male	46	56			56	54
4580	Albemarle CI	Medium	Adult Male	624	816	40		856	832
4570	Anson CC	Minimum	Adult Male	252	308			308	286
4680	Avery/Mitchell CI	Medium	Adult Male	624	816	40		856	815
3040	Black Mtn CCW	Minimum	Female	61	61		22	83	73
4315	Bladen YC	Minimum	Youth	144	144			144	107
3950	Blue Ridge YC	Minimum	Youth	72	72			72	69
3510	Brown Creek CI	Medium	Adult Male	832	832	20		852	829
4675	Buncombe CC	Minimum	Adult Male	140	152			152	151
4510	Cabarrus CC	Minimum	Adult Male	164	194			194	194
4625	Caldwell CC	Minimum	Adult Male	184	190			190	180
3305	Caledonia CI	Close	Adult Male	636	634	24		658	617
4110	Carteret CC	Minimum	Adult Male	244	260			260	247
4415	Caswell CC	Medium	Adult Male	354	460	24		484	481
4555	Catawba CC	Minimum	Adult Male	200	220			220	216
3100	Central Prison	Close	Adult Male	937	1029		72	1101	1047
4530	Charlotte CC	Minimum	Adult Male	214	252			252	248
4560	Cleveland CC	Medium	Adult Male	64	100	28		128	124
4355	Columbus CI	Medium	Adult Male	584	670	28		698	674
4630	Craggy CC	Medium	Adult Male	312	408			408	382
3085	Craven CI	Medium	Adult Male	542	670	42		712	517
3080	Dan River PWF	Minimum	Adult Male	500	500	20		520	505
4420	Davidson CC	Minimum	Adult Male	196	244			244	241
4125	Duplin CC	Minimum	Adult Male	250	250		50	300	290
4210	Durham CC	Minimum	Adult Male	180	208			208	207
3400	Eastern CI	Close	Adult Male	393	393	84		477	453
1210	ECO		Female	20	20			20	20
3720	Foothills CI	Close	Youth	664	664	48		712	679
4430	Forsyth CC	Minimum	Adult Male	196	238			238	238
3020	Fountain CCW	Minimum	Female	393	531	7		538	449
4215	Franklin CC	Medium	Adult Male	356	452	28		480	475
4515	Gaston CC	Minimum	Adult Male	200	232			232	232
4130	Gates CC	Minimum	Adult Male	76	96			96	96

DIVISION OF PRISONS

Capacity (SOC/EOC/SEG/TEMP) Count As of 2/28/01

06-Mar-01

FAC #	FACILITY SHORTNAME	SECURITY LEVEL	TYPE	SOC	EOC	SEG	TEMP	TOTAL EOC/SEG /TEMP	CNT
4140	Greene CI	Minimum	Adult Male	512	544	40		584	559
4440	Guilford CC	Minimum	Adult Male	110	124	28		152	140
3805	Harnett CI	Medium	Adult Male	820	820	34	50	904	867
4640	Haywood CC	Minimum	Adult Male	106	106		22	128	121
4645	Henderson CC	Minimum	Adult Male	114	114			114	113
4320	Hoke CI	Medium	Adult Male	424	480	24	12	516	395
4180	Hyde CI	Medium	Adult Male	600	600	20		620	578
4230	Johnston CI	Medium	Adult Male	484	616	28		644	637
4525	Lincoln CC	Medium	Adult Male	160	202			202	190
4365	Lumberton CI	Medium	Adult Male	624	624	20	50	694	681
3730	Marion CI	Close	Adult Male	702	710	72	24	806	789
3700	McCain CH	Medium	Adult Male	365	365	5		370	336
3930	Morrison YI	Medium	Youth	409	479	32		511	417
4855	Mountain View CF	Medium	Adult Male	528	528	48		576	530
3710	Nash CI	Close	Adult Male	512	512	20	82	614	596
3060	Neuse CI	Minimum	Adult Male	600	656	40		696	557
4170	New Hanover CC	Minimum	Adult Male	348	384	18		402	373
3010	NCCIW	Close	Female	754	928	44	221	1193	1020
3090	North Piedmont CCW	Minimum	Female	104	130	8		138	117
3310	Odom CI	Close	Adult Male	376	376	24	90	490	482
4240	Orange CC	Minimum	Adult Male	142	176			176	166
4850	Pamlico CF	Medium	Adult Male	528	528	48		576	479
3740	Pasquotank CI	Close	Adult Male	864	920	48		968	825
4150	Pender CI	Medium	Adult Male	624	728	28		756	742
3500	Piedmont CI	Medium	Adult Male	640	704	48		752	691
3980	Polk YI	Close	Youth	876	940	72		1012	753
3030	Raleigh CCW	Minimum	Female	140	176			176	172
4445	Randolph CC	Medium	Adult Male	176	226			226	219
4340	Robeson CC	Minimum	Adult Male	228	276	28		304	265
4540	Rowan CC	Minimum	Adult Male	208	248	28		276	230
4655	Rutherford CC	Minimum	Adult Male	190	216			216	206
4345	Sampson CI	Medium	Adult Male	352	452	10		462	451
3915	Sandhills YC	Minimum	Youth	270	306	14		320	237

DIVISION OF PRISONS

Capacity (SOC/EOC/SEG/TEMP) Count As of 2/28/01

06-Mar-01

FAC #	FACILITY SHORTNAME	SECURITY LEVEL	TYPE	SOC	EOC	SEG	TEMP	TOTAL EOC/SEG /TEMP	CNT
4360	Sanford CC	Minimum	Adult Male	242	272			272	256
4350	Scotland CC	Minimum	Adult Male	44	48	24		72	62
3600	Southern CI	Close	Adult Male	640	672	24	72	768	723
PRIV3	PRIV-Subst Abuse	Minimum	Adult Male	250	250			250	248
PRIV4	PRIV-Subst Abuse	Minimum	Female	100	100			100	102
3320	Tillery CC	Minimum	Adult Male	416	416			416	357
4905	To Reconcile		Adult Male	0	14			14	
3070	Tyrrell PWF	Minimum	Adult Male	500	500	20		520	437
4255	Umstead CC	Minimum	Adult Male	106	106			106	102
4550	Union CC	Minimum	Adult Male	64	94			94	90
4265	Wake CC	Minimum	Adult Male	354	414			414	402
4290	Warren CI	Close	Adult Male	552	648	20		668	556
4175	Wayne CC	Medium	Adult Male	364	428			428	419
3905	Western YI	Close	Youth	652	708	40	56	804	652
4665	Wilkes CC	Minimum	Adult Male	206	262			262	245
3050	Wilmington RFW	Minimum	Female	26	26		10	36	35
			GRAND TOTAL:	29060	32324	1390	833	34547	31648

DEPARTMENT OF CORRECTION off budget items

March 14, 2001
Handout # 4

REQUESTED ADJUSTMENTS TO THE 2001-02 BUDGET

PRIORITIZED ORDER	DESCRIPTION	FISCAL YEAR 2001-02	FISCAL YEAR 2002-03	FISCAL YEAR 2003-04	FISCAL YEAR 2004-05	FISCAL YEAR 2005-06
1	Annualize Cost for operating Mountain View and Pamlico. 428 positions In fiscal year 2000-01 the Department cancelled the contract with CCA and assumed the operating cost for 2/528 bed private prisons (Mountain View and Pamlico). 120 staff(2)	2,376,644	2,376,644	2,376,644	2,376,644	2,376,644
2	Fountain Correctional Center 16 positions Correctional staff for new segregation building.	441,762	477,361	477,361	477,361	477,361
3	Reserve for Three New 1000 Cell Facilities: Res-3 1000 Bed Facilities 537175					
	Prison #1 Occupancy 12/03 positions 2002-03 (298) & 2003-04 (403)		4,567,798	22,169,044	25,048,684	25,048,684
	Prison #2 Occupancy 04/04 positions 2002-03 (12) & 2003-04 (403)		117,739	17,757,022	25,048,684	25,048,684
	Prison #3 Occupancy 08/04 positions 2003-04 (403)			12,036,855	24,887,217	25,048,684
	DOC Management Positions 22 positions			834,531	832,931	832,931

DEPARTMENT OF CORRECTION

REQUESTED ADJUSTMENTS TO THE 2001-02 BUDGET

PRIORITIZED ORDER	DESCRIPTION	FISCAL YEAR 2001-02	FISCAL YEAR 2002-03	FISCAL YEAR 2003-04	FISCAL YEAR 2004-05	FISCAL YEAR 2005-06
4	Reserve for Res-New Ent, CP, NCCIW, Warr 537174					
	Warren 168 to ICON Standards (ICON = Intensive Control or Single Cell) positions 2001-02 (53) & 2002-03 (53)	1,228,206	1,591,065	1,591,065	1,591,065	1,591,065
	Enterprise Plant Officers positions 2001-02 (18) & 2002-03 (18)	236,563	549,279	549,279	549,279	549,279
	Road Squads at Mt. View & Pamlico positions 2001-02 (27) & 2002-03 (27)	1,228,058	874,353	874,353	874,353	874,353
	NCCIW 208 Dorm, New Kitchen positions 2001-02 (27) & 2002-03 (27)	1,279,011	952,046	952,046	952,046	952,046
	Central Prison 192 Cell Building positions 2001-02 (74) & 2002-03 (74)	2,355,966	2,617,788	2,617,788	2,617,788	2,617,788
	Warren Max 168 Cell Building positions 2002-03 (113)		2,977,877	4,272,022	4,272,022	4,272,022
5	Stanly County - Impact Fees Ave Stan Impact fees (water & sewer) which State Construction had budgeted in Albemarle construction budget to pay, but project cost went over and OSBPM agreed to pay county over a 4 year period.	160,250	160,250	160,250	160,250	160,250

DEPARTMENT OF CORRECTION

REQUESTED ADJUSTMENTS TO THE 2001-02 BUDGET

PRIORITIZED ORDER	DESCRIPTION	FISCAL YEAR 2001-02	FISCAL YEAR 2002-03	FISCAL YEAR 2003-04	FISCAL YEAR 2004-05	FISCAL YEAR 2005-06
6	DOC Victim Services Grant Positions to Permanent Status 4 positions will run out run and out of budget Federal Funds Federal Grant funds provided 3 positions for the Department's Victim Services section to meet the requirements of the Crime Victim's Rights Amendment. This grant ends on June 30th and appropriations are requested to continue the service. Also, an additional position is required to handle the increase in volume of calls since the program started in July 1998.	188,701	188,701	188,701	188,701	188,701
7	Structured Sentencing Reserve Increase in per diem costs based on North Carolina Sentencing Commission projections.	820,590	1,657,270	1,988,724	1,988,724	1,988,724
8	Medical - Prescription Drugs (4201 533690 133114905) The prescription drug account will exceed the budget in 2000-01 by $6.6 million, which the department will fund from excess operating budgeted amounts in fund 1320-Inmate food. With the reductions the department will take in the food budget in 2001-02, funds will not be available to support the budget shortfall in the prescription drug account.	5,184,249	5,184,249	5,184,249	5,184,249	5,184,249
	TOTALS:	15,500,000	24,292,420	74,029,934	97,049,998	97,211,465

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday March 14th, 2001
8:30 a.m. and 1:30 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper
Representative R. Phillip Haire, Presiding

II. PRESENTATIONS

- Overview of Governor's Budget for JPS Agencies
  - Department of Correction
  - Department of Crime Control and Public Safety
  - Administrative Office of the Courts
  - Department of Justice
  - Department of Juvenile Justice and Delinquency Prevention

  Fiscal Research Staff
  Departmental Staff

- Inmate Education and Programs Budget

  Jim Mills, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Thursday, March 15 – DOC Substance Abuse Treatment Programs; IMPACT
  Tuesday March 20 - Inmate Medical and Food Budgets; Prison Reserves
  Wednesday, March 21 – Community Corrections; Criminal Justice Partnership Act and Parole

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, March 14, 2001** at 1:30 p.m. in Room 415 LOB. One (1) Senator was present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. Larry Justus
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton
Rep. John Hall	

A Visitors' Registration Sheet is attached and made part of these minutes.

Representative Phillip Haire chaired the meeting. The first presentation for the afternoon was the Department of Crime Control and Public Safety presented by Greg McCloud, General Counsel and Actin g Liason, Reference to the Governor's Recommended Budget pages 114-115 **(Handout #1).**

Representative Kiser questioned how sound is the retirement system. Mr. McCloud confirmed that the system was sound. Representative Kiser also inquired as to whether the Boxing Commission came under Crime and Public Safety. Again Mr. McCloud confirmed that it was. Representative Kiser wanted to know if there were any recommendations to make cuts to the Boxing Commission and was told there were not.

Question from Representative Justus. What does a Boxing Commission do? From a general overall, they regulate professional boxing, tough man, kick boxing, martial arts and the issue of wrestling. This Commission was brought about from concerns on injuries, etc.

Question from Representative Justus. How many events per year does the Commission supervises? That information has been provided to fiscal research for the past three years but is not available here today.

Response from Kelly Little. (agency, title). Last year there were 83 event nights; 3 were non-profit; 10 were boxing matches; and the rest were for the amateur tough man night.

Question from Representative Goodwin. What is the budget for the Boxing Commission? Response from Mr. McCloud estimated $200,000.

Question from Representative Kiser. How many employees? Response from Ms. Little was three (3).

Chair asked for further questions. There being none, Mr. McCloud was thanked for his presentation.

Elisa Wolper, Department of Justice, Legal Services, presented the budget on behalf of the Administrative Office of the Courts. She then explained a few items and referred to the Governor's Recommended Budget, pages 116-118.

Question from Representative Hall, under reductions on Page 117, does that include lap tops or computers? He was told those items come under another category.

Representative Hall inquired as to access of lap tops in the county court rooms across the state. Response was most of them do or are on schedule to get them and also to receive training for said equipment.

Question from Representative Justus. Regarding the business court funds, is that the rent for courtrooms we are cutting out? Mr. Hobgood (title, agency?) replied yes. It was in the budget last year as a non-recurring expense. That is why it was removed. All non-recurring items were cut from this year's budget. It doesn't mean that these items are not needed.

Follow-up from Representative Justus. This is a needed item – to have a place to hold that business court, if I remember correctly.

Response from Mr. Hobgood was that the judge would have to go around the state and beg and borrow space.

Question Representative Justus. There were three or four worthless check programs, are they equally sharing the reduction, or is this one program being stricken.

Response from Ms. Wolper regarding clarification of list on Page 117. These are not programs targeted for additional cuts. This list is taken from items included in the current year's budget that you adopted last summer that were non-recurring items. Some of the monies were for equipment, desks, telephones and those items have already been purchased; therefore, as a non-recurring expense, they are being back out of this year's budget. They don't need that money in the coming year's budget. Almost every item on this list (page 117) falls into this category.

Representative Justus inquired as to whether this was the case regarding the business court.

Ms. Wolper responded that the business court was the decision of the General Assembly to do that on a one-time basis as opposed to recurring.

Senator Ballance replied regarding the business court fight, struggle, whatever, has been going on for several years and one of the big philosophical issues is that the counties provide the space and equipment and the State provide the personnel instead of the State providing all three.

Judge Hobgood explained the business court serves the whole state. And therefore, it was felt that the State should provide the courtrooms. He further stated there were four (4) pending class actions now in that court that involve citizens throughout the state of North Carolina that are in that category. So this is not a local issue only.

The Chair called upon Steve Lusk, Administrative Office of the Courts, to explain some of the cuts. Mr. Lusk passed out information entitled "Proposed 2001-2002 Budget Cut for OSBPM", which references details of Governor's Proposed Budget, page 118 (handout #1).

Question from Representative Justus: What are temporary wages used for? Mr. Lusk responded for office coverage when staff is out sick.

Question from Representative Justus: Do you currently use these funds each year, or do you have some left? Response from Mr. Lusk was that these funds are used to cover only what we need.

Question from Representative Justus: Do you have money left over or do you have to add money. Mr. Lusk responded that normally they have to add money.

Question from Representative Kiser: I notice that all of these numbers are even or rounded out numbers. Are these numbers accurate? Answer: We do monthly revisions and numbers are rounded.

Question from Representative Kiser: You weren't just looking for $2 million? Mr. Lusk responded no.

Senator Ballance expressed concern about returning to temporary wages and exactly where they are used. Mr. Lusk told the committee his office would provide a list of where temporary wages went.

At this time, Mr. Lusk asked that **Handout #2)**, entitled "Requested Adjustments to the 2001-02 Budget" be passed out at this time, also referred to as the Wish List.

Senator Ballance inquired as to whether all the telephone systems and data lines in courthouses were automated now and was told that most had been updated.

Question Representative Haire relating to Item #5, **Handout #2**, does this include replacement of technology equipment in the courthouse in case of major breakdown where everything would stop until such equipment could be fixed? Response was yes.

Representative Kiser had a question relative to Item #2. What if you don't get the $475,000 needed for those new courthouses?

Response from Mr. Hobgood was that if it was not installed during construction period, could cost as much as four times more later.

Next presenter was Mr. Ty Hunter, Director of Indigent Services Commission, which was a newly created commission last year (refer to Governor's Proposed Budget, page 119). The commission oversees the Indigent Defense Fund. The Administrative Office of the Court came up with the estimated budget for the coming year. The Commission will take whatever the budget is and shepherd the money as best they can.

Question from Representative Kiser. If there is not enough money, these attorneys would have to be paid sooner or later, correct? Mr. Hunter says that if there is an obligation, it would have to be paid.

Question from Representative Kiser. How much money was spent last year for consultants to select jurors. Mr. Hunter responded that he could not answer because this commission was not in charge of the fund and would not be until July 1, 2001. He estimated around $50,000. In the Carruth case, an unusual amount of money was spent, around $10,000 for jury consultants.

Question from Representative Justus. What is the total fund for indigent defense? Response was roughly $66 million.

Next presenter Ms. Denise Sessoms, Department of Justice, and the Committee was asked to please reference Governor's Proposed Budget, pages 121-123.

Question from Representative Sexton. What is the Migration Project? Response from Ms. Sessoms was that she did not have enough information regarding the computerization project for criminal information and would prefer someone else answer the question. Mrs. Thomas, staff, explained that this was a computer program to maintain criminal information, background checks, fingerprint information which is all internet based.

Next presenter, Mr. George Sweat, Department of Juvenile Justice and Delinquency Prevention, refer to Governor's Proposed Budget, pages 124-126.

Representative Sexton asked the question of the impact with regards to the Forsyth County Detention Center, Line Item 3 on page 125. Mr. Sweat responded that he was familiar with that jurisdiction and that it would definitely have an impact. He further explained that this is not a state run system, it is county only. It is only a 16-bed facility and they do not waiver over that number of 16. They would have to take their youth to the closest state operated facility. Guilford is a 48 bed facility and they are good about taking in youth from other areas. This puts the burden, of course, on the transportation officers. My biggest concern is when they did away with the Wayne County Center. With the change in the law, we allow undisciplined youth to be put in our detention centers, and this, too, raises the population. There was a 30% increase in 2000 over 1999 of undisciplined youth, which, of course, affects negatively our bed space.

Representative Sexton replied that he realizes this puts the deputies on the road for a long time. Could you tell me approximately how many youth would be transported outside of Forsyth County? Mr. Sweat replied that he could not tell the exact number, but we can find out because we do keep track of that information.

The Chair adjourned the meeting at 2:40 p.m.

Respectfully submitted,

Rep. Phil Haire, House Presiding Chair

Sara Jane Lennard, House Committee Clerk

Steve Luck March 14, 01 1:30 relates to pg 118 Handout # 1

Proposed 2001-2002 Budget Cut for OSBPM
Based on Authorized Judicial Branch Budget
As of December 31,2000

Center Number	Center Description	Account Number	Account Description	Amount
1110	General Administration	531311	Temp. Wage	$ 300,000
1120	Information Services	531311	Temp. Wage	$ 200,000
1130	Warehouse & Printing	531311	Temp. Wage	$ 30,000
1230	Superior Court	531311	Temp. Wage	$ 63,000
1240	District Court	531311	Temp. Wage	$ 25,000
1251	Family Court	531311	Temp. Wage	$ 25,000
1260	Clerk of Superior Court	531311	Temp. Wage	$ 350,000
1600	District Attorney	531311	Temp. Wage	$ 175,000
1710	Custody Mediation	531311	Temp. Wage	$ 20,000
1720	Arbitration	531311	Temp. Wage	$ 5,000
1760	Sentencing Services	531311	Temp. Wage	$ 18,000
1790	Mecklenburg Drug Court	531311	Temp. Wage	$ 20,000
	Total		Temporary Wages	$ 1,231,000
1110	General Administration	532199	Contractual Services	$ 150,000
1120	Information Services	532199	Contractual Services	$ 600,000
1260	Clerk of Superior Court	532199	Contractual Services	$ 550,000
1600	District Attorney	532199	Contractual Services	$ 155,000
1790	Mecklenburg Drug Court	532110007	Leg.Svcs-Legal Councel Adult	$ 102,000
1791	NC Drug Treatment Court	532199	Contractual Services	$ 360,000
	Total		Administrative Contracts	$ 1,917,000
1110	General Administration	531511	Fringe Benefits - FICA	$ 22,950
1120	Information Services	531511	Fringe Benefits - FICA	$ 15,300
1130	Warehouse & Printing	531511	Fringe Benefits - FICA	$ 2,295
1230	Superior Court	531511	Fringe Benefits - FICA	$ 4,820
1240	District Court	531511	Fringe Benefits - FICA	$ 1,912
1251	Family Court	531511	Fringe Benefits - FICA	$ 1,912
1260	Clerk of Superior Court	531511	Fringe Benefits - FICA	$ 26,775
1600	District Attorney	531511	Fringe Benefits - FICA	$ 13,388
1710	Custody Mediation	531511	Fringe Benefits - FICA	$ 1,530
1720	Arbitration	531511	Fringe Benefits - FICA	$ 383
1760	Sentencing Services	531511	Fringe Benefits - FICA	$ 1,377
1790	Mecklenburg Drug Court	531511	Fringe Benefits - FICA	$ 1,530
1110	General Administration	535241	Unemployment Comp. Payments	$ 122,300
	Total		FICA Unemployment Payments	$ 216,472
1230	Superior Court	532110009	Jury Fees	$ 200,000
1240	District Court	532110009	Jury Fees	$ 75,000
	Total		Jury Fees	$ 275,000
	Grand Total Budget Reductions			$ 3,639,472

wish list Steve Lush March 14, 01 1:30

Handout # 2

Judicial Branch - General Fund

Requested Adjustments To The 2001-02 Budget

Number	Description	Fiscal Year 2001-02	Fiscal Year 2002-03	Fiscal Year 2003-04	Fiscal Year 2004-05	Fiscal Year 2005-06
1	Annualization of 42 General Fund positions - Salary and Fringe Benefits - Operating Cost Total	 $ 1,521,487 $ 618,397 $ 2,139,884	 $ 1,521,487 $ 618,397 $ 2,139,884	 $ 1,521,487 $ 618,397 $ 2,139,884	 $ 1,521,487 $ 618,397 $ 2,139,884	 $ 1,521,487 $ 618,397 $ 2,139,884
2	Telephone Systems and data lines for new courthouses to be completed - Randolph, Harnett, Brunswick, Mitchell, Surry, New Hanover	$ 475,000	new Hanover obj. $ 125,000	$ - others to be determined	$ -	$ -
3	New Court Reporters (4 positions) - To provide coverage for all judges including 22 emergency superior court judges and 4 retired/recall judges.	$ 200,292	$ 201,360	$ 201,360	$ 201,360	$ 201,360
4	Inflationary factors for utilities, data lines, travel, maintenance, etc.	$ 383,741	$ 383,741	$ 383,741	$ 383,741	$ 383,741
5	Emergency equipment replacement in case of breakage	$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 1,000,000
	Total	$ 4,198,917	$ 3,849,985	$ 3,724,985	$ 3,724,985	$ 3,724,985

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Department of Correction

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 927,971,199	$ 927,971,199
2.	Consensus Base Line Adjustments (See Footnote)	3,378,876	3,378,876
3.	Base Line Budget	$ 931,350,075	$ 931,350,075
4.	Recommended Reductions	(11,300,000)	(10,729,786)
5.	Recommended Continuation Budget	$ 920,050,075	$ 920,620,289
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 920,050,075	$ 920,620,289

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

		2001-02	2002-03
1.	**Nonrecurring Appropriations Removed** The $500 compensation bonus is removed from the base line budget.	$ (8,446,278)	$ (8,446,278)
2.	**Restore Death and Retiree Benefits** The one-time death and retiree reductions are restored in the base line budget.	$ 4,612,552	$ 4,612,552
3.	**Eliminate Nonrecurring Increases and Annualization of Reductions** Community Substance Abuse (100,000) ECO Inmate Family Pilot (60,000) Inmate Education and Re-entry (130,000) Medical Cost Containment (13,260)	$ (303,260)	$ (303,260)
4.	**Nonrecurring Reductions Restored** Community Corrections Equipment 110,000 Criminal Justice Partnership Program 420,000 Inmate Welfare Fund 2,250,000 Data Processing Equipment 225,862 Equipment Budget 460,000 Management Budget 300,000 Correction Enterprise Receipts 2,750,000 Automobile Replacement 1,000,000	$ 7,515,862	$ 7,515,862
	Total Consensus Base Line Adjustments	$ 3,378,876	$ 3,378,876

Recommended Reductions:

	2001-02	2002-03
1. **Criminal Justice Partnership Program** It is recommended that the Criminal Justice Partnership Program (CJPP) budget be reduced to reflect current spending trends. The Department of Correction will limit CJPP implementation funding to counties currently participating in the program, which allows for a reduction of $270,000. An additional $1 million, which in previous years has been used as discretionary funds, will be eliminated.	$ (1,270,000)	$ (1,270,000)
2. **Inmate Disciplinary Fees** It is recommended that the Department of Correction adjust inmate discliplinary fee receipts to reflect projected collections. These fees help to recover administrative costs associated with inmate disciplinary actions.		
Requirements	$ -	$ -
Receipts	120,000	120,000
Appropriation	$ (120,000)	$ (120,000)
3. **Terminate Substance Abuse Contracts** It is recommended that two private contracts for substance abuse services be eliminated. These substance abuse services can be delivered using existing services now available in the department and by adding some additional staff. Specific contracts include:		
Cornell (1,185,700)		
Right Turn (1,820,477)	$ (3,006,177)	$ (3,006,177)
4. **Abolish Vacant Parole Commission Positions** With the passage of the Structured Sentencing Act, the number of parolees has declined. Therefore, it is recommended that two vacant Parole Commission positions be abolished.		
Number of Positions	$ (78,000) (2.0)	$ (78,000) (2.0)

Recommended Reductions - Continued:

	2001-02	2002-03
5. **Close GPAC Facilities** Consistent with the recommendations of the Governmental Performance Audit Committee to improve the efficient allocation of correctional resources, the following facilites are recommended for closing:		
Alamance Correctional Facility	$ (801,416)	$ (881,974)
Number of Positions	(27.0)	(27.0)
Gates Correctional Facility	$ (761,746)	$ (929,964)
Number of Positions	(28.0)	(28.0)
Scotland Correctional Facility	$ (1,199,112)	$ (1,320,122)
Number of Positions	(41.0)	(41.0)
6. **Reduce Personal Services Contract** The department provides seed money to contract with community providers of substance abuse services. The state provides substance abuse services through 39 Area Mental Health Programs. To avoid duplication of services, it is recommended that these personal services contract funds be eliminated.	$ (225,000)	$ (225,000)
7. **Reduce Substance Abuse DART Aftercare** The department provides in-house, substance abuse residential services to inmates. Aftercare services are provided through contracts with private providers to inmates who return to the general population. It is recommended that these aftercare services contracts be eliminated and that these services be provided using existing staff and volunteers.	$ (105,000)	$ (105,000)
8. **Reduce Equipment – Autos, Trucks and Buses** It is recommended that the department's vehicle replacement schedule be reduced.	$ (396,000)	$ (396,000)

Recommended Reductions - Continued:

	2001-02	2002-03
9. **Reduce Division of Prisons Inmate Food Budget** It is recommended that the department's food budget be reduced to reflect recent cost saving initiatives. These intiatives include modification of the master menu and improved inventory management.	$ (2,197,549)	$ (2,197,549)
10. **Reduce Division of Prisons Travel Budget** In response to the budget shortfall, the Divisions of Prisons and Community Corrections have limited travel to essential trips. It is recommended that one-time reductions be taken in travel, meals and lodging.	$ (260,000) NR	$ -
11. **Increase Receipts from Inmate Welfare Fund** The Inmate Welfare Fund accounts for canteen and telephone contract proceeds. The proceeds support vocational teachers and supplies. It is recommended that a portion of the available balance be transferred to the General Fund.	$ (280,000) NR	$ -
12. **Reduce Office and Data Processing Equipment** It is recommended that the office and data processing equipment budget be reduced on a one-time basis.	$ (400,000) NR	$ -
13. **Reduce Management Information Systems** It is recommended that Management Information Systems (MIS) projects and related contractual services be reduced. This reduction has resulted from a more efficient use of staff and thorough prioritization of MIS projects.	$ (200,000)	$ (200,000)
Total Recommended Reductions	$ (11,300,000)	$ (10,729,786)
Total Number of Positions	(98.0)	(98.0)

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Department of Crime Control and Public Safety

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 37,693,274	$ 37,693,274
2.	Consensus Base Line Adjustments	(139,126)	(139,126)
3.	Revised Base Line Budget	$ 37,554,148	$ 37,554,148
4.	Recommended Reductions	(470,635)	(470,635)
5.	Recommended Continuation Budget	$ 37,083,513	$ 37,083,513
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 37,083,513	$ 37,083,513

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. **Nonrecurring Appropriations Removed** The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (264,123)	$ (264,123)
Top of Salary Range Bonus	(31,585)	(31,585)
Total Appropriation	$ (295,708)	$ (295,708)
2. **Nonrecurring Reductions Restored** The following nonrecurring reductions are restored in the base line budget:		
Death Benefit Contribution Rate	$ 28,470	$ 28,470
Retiree Health Premium Reserve	128,112	128,112
Total Appropriation	$ 156,582	$ 156,582
Total Consensus Base Line Adjustments	$ (139,126)	$ (139,126)

Recommended Reductions:

1. **Adjust National Guard Pension Fund Payments** It is recommended that pension fund payments be reduced to reflect recent actuarial recommendations. This adjustment will not adversely affect employees or retirees.	$ (470,635)	$ (470,635)
Total Recommended Reductions	$ (470,635)	$ (470,635)

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Administrative Office of the Courts

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 314,222,181	$ 314,222,181
2.	Consensus Base Line Adjustments (See Footnote)	(5,452,283)	(5,452,283)
3.	Revised Base Line Budget	$ 308,769,898	$ 308,769,898
4.	Recommended Reductions	(3,639,472)	(3,639,472)
5.	Recommended Continuation Budget	$ 305,130,426	$ 305,130,426
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 305,130,426	$ 305,130,426

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

1. **Nonrecurring Appropriations Removed**
The following nonrecurring appropriations are removed from the base line budget:

Compensation Bonus	$ (2,224,997)	$ (2,224,997)
Court Technology	(3,297,387)	(3,297,387)
Special Counsel for Mental Ill Expenses	(16,408)	(16,408)
Business Court Funds	(44,000)	(44,000)
Court Reporters	(11,956)	(11,956)
Worthless Check Program	(64,404)	(64,404)
Domestic Violence Interpreters	(75,889)	(75,889)
Non-Technology Replacement Equipment	(1,000,000)	(1,000,000)
Courtroom Wiring and Audio	(211,500)	(211,500)
Additional Magistrates Expenses	(72,098)	(72,098)
NDAA Membership	(48,000)	(48,000)
AOC Positions	(42,955)	(42,955)
District Court Judge Expenses	(108,261)	(108,261)
Additional Superior Court Judge Expenses	(17,910)	(17,910)
Judicial Assistant Expense	(4,954)	(4,954)
Additional Court of Appeals Judge Expenses	(80,988)	(80,988)
Court of Appeals Research Assistant Expenses	(13,512)	(13,512)
Family Court Expansion Expenses	(104,816)	(104,816)
Sentencing Services Salary Increases	(49,490)	(49,490)
Guardian Ad Litem Staff	(43,324)	(43,324)
Drug Treatment Court Funds	(100,000)	(100,000)
Total Appropriation	$ (7,632,849)	$ (7,632,849)

2. **Nonrecurring Reductions Restored**
The following nonrecurring reductions are restored in the base line budget:

Death Benefit Contribution Rate	$ 248,511	$ 248,511
Retiree Health Premium Reserve	1,435,022	1,435,022
Total Appropriation	$ 1,683,533	$ 1,683,533

3. **Building Reserves**

Centralized Office and Lease Support	$ 497,033	$ 497,033
Total Consensus Base Line Adjustments	$ (5,452,283)	$ (5,452,283)

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Recommended Reductions:

		2001-02	2002-03
1. **Reduce Various Contracts and Expense Items** It is recommended that various temporary position contracts, administrative contracts, over-budgeted jury fees and FICA fringe benefit items be reduced. These items include:			
Temporary Wages	(1,231,000)		
Administrative Contracts	(1,917,000)		
FICA Unemployment Payments	(216,472)		
Jury Fees	(275,000)	$ (3,639,472)	$ (3,639,472)
Total Recommended Reductions		$ (3,639,472)	$ (3,639,472)

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Administrative Office of the Courts - Indigent Defense

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 66,800,796	$ 66,800,796
2.	Consensus Base Line Adjustments (See Footnote)	(140,329)	(140,329)
3.	Revised Base Line Budget	$ 66,660,467	$ 66,660,467
4.	Recommended Reductions	-	-
5.	Recommended Continuation Budget	$ 66,660,467	$ 66,660,467
6.	Recommended Expansion	5,565,313	5,565,313
7.	RECOMMENDED BUDGET	$ 72,225,780	$ 72,225,780

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriation made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. Nonrecurring Appropriations Removed		
The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (153,402)	$ (153,402)
Indigent Defense Position Expenses	(127,439)	(127,439)
Total Appropriation	$ (280,841)	$ (280,841)
2. Nonrecurring Reductions Restored		
The following nonrecurring reductions are restored in the base line budget:		
Death Benefit Contribution Rate	$ 25,547	$ 25,547
Retiree Health Premium Reserve	114,965	114,965
Total Appropriation	$ 140,512	$ 140,512
Total Consensus Base Line Adjustments	$ (140,329)	$ (140,329)

Recommended Expansion:

1. Indigent Defense Services		
It is recommended that indigent defense funding be increased to meet anticipated demand.	$ 5,565,313	$ 5,565,313
Total Recommended Expansion	$ 5,565,313	$ 5,565,313

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Department of Justice

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 76,947,824	$ 76,947,824
2.	Consensus Base Line Adjustments Detailed on pg. 122	(476,192)	(476,192)
3.	Revised Base Line Budget	$ 76,471,632	$ 76,471,632
4.	Recommended Reductions	(914,295)	(914,295)
5.	Recommended Continuation Budget	$ 75,557,337	$ 75,557,337
6.	Recommended Expansion	-	-
7.	Recommended Budget	$ 75,557,337	$ 75,557,337

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. **Nonrecurring Appropriations Removed**		
The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (540,270)	$ (540,270)
Top of Salary Range Bonus	(238,592)	(238,592)
Tort Claims Section Positions	(12,897)	(12,897)
Juvenile Justice Information Network	(385,000)	(385,000)
Six Forensic Chemists	(69,566)	(69,566)
Total Appropriation	$ (1,246,325)	$ (1,246,325)
2. **Nonrecurring Reductions Restored**		
The following nonrecurring reductions are restored in the base line budget:		
Death Benefit Contribution Rate	$ 76,378	$ 76,378
Retiree Health Premium Reserve	343,755	343,755
DCI Mainframe Migration Project	350,000	350,000
Total Appropriation	$ 770,133	$ 770,133
Total Consensus Base Line Adjustments	$ (476,192)	$ (476,192)

Recommended Reductions:

		2001-02	2002-03
1.	**Reduce Various Contracts and Expense Items** It is recommended that various temporary position contracts and related benefits, administrative and computer contracts, and over-budgeted overtime pay be eliminated throughout the Department of Justice. These items include: Temporary Wages and Benefits (196,157) Administrative Contracts (178,443) Overtime Pay (155,325)	$ (529,925)	$ (529,925)
2.	**Eliminate Vacant Positions** It is recommended that 8.0 vacant positions be eliminated throughout the department. It is further recommended that the department be provided the managerial flexibility to identify these specific positions by July 1, 2001.	$ (385,000)	$ (385,000)
	Number of Positions	(8.0)	(8.0)
	Total Recommended Reductions	$ (914,295)	$ (914,295)
	Total Number of Positions	(8.0)	(8.0)

N.C. State Budget, 2001-03: Summary of Recommendations
General Fund - Recommended Adjustments and Expansion

Department of Juvenile Justice and Delinquency Prevention

Total Recommended Appropriations

		2001-02	2002-03
1.	Base Line Budget (2000-01 Authorized Budget as of 12-31-00)	$ 147,206,016	$ 147,206,016
2.	Consensus Base Line Adjustments	500,029	2,250,029
3.	Revised Base Line Budget	$ 147,706,045	$ 149,456,045
4.	Recommended Reductions	(3,137,622)	(3,137,622)
5.	Recommended Continuation Budget	$ 144,568,423	$ 146,318,423
6.	Recommended Expansion	-	-
7.	RECOMMENDED BUDGET	$ 144,568,423	$ 146,318,423

FOOTNOTE:

Line 2. Consensus Base Line Adjustments include:

- Deletion of Nonrecurring (NR) Appropriations made in the 2000 Session
- Restoration of Nonrecurring (NR) Reductions made in the 2000 Session
- Building Reserves
- Enrollment/Entitlement Increases
- Transfers between budget codes

Consensus Base Line Adjustments:

	2001-02	2002-03
1. **Nonrecurring Appropriations Removed**		
The following nonrecurring appropriations are removed from the base line budget:		
Compensation Bonus	$ (861,337)	$ (861,337)
Local Juvenile Justice Funding	(400,000)	(400,000)
Camp Woodson East	(23,978)	(23,978)
Total Appropriation	$ (1,285,315)	$ (1,285,315)
2. **Nonrecurring Reductions Restored**		
The following nonrecurring reductions are restored in the base line budget:		
Retiree Health Premium Reserve	$ 469,917	$ 469,917
Death Benefit Contribution Rate	104,427	104,427
Alexander/~~Wayne~~ Detention Center Adjustment	561,000	561,000
Multi-functional Juvenile facility (100 bed)	2,000,000	2,000,000
Multi-purpose Group Homes	400,000	400,000
Total Appropriation	$ 3,535,344	$ 3,535,344
3. **Building Reserve**		
Forsyth County Detention Center	$ (1,750,000)	$ -
Total Consensus Base Line Adjustments	$ 500,029	$ 2,250,029

Recommended Reductions:

	2001-02	2002-03
1. **Multi-Functional Detention Center** It is recommended that contract operating funds for a facility in Brunswick County be eliminated. The sole bidder came in over bid and this project is not projected to be cost effective.	$ (2,500,000)	$ (2,500,000)
2. **Police Department – Swananoa Valley** It is recommended that the police unit at Swananoa Valley be reduced to serve mental health facilities and not juvenile justice facilities. New fencing and security measures have reduced the need for this police department. Number of Positions	$ (224,157) (6.0)	$ (224,157) (6.0)
3. **Close Wilkes Detention Facility** $93,000 Other $50,000 Wilkes Detention is an 8-bed facility that is not cost effective to operate and therefore is recommended for elimination. The staff and juveniles will be relocated to the Alexander facility.	$ (413,465)	$ (413,465)
Total Recommended Reductions Total Number of Positions	$ (3,137,622) (6.0)	$ (3,137,622) (6.0)

DEPARTMENT OF CORRECTION

off budget items

March 14, 2001
Handout #2

REQUESTED ADJUSTMENTS TO THE 2001-02 BUDGET

PRIORITIZED ORDER	DESCRIPTION	FISCAL YEAR 2001-02	FISCAL YEAR 2002-03	FISCAL YEAR 2003-04	FISCAL YEAR 2004-05	FISCAL YEAR 2005-06
1	Annualize Cost for operating Mountain View and Pamlico. 428 positions In fiscal year 2000-01 the Department cancelled the contract with CCA and assumed the operating cost for 2/528 bed private prisons (Mountain View and Pamlico). 120 staff(2)	2,376,644	2,376,644	2,376,644	2,376,644	2,376,644
2	Fountain Correctional Center 16 positions Correctional staff for new segregation building.	441,762	477,361	477,361	477,361	477,361
3	Reserve for Three New 1000 Cell Facilities: Res-3 1000 Bed Facilities 537175					
	Prison #1 Occupancy 12/03 positions 2002-03 (298) & 2003-04 (403)		4,567,798	22,169,044	25,048,684	25,048,684
	Prison #2 Occupancy 04/04 positions 2002-03 (12) & 2003-04 (403)		117,739	17,757,022	25,048,684	25,048,684
	Prison #3 Occupancy 08/04 positions 2003-04 (403)			12,036,855	24,887,217	25,048,684
	DOC Management Positions 22 positions			834,531	832,931	832,931

DEPARTMENT OF CORRECTION

REQUESTED ADJUSTMENTS TO THE 2001-02 BUDGET

PRIORITIZED ORDER	DESCRIPTION	FISCAL YEAR 2001-02	FISCAL YEAR 2002-03	FISCAL YEAR 2003-04	FISCAL YEAR 2004-05	FISCAL YEAR 2005-06
6	DOC Victim Services Grant Positions to Permanent Status 4 positions will run out Federal Grant funds provided 3 positions for the Department's Victim Services section to meet the requirements of the Crime Victim's Rights Amendment. This grant ends on June 30th and appropriations are requested to continue the service. Also, an additional position is required to handle the increase in volume of calls since the program started in July 1998.	188,701	188,701	188,701	188,701	188,701
7	Structured Sentencing Reserve Increase in per diem costs based on North Carolina Sentencing Commission projections.	820,590	1,657,270	1,988,724	1,988,724	1,988,724
8	Medical - Prescription Drugs (4201 533690 133114905) The prescription drug account will exceed the budget in 2000-01 by $6.6 million, which the department will fund from excess operating budgeted amounts in fund 1320-Inmate food. With the reductions the department will take in the food budget in 2001-02, funds will not be available to support the budget shortfall in the prescription drug account.	5,184,249	5,184,249	5,184,249	5,184,249	5,184,249
	TOTALS:	15,500,000	24,292,420	74,029,934	97,049,998	97,211,465

North Carolina Department of Correction
Division of Alcohol and Chemical Dependency Programs
FY 1999-2000 Chemical Dependency Treatment Report
Annual Report to the North Carolina General Assembly

Division of Alcoholism and Chemical Dependency Programs (DACDP)
March 1, 2001

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North Carolina Department of Correction
Division of Alcoholism and Chemical Dependency Programs
FY 1999-2000 CHEMICAL DEPENDENCY TREATMENT FUNDS REPORT
Annual Report to the North Carolina General Assembly

SL 1998-212 Section 17.12(d) requires the Department of Correction to report "efforts to provide effective treatment to offenders with substance abuse problems" by the first of March each year. The report must cover program utilization, numbers of offenders participating, interagency treatment efforts, offender tracking, program evaluation, and new initiatives. This report covers FY 1999-2000 and is dated March 1, 2001.

ALCOHOL AND CHEMICAL DEPENDENCY TREATMENT REPORT

EXECUTIVE SUMMARY

Each item in the executive summary is explained in detail in the body of this report. Abbreviations and acronyms that appear in the document are explained in Figure 4 on page 24.

PROGRAM DESCRIPTION AND PROGRAM UTILIZATION

Prison-Based DART

Prison-based DART is a comprehensive, integrated continuum of treatment, aftercare, self-help recovery group, and transitional preparation services during an offender's term in prison.

DART-Intensive Residential Treatment

DART Intensive Residential Treatment (IRT) is a 35-day program occurring at the beginning of the DART continuum. During Fiscal Year 1999-2000, DACDP enrolled 7,631 inmates in DART-IRT (see Table 2 on page 8).

DART Continuing Care

DART Continuing Care consists of three parts—aftercare, recovery group and Winner's Circle programs. DART-Aftercare is an eight to 12 week program for inmates in the early stages of recovery in a prison setting. Recovery group means access to in-prison Alcoholics Anonymous and Narcotics Anonymous groups. Winner's Circle is a 12-session program to prepare recovering inmates for release from prison. On any given day during Fiscal Year 1999-2000, there were an average of 1,088 inmates enrolled in DART Aftercare, 2,679 inmates enrolled in Alcoholics Anonymous and 2,457 inmates enrolled in

Narcotics Anonymous in prison (see Table 11—Entries to Continuing Care During FY 1999-2000 on page 16).

DART-Cherry

DART-Cherry is a residential treatment unit for male offenders on probation or parole for driving while impaired (DWI) or other drug- or alcohol-related offenses. The DART-Cherry facility, located in Goldsboro, has two components: 100 beds in a traditional 12-step residential chemical dependency treatment setting for 28 days; and 200 beds in a modified therapeutic community (TC) program setting for 90 days. During Fiscal Year 1999-2000, 975 parolees and 1,015 probationers entered DART-Cherry.

Private Alcohol/Drug Treatment Centers

The Division of Alcohol and Chemical Dependency Programs (DACDP) contracts for 350 alcohol and drug treatment beds in four private facilities across the state (see Table 6—DACDP Private Alcohol/Drug Treatment). During Fiscal Year 1999-2000, the Division of Prisons (DOP) and the Post-Release Supervision and Parole Commission referred 590 inmates to DACDP private treatment.

DART-24

It is difficult for inmates with relatively short stays in prison to complete in-prison treatment. DACDP has a brief intervention program, called DART 24, for such inmates. It consists of 24 hours of contact time spread over three or four sessions. During Fiscal Year 1999-2000, DACDP enrolled 2,230 inmates in DART-24.

SARGE—State Alliance for Recovery and General Education

The SARGE program is an individualized long-term residential approach based on the Minnesota Model of chemical dependency treatment. The Hazelden Offender Curriculum, *Design for Living*, is the core foundation of the program's approach and has been adapted for use with youthful offenders. During FY 1999-2000 DACDP enrolled 258 inmates in the SARGE program (see Table 12—Enrollment in SARGE FY 1999-2000 on page 18).

INTERAGENCY TREATMENT EFFORTS

Offender Management Model

In June 2000, the Secretaries of the NC Department of Health and Human Services (DHHS) and the DOC signed a memorandum of understanding to initiate the Offender Management Model (OMM). OMM is designed to allow participating agencies to manage offenders as a team, using the principles of effective interventions.

DART-Cherry Activities

DART-Cherry includes a number of interagency activities. The DACDP and DHHS (Department of Health and Human Services) are collaborating on aftercare services for offenders leaving DART-Cherry. Therapeutic Community residents at DART Cherry must complete eight hours of volunteer work in the community during their stay. Wayne Community College offers educational programs to residents at DART-Cherry.

OFFENDER AND INMATE TRACKING AND PROGRAM EVALUATION

Offender and Inmate Tracking

The Department of Correction's automated information system is called Offender Population Unified System, or OPUS. Using funds allocated by the General Assembly, the Department of Correction's Management Information System (MIS) division added a DACDP module to OPUS. It is called the Alcoholism and Chemical Dependency module, or ACD OPUS. ACD OPUS is an automated inmate tracking system specific to DACDP's information needs.

Common Record

The Common Record OPUS screen became operational in July 2000. The Common Record contains information about an offender's participation in services, programs, and treatment. The purpose is to give Division of Community Corrections (DCC), DOP and DACDP staff access to participation, referral, and completion information to ensure continuity of treatment and program intervention.

Assessment Instrument

Treatment Alternatives to Street Crime (TASC) in the Department of Health and Human Services developed a new offender assessment instrument. The instrument was pilot-tested on 400 offenders. During FY 1999-2000, DACDP treatment staff began using a draft version of

this assessment instrument. The assessment instrument will be incorporated into OPUS.

Program Evaluation—NDRI Study

The National Development Research Institutes (NDRI), funded by a grant from the National Institute of Justice (NIJ), completed a process evaluation of two SARGE programs in North Carolina. See APPENDIX A for an executive summary of the NDRI evaluation report.

Recidivism Study

One of the original legislative mandates of the North Carolina Sentencing and Policy Advisory Commission (SPAC) was to complete a recidivism study. The year 2000 SPAC report focused on recidivism rates, program costs and other outcome measures for various DACDP offender populations. The study examined all offenders released from prison or placed on probation in FY 1996-1997. DART, Sex Offender Accountability and Responsibility (SOAR) and Work Release were chosen for further analysis. For key findings on substance abuse treatment, see Figure 2 on page 22.

NEW INITIATIVES AND PROGRAM EXPANSION OR REDUCTION

DACDP Strategic Plan

In September 2000, the Division of Alcohol and Chemical Dependency reviewed and revised its vision-oriented strategic plan. The updated plan includes a DACDP vision statement, five strategic issues, 24 strategies and 99 tactics for fulfilling the strategies (see Figure 3).

DACDP Reorganization

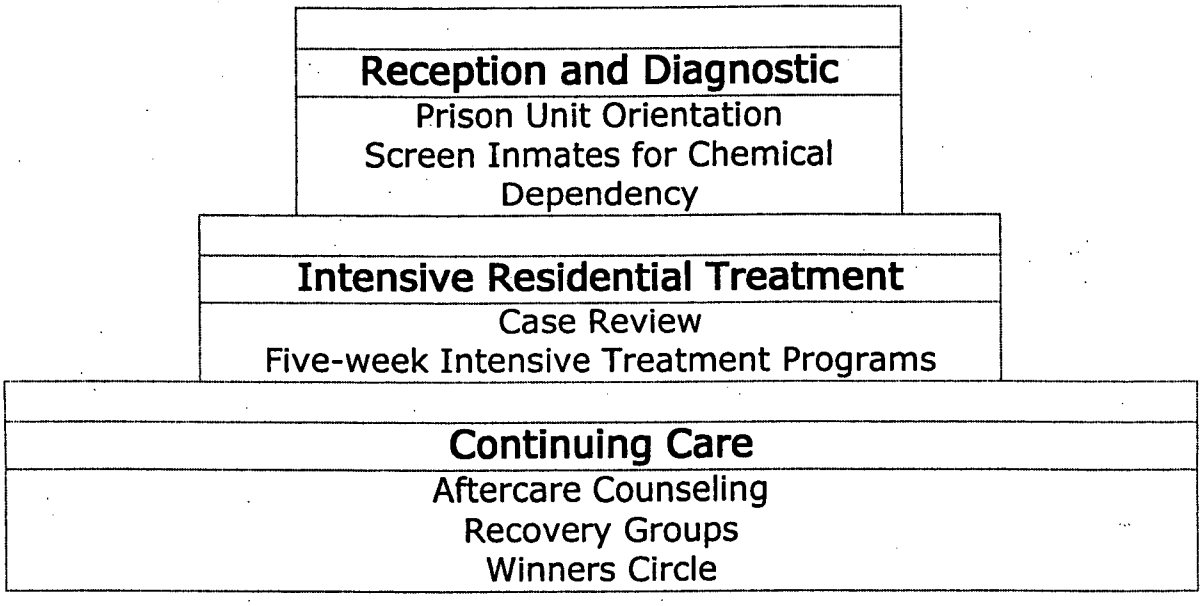
Effective in January 2000, the Division of Alcohol and Chemical Dependency (DACDP) reorganized into four geographic areas. Each of the areas contains approximately 20 prisons. Each area has a regional manager, who has administrative responsibility for chemical dependency treatment programs in that area. The reorganization is consistent with the Division's plan to increase communication within DACDP and within the Department of Correction.

PROGRAM DESCRIPTION AND PROGRAM UTILIZATION

Prison-Based DART

Prison-based DART is a comprehensive, integrated continuum of treatment, aftercare, self-help recovery group, and transitional preparation services during an offender's term in prison.

Figure 1—Prison-Based DART Continuum of Care



The intervention begins early in the correctional process with DOP and DART staff conducting chemical dependency screening for prison-based offenders. Data sources include interviews, case referrals, social history and prior chemical dependency treatment reviews, and Short Michigan Alcohol Screening Test (SMAST) and Chemical Dependency Screening Test (CDST) screening instruments. All in-prison treatment, which is scheduled at the beginning of incarceration, is designed to introduce offenders to a lifelong plan of addiction recovery.

DART's five-week treatment (intensive residential treatment or IRT) and DART Continuing Care programs are designed for chemically dependent felons in medium security prison facilities. Currently, misdemeanant offenders and inmates with short sentences receive a brief chemical dependency intervention known as DART-24 (four six-hour sessions).

After 35 days of intensive residential treatment, the offender returns to the general prison population and participates in a formal aftercare program lasting eight to 12 weeks. The aftercare program focuses on issues arising out of the transition from the highly structured treatment program environment to that of the general prison population.

The next component of the continuum, self-help/recovery, consists of participation in Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) groups. Offenders who participate regularly in AA or NA and who are within six months of release from prison are referred to the Winner's Circle. This is a formal program designed to prepare the offender for release and make the transition back into the community easier (see Figure 1—Prison-Based DART Continuum of Care).

Table 1—Referrals to DACDP by Facility FY 1999-2000

Facility Name	Number of Prison Admissions	Number of Prison Admissions Screened	Number of Admissions Identified as Needing Treatment	Number of Prison Admissions Referred to DACDP
Central Prison	1,359	1,232	603	740
Craven	4,838	4,775	2,857	3,122
Fountain Women	700	697	582	270
NCCI Women	1,550	1,541	1,221	1,239
Neuse	3,788	3,485	2,689	901
Piedmont	4,437	4,338	2,868	3,274
Polk Youth	2,318	2,308	903	1,071
Rowan	1,736	1,551	1,244	639
Western Youth	1,066	953	504	757
Totals	21,792	20,880	13,471	12,013
Percent of Total Admissions	100.0%	95.8%	61.8%	55.1%

Diagnostic Center staff use the Short Michigan Alcohol Screening Test (SMAST) and the Chemical Dependency Screening Test (CDST) to identify inmates with a substance abuse addiction. Inmates with a score of three or more on either instrument are considered to have a problem with alcohol or drugs. Once these screening instruments identify a problem and diagnostic personnel gather other information,

a referral is made for treatment in one of the DACDP programs. In addition, in some cases, inmates are ordered by a judge to receive substance abuse treatment.

Of the 21,792 prison admissions shown in the first column of numbers, 20,880 (96% of all admissions) were screened for alcohol and drug addiction (see Table 1). Of 20,880 admissions screened, 13,471 (62% of total admissions) were identified as having a problem with alcohol or chemical dependency. More than half (55%) of the 21,792 admissions were referred to DACDP for alcohol and drug treatment services. Of the 13,471 admissions identified as having an alcohol or drug addiction problem, 89% were referred to DACDP (in Table 1, DACDP means DART-IRT, DART-24 or SARGE).

In the last column of Table 1, the number of admissions referred to DACDP is sometimes higher than the number identified as needing treatment. One reason is that the screening instruments are subjective, self-reporting measures that may be overridden by staff. Thus a person who reports no problem may be determined by staff to warrant a referral nevertheless.

In the last column of Table 1, the number of admissions referred to DACDP is sometimes lower than the number identified as needing treatment. This is usually due to the nature of the admitting facility. Some facilities admit inmates with relatively short sentences. If the time required for an inmate to participate in a program is greater than the sentence, staff may decline to make a referral.

During FY 1999-2000, the annual enrollment in DART Intensive Residential Treatment was 7,631 inmates (see Table 2 below). The average daily enrollment in all IRT programs was 590. Average daily enrollment is daily enrollment divided by the number of days the IRT program operated. The enrollment figures in Table 2 are total enrollments (also called admissions or entries), not the number of people enrolled. Enrollment counts every time an inmate enters the program. In this table, an inmate who enters a program, then exits, then re-enters (all during the same fiscal year) would count as two enrollments.

Table 2—Enrollment in DART-IRT During FY 1999-2000

Facility	Annual Enrollment	Average Daily Enrollment
Black Mountain Women	48	6
Brown Creek	659	51
Caswell	342	25
Central Prison	157	14
Craggy	396	28
Dan River Work Farm	29	27
Duplin	249	32
Foothills	254	19
Haywood	150	25
Lumberton	233	24
Marion	223	25
Nash	285	24
NCCI Women	713	57
Pasquotank	187	19
Pender	699	57
Piedmont	798	65
Polk Youth	324	22
Tyrrell Work Farm	312	37
Wayne	1,090	76
Western Youth	483	33
Total	7,631*	590

*Note. The number enrolled is smaller than the number referred to DACDP (shown in the "Number Referred to DART" column in Table 1. There are several reasons for this difference, including: 1) Table 1 shows the number referred to any DACDP service, including DART-IRT, DART-24 and SARGE—this table shows only DART-IRT; 2) the number referred to DACDP figure is based on admissions, not number of inmates admitted, which may overstate the number of inmates referred; 3) inmate management practices, including: inmates referred to DACDP may be transferred to a job or other program at a facility without DACDP services, inmates with short sentences may be referred and get out of prison before being enrolled in a program, and referred inmates may be unable to receive a service due to custody level and disciplinary actions.

The annual enrollment total shown in Table 2 is the number of inmates enrolled during the entire year. The average daily total shows that on average, on any given single day during FY 1999-2000, there were 590 inmates enrolled in all DART-IRT programs. The DART-IRT programs at the facilities listed in Table 2 above might or might not have been in operation on every day of FY 1999-2000. Some of the

programs at the listed facilities may have ceased operation during the fiscal year. The average daily enrollment calculation includes weighting that accounts for the number of days during the year that the DART-IRT program operated at each facility.

Table 3—Exits from DART Intensive Residential FY 1999-2000

Type of Exit	Number of Exits	Percent of All Exits
Completion	5,278	70.5%
Removed/Transferred	1,956	26.1%
Other	255	3.4%
Total	7,489	100.00%

Table 3 above shows the number and type for all exits from DART-IRT during the year. To be counted as a completion, an inmate must participate satisfactorily in all 35 days of DART-IRT. Upon completion, the inmate returns to the prison population and begins aftercare. In FY 1999-2000, 5,278 inmates (71% of all IRT exits) completed DART-IRT.

The DOC Controller's Office calculates the cost per day in various agencies in the Department. According to the DOC Controller, during FY 1999-2000, the daily cost for DART-IRT was $31.85. The cost calculation includes all DACDP direct costs plus overhead costs for DACDP, DOC and the DACDP region.

DART-Cherry

DART-Cherry is a residential treatment unit for male offenders on probation or parole for driving while impaired (DWI) or other drug- or alcohol-related offenses. The DART-Cherry facility, located in Goldsboro, has two components: 100 beds in a traditional 12-step residential chemical dependency treatment setting for 28 days; and 200 beds in a modified therapeutic community (TC) program setting for 90 days.

DART-Cherry admits any eligible offender. However, if resources are limited, parolees take priority over probationers for referrals to DART-Cherry. The TC model was implemented in September 1997. Although residential treatment traditionally lasts 28 days, research and clinical experience indicate that longer treatment has more benefits. Thus, DACDP staff developed the modified TC with a 90-day format. The program is based on Stay N' Out, a residential community transition and aftercare program in New York.

Table 4 shows that during FY 1999-2000, 975 parolees and 1,015 probationers entered DART-Cherry (total entries were 1,990). The overall completion rate was 94%. The completion rate for parolees was 98% and for probationers was 91% (this is number of completions divided by number of exits).

Table 4—DART-Cherry Descriptive Statistics FY 1999-2000

Annual Counts	Parole Referral	Probation Referral	Total
Admissions	975	1,015	1,990
Completions	954	926	1,880
Exits Other than Completions	21	89	110
Completion Rate	97.8%	91.2%	94.4%

The daily bed cost for the DART-Cherry program in FY 1999-2000 was $32.50, which includes staff, per diem, and treatment costs. (Note that DART DWI costs are not included in DOC's cost per day per inmate by facility and by inmate custody level.)

Services were provided by other agencies statewide for offenders who completed DART-Cherry. Aftercare services were provided as shown in Table 5 below. During FY 1999-2000 there were 1,839 referrals to aftercare services from DART-Cherry. Most of those referrals (89%) were to public agency service providers. During FY 1999-2000, DACDP spent $194,255 of the $319,715 authorized for DWI Aftercare Services. The agency expects to spend all of the $269,715 authorized for FY 2001.

Table 5—DART-Cherry Aftercare Services FY 1999-2000

Agency Name	Number of Referrals
Referrals to Public Agencies	
Local Area Mental Health Centers (MHC)	872
Drug Treatment Courts (DTC)	3
Criminal Justice Partnership Programs (CJPP)	45
Treatment Alternatives to Street Crime (TASC)	723
Subtotal Public Agencies	1,643
Referrals to Contract Providers	
ARP Phoenix	10
William Renn	9
CDTEG, Inc.	64
Columbus County Dream Center, Inc.	29
Day By Day of Selma	23
Myrover Reese Fellowship Homes	24
Urton & Associates	34
Life on Life's Terms	3
Subtotal Contract Providers	196
Grand Total All Providers	1,839

Community aftercare is an essential DART-Cherry component. The program provides up to 48 hours of services to each person released into the community. It builds upon and continues treatment after the transition from a residential program to the community.

While DART-Cherry is a demonstration site for the implementation of the Offender Management Model (OMM) (see the section entitled Offender Management Model on page 19 for details), the DACDP has a history of cooperating with other agencies. DART-Cherry staff members have involved other DOC agencies in the treatment of offenders for many years. In almost all counties, admissions are the result of collaborative decisions by DACDP and DCC staff. Probation officers also serve on treatment teams that develop plans for residential treatment and discharge back to the community.

Private Alcohol/Drug Treatment Centers

The Division of Alcohol and Chemical Dependency Programs (DACDP) contracts for 350 alcohol and drug treatment beds in four private facilities across the state (see Table 6—DACDP Private Alcohol/Drug Treatment). Referrals to private treatment generally come from the Division of Prisons (DOP).

Private Facilities Versus Other DACDP Programs

There are several differences between the treatment provided by DACDP in its various programs and that provided by the private treatment facilities. Both are based on the Minnesota Model of chemical dependency treatment. In-prison DART, however, schedules a five-week term of intensive residential treatment at the beginning of an offender's sentence. This front-end scheduling provides chemically dependent inmates with an early opportunity to engage in treatment and early recovery. The intent is that offenders will continue in recovery programs throughout their incarceration. These programs are generally offered in medium security prisons.

In contrast, the private treatment bed facilities schedule treatment at the end of an offender's stay in prison. Because the private facilities are minimum security, eligibility is more restrictive than for prison-based DART treatment. These beds provide specialized chemical dependency treatment services for offenders who require long-term intervention, pre-release or community transition program involvement. Offenders are assigned to the facilities for a period of six to 12 months. They are discharged from prison after completing their sentence or are paroled and supervised by of a Division of Community Corrections probation/parole officer.

The private facilities also offer volunteer program services and employment by way of work release. To be eligible for this program, offenders must be in minimum custody, be at least 19, be in good health, not have a detainer, and not be serving time for an assaultive crime. The primary referral source for the private treatment centers is DOP program staff at the facilities.

Table 6—DACDP Private Alcohol/Drug Treatment Facilities

Facility Name	Type	Location	Open Date
Cornell Companies Treatment	Male	Durham, NC	12/1996
Evergreen Rehabilitation Center	Male	St. Pauls, NC	03/1995
Mary Frances Center	Female	Tarboro, NC	04/1995
Right Turn of North Carolina	Male	Charlotte, NC	09/1995

Table 7—Enrollment in Private Treatment Facilities FY 1999-2000

Facility	Daily Population Capacity	Annual Enrollment	Average Daily Enrollment	Average Daily Capacity Utilization
Cornell	75	132	73	97.3%
Evergreen	75	123	74	98.7%
Mary Frances	100	185	99	99.0%
Right Turn	100	150	98	98.0%
Total	350	590	344	98.3%

The daily population capacity figures in Table 7 come from DOC's Daily Unit Population Summary (DUPS). The enrollment figures in Table 7 count people. Each individual is counted only once, regardless of the number of entries for that individual.

Due to the extended length of stay in the private treatment facilities, an inmate is likely to leave the program for court appearances, medical treatment, or disciplinary actions and re-enter at a later date. Each individual is counted once in the enrollment figures reported in Table 7 above.

During FY 1999-2000 there were 590 inmates enrolled in these private treatment centers. The Mary Frances Center, which serves female inmates, had the largest enrollment during FY 1999-2000 (185 enrolled). The other three private facilities are for male inmates. The average daily enrollment in all private treatment centers during FY 1999-2000 was 344 inmates (see Table 7 above).

Table 8 below lists the number of exits and length of stay for each private treatment facility. During FY 1999-2000, 562 inmates exited private treatment facilities. Mary Frances Center had the largest annual enrollment and largest number of exits.

It takes at least six months to complete the private facility substance abuse treatment program. The "181-365 Days" and "Over 1 Year" columns in Table 8 show the number of inmates enrolled long enough to complete the program. There were 317 inmates (56% of exits) who exited private treatment facilities after more than six months. There were 48 exits (22% of all exits) by inmates enrolled for less than 30 days. The proportion of exits by inmates enrolled for at least 180 days ranged from 49% (Cornell) to 64% (Evergreen).

Table 8—Exits by the Length of Stay in Private Treatment

Facility	0-30 Days	31-90 Days	91-180 Days	181-365 Days	Over 1 Year	Total
Cornell Companies	14	11	31	52	18	126
Evergreen	13	8	21	50	23	115
Mary Frances	12	24	53	62	25	176
Right Turn of NC	9	10	39	69	18	145
Total	48	53	144	233	84	562

- The length of stay is the sum of days spent in the program for the period; it excludes any time between exit and re-entry.

These exit figures count each individual only once, regardless of the number of exits for that individual. This table shows the number of people who exited, not the number of exits. These figures are based on the individual's last exit for the period.

The Mary Frances Center has 90-day, 180-day and 365-day programs. The 90-day program is designed as a treatment option for female inmates needing treatment who have less than six months remaining to serve in prison. Treatment at Mary Frances includes a family component.

The Department of Correction accounting office computes agency and program costs annually. According to the DOC Controller's office, during FY 1999-2000, the private facility cost per population day was Cornell $53.56; Evergreen $60.81; Mary Frances $75.71; and Right Turn $59.54. These amounts are the per diem rates specified in the DOC's contract with each private facility, plus indirect DACDP and DOC costs. The rate at Mary Frances is higher than the others because of

greater need for medical services and the availability of the family component.

DART-24

It is difficult for inmates with relatively short stays in prison to complete in-prison treatment. DACDP has a brief intervention program, called DART-24, for such inmates. It consists of 24 hours of contact time spread over three or four sessions.

Where the number of inmates referred warrants frequent DART-24 programs, facilities provide DART-24 programs as often as every week. Other facilities provide DART-24 once a month, and where demand is lowest, the service may be provided on an as-needed basis. Table 9 below shows average enrollment at facilities that operated the DART-24 program during FY 1999-2000.

Table 9—Annual Enrollment in DART-24 During FY 1999-2000

Facility	Annual Number of Inmates Enrolled
Black Mountain Women	24
Davidson	90
Fountain Women	292
Guilford	3
Hyde	29
Neuse	787
North Piedmont	103
Raleigh Women	89
Rowan	576
Western Youth	237
Total	2,230

Table 10 below shows that just over a quarter (26.1%) of all FY 1999-2000 DART-24 exits were removed or transferred. Removed or transferred includes inmates who exited due to release, transfer, disciplinary action or removal. Although it is not possible to distinguish in the OPUS data, some portion of inmates removed or transferred may have completed successfully.

There were a total of 2,258 exits from DART-24 programs in FY 1999-2000 (see Table 10 below). Of those exits, 82.4% were completions.

Completion means the inmate participated satisfactorily in the activities assigned for the duration of the program. Three hundred sixty-four inmates (16.1% of exits) were removed from DART-24 or transferred to a different unit.

Table 10—DART-24 Exits During FY 1999-2000

Exit Type	Number of Exits	Percent of Total
Completion	1,860	82.4%
Removed/Transferred	364	16.1%
Other	34	1.5%
Total	2,258	100.0%

DART Continuing Care

DART Continuing Care consists of three parts—aftercare, recovery group and Winner's Circle programs. DART-Aftercare is an eight to 12 week program for inmates in the early stages of recovery in a prison setting. Recovery group means access to in-prison Alcoholics Anonymous and Narcotics Anonymous groups. Winner's Circle is a 12-session program to prepare recovering inmates for release from prison.

Table 11—Entries to Continuing Care During FY 1999-2000

DART Region	DART Aftercare		AA		NA	
	Annual Entries	Daily Average	Annual Entries	Daily Average	Annual Entries	Daily Average
Eastern	1,331	142	1,409	394	1,197	342
Central	1,839	386	2,983	788	3,151	843
Piedmont	2,394	299	2,829	919	2,495	830
Western	1,502	260	1,817	578	1,509	443
Total	7,066	1,088	9,038	2,679	8,352	2,457

Table 11 above reports the number of people who entered continuing care programs in the four DOC/DART regions. Each "Annual Entries" column shows the number of individuals. However, the same individual can enter more than one of the three different types of continuing care (Aftercare, AA and NA). The daily average listed for each program is calculated by dividing the number enrolled by the number of days in the year. During FY 1999-2000 there were 7,066 total entries to DART

aftercare across the state. On average, there were 1,088 inmates enrolled on any day during the fiscal year.

The continuing care program with the highest enrollment during the year was Alcoholics Anonymous (AA). There were a total of 9,038 entries to AA during the year and a daily average of 2,679 inmates enrolled. Narcotics Anonymous (NA) enrollment was almost as large as that of AA, with 8,352 entries and an average of 2,457 enrolled on any given day during FY 1999-2000.

SARGE—State Alliance for Recovery and General Education

The SARGE program is an individualized long-term residential approach based on the Minnesota Model of chemical dependency treatment. The Hazelden Offender Curriculum, *Design for Living*, is the core foundation of the program's approach and has been adapted for use with youthful offenders.

The three-phase program targets inmates in the final six to 12 months of their sentences. Phase I, intensive outpatient treatment, is provided for six months at Morrison Youth Institution, a medium-security facility. Phase II of SARGE is the three-month relapse prevention component offered at Morrison and at Sandhills, a minimum-security facility. Phase III is SARGE aftercare, which consists of three months of treatment services in the community after release from prison.

In 1996, 94 beds at Morrison Youth Institution were designated for use by the SARGE program. Near the end of FY 1998-99, DOP began a 40-bed program at Sandhills Youth Center. Morrison and Sandhills are DOC prison units for offenders ranging in age from 18 to 22 years.

Table 12—Enrollment in SARGE FY 1999-2000

Facility	Annual Inmates Enrolled	Daily Average Enrollment	Daily Population Capacity	Daily Capacity Utilization
Morrison Youth Institution	173	60	94	64%
Sandhills Youth Center	85	28	40	70%
Total	258	88	134	66%

During FY 1999-2000 DACDP enrolled 258 inmates in the SARGE program. On average, on a given day, 88 inmates were enrolled in these two programs (see Table 12 above).

During FY 1999-2000, 186 inmates exited SARGE (see Table 13 below). In order not to overstate exits, this analysis counts *number of inmates* who exited SARGE rather than the total *number of exits* from the program. In order to count the number of inmates who exit rather than the total number exits, only an offender's final exit during the fiscal year is counted.

There are three defined types of exits from SARGE—completion, release from prison and release due to a disciplinary action. All other types of exits are categorized as "other." Completion is defined either as successful completion of the program or as participation in the program for a total of six months. During FY 1999-2000, 70 exits from SARGE (37.6% of all exits) were completions. Another 19.9% of SARGE exits (37 inmates) were released from prison. Note that inmates are assigned to SARGE as they approach their prison release date.

Table 13—Number of Inmates Exiting SARGE FY 1999-2000

Type of Exit	Number of Inmates	Percent of Total
Completion (>= 6 months)	70	37.6%
Released from prison	37	19.9%
Disciplinary action	37	19.9%
Other	42	22.6%
Total	186	100.0%

An additional 20% of the exits are due to the inmate leaving the SARGE program for disciplinary actions. These are exits for which there was not a re-entry in the 1999-2000 fiscal year. The "Other" category contains the remaining 42 inmates who exited. They were removed, transferred, dropped, or withdrew from the program.

INTERAGENCY TREATMENT EFFORTS

Offender Management Model

In June 2000, the secretaries of the NC Department of Health and Human Services (DHHS) and the DOC signed a memorandum of understanding to initiate the Offender Management Model (OMM). The DACDP is a partner in the OMM agreement. OMM represents a partnership between DOC and Treatment Alternatives to Street Crime (TASC), a treatment services agency administered by DHHS. OMM is designed to allow participating agencies to manage offenders as a team, using the principles of effective interventions.

The signing of the Offender Management Model (OMM) Memorandum of Understanding between DOC and DHHS was an important interagency undertaking. The implementation of this model and philosophy will promote consistent matching of treatment and supervision levels for community-based offenders. DACDP is contributing to the development of a unified case/service plan, a common record to promote the appropriate exchange of treatment information, and a common assessment instrument.

DART-Cherry Activities

DART-Cherry includes a number of interagency activities. The DACDP and DHHS (Department of Health and Human Services) are collaborating on aftercare services for offenders leaving DART-Cherry. Therapeutic Community residents at DART-Cherry must complete eight hours of volunteer work in the community during their stay. Wayne

Community College offers educational programs to residents at DART-Cherry.

OFFENDER AND INMATE TRACKING AND PROGRAM EVALUATION

SL 1998-212 Section 17.12 requested a status report from DACDP on "...development of an offender and inmate tracking and program evaluation system."

Offender and Inmate Tracking

The Department of Correction's automated information system is called Offender Population Unified System, or OPUS. Using funds allocated by the General Assembly, the Department of Correction's Management Information System (MIS) division added a DACDP module to OPUS. It is called the Alcoholism and Chemical Dependency module, or ACD OPUS. ACD OPUS is an automated inmate tracking system specific to DACDP's information needs.

ACD OPUS development began in February 1999 and the module was implemented in January 2000. Training for DACDP staff began at that time. In March 2000, MIS received a Governor's Crime Commission grant for $210,984 to fund the refinement of the ACD module of OPUS.

ACD OPUS module provides continuous documentation of an offender's need for and participation in treatment. Following are data elements available from ACD for monitoring purposes:

- Number of offenders in need of alcohol or drug treatment;
- Programs for which the inmate qualifies;
- Number of program referrals, assignments, and completions;
- Number of discharges (with documented reasons);
- Treatment planning (treatment needs, next steps);
- The number of offenders who follow through to the next step;
- The number who discontinue active program involvement.

Currently a team of DACDP and MIS staff is focusing on the development of on-line reporting functions for administrative and evaluation purposes. The majority of these reports will be for administrative purposes, but others will address quality assurance activities, and intermediate outcome measurement. Intermediate outcomes describe what occurs while the offender is in the program or shortly after leaving the program.

Common Record

The Common Record OPUS screen became operational in July 2000. The Common Record contains information about an offender's participation in services, programs, and treatment. The purpose is to give DOP, DCC, and DACDP staff access to participation, referral, and completion information to ensure continuity of treatment and program intervention.

Assessment Instrument

Treatment Alternatives to Street Crime (TASC) in the Department of Health and Human Services developed a new offender assessment instrument. The instrument was pilot-tested on 400 offenders. During FY 1999-2000, DACDP treatment staff began using a draft version of this assessment instrument. The assessment instrument will be incorporated into OPUS.

Program Evaluation—NDRI Study

The National Development Research Institutes (NDRI), funded by a grant from the National Institute of Justice (NIJ), completed a process evaluation of two SARGE programs in North Carolina. The programs are located at Morrison Youth Institution and Sandhills Youth Center. The study found that the SARGE model is based on the Minnesota Model of treatment and incorporates features of cognitive behavior therapy. SARGE is operated as intensive outpatient treatment in prison.

See APPENDIX A for an executive summary of the NDRI evaluation report.

Recidivism Study

One of the original legislative mandates of the North Carolina Sentencing and Policy Advisory Commission (SPAC) was to complete a recidivism study. The year 2000 SPAC report focused on recidivism rates, program costs and other outcome measures for various DACDP offender populations. The study examined all offenders released from prison or placed on probation in FY 1996-1997. DART, Sex Offender Accountability and Responsibility (SOAR) and Work Release were chosen for further analysis.

Figure 2—Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in Fiscal Year 1996/97 below

provides the key findings about substance abuse treatment from the year 2000 SPAC report to the Legislature.

Figure 2—Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in Fiscal Year 1996/97

KEY FINDINGS: SUBSTANCE ABUSE TREATMENT*

Drug Alcohol Recovery Treatment (DART)

- Of the 16,165 prisoners released during FY 1996/97, 4,648 participated in DART and, of those, 84% completed DART.
- 88% were male, 69% were black, 15% were married, and their average age was 33. The majority were high (59%) or medium (29%) risk. Their primary drug of choice was alcohol (62%).
- 98% had at least one prior arrest, with an average of 4.8 prior arrests. 98% had a most serious current conviction for a felony offense, primarily for drug and property offenses.
- Overall, 44.4% of DART offenders were rearrested. 43% of program completers were rearrested compared to 53% of non-completers. Higher risk offenders were more likely to recidivate than lower risk offenders.
- Multivariate analysis indicated that completion of DART did not significantly impact recidivism for prisoners with an identified substance abuse problem. This does not mean that DART has no effect on behavior but rather that when controlling for other factors (i.e., age, race, gender, etc.) completing treatment did not significantly impact recidivism. No data were available on the impact of DART on future substance abuse.

Private Substance Abuse Treatment Programs

- Of the 16,165 prisoners released in FY 1996/97, 436 received substance abuse treatment from one of the four private substance abuse treatment programs. The completion rate was 33%.
- 52% were male, 63% were black, 15% were married, and their average age was 32. 37% were high risk, 41% were medium risk, and 22% were low risk. Over half considered alcohol to be their first drug of choice.
- 95% had at least one prior arrest, with an average of 4.0 prior arrests. 79% had a most serious current conviction for a felony offense, primarily drug and property offenses.
- 32% were rearrested during the follow-up period. Program completers and non-completers differed little in their overall rearrest rate. Higher risk offenders were more likely to recidivate than lower risk offenders.
- Multivariate analysis indicated that completion of private treatment did not significantly impact recidivism. However, this does not mean that private substance abuse treatment did not have an effect on other behaviors (such as reducing drug use) that were not included as outcomes in this analysis.

NEW INITIATIVES AND PROGRAM EXPANSION OR REDUCTION

DACDP Strategic Plan

In September 2000, the Division of Alcohol and Chemical Dependency reviewed and revised its vision-oriented strategic plan. The updated plan includes a DACDP vision statement, five strategic issues, 24 strategies and 99 tactics for fulfilling the strategies (see Figure 3).

Figure 3—DACDP Vision and Strategic Issues

We, the employees of the Division of Alcoholism and Chemical Dependency, envision our organization delivering effective and comprehensive chemical dependency programs and services with professionalism, honest, and integrity to offenders with alcohol and drug problems. We see a committed, well-prepared, competent, diverse, and loyal staff who are afforded opportunities to achieve their personal and professional goals. We will collaborate with all of our stakeholders to provide opportunities for successful recovery and community reintegration, which enhance citizenship and public safety.

DACDP Strategic Issues

- Lead proactively regarding chemical dependency issues in corrections;
- Develop and train employees for personal and professional growth;
- Deliver effective services and programs;
- Emphasize cost-efficient management and accountability for high quality results; and
- Communicate with and be accountable to stakeholders.

DACDP Reorganization

Effective in January 2000, the Division of Alcohol and Chemical Dependency (DACDP) reorganized into four geographic areas. Each of the areas contains approximately 20 prisons. Each area has a regional manager, who has administrative responsibility for chemical dependency treatment programs in that area. The reorganization is consistent with the Division's plan to increase communication within DACDP and within the Department of Correction.

Figure 4—Acronyms and Abbreviations Used in This Report

ACD – Alcohol and Chemical Dependency (new OPUS module)
CDST – Chemical Dependency Screening Test
DACDP – Division of Alcoholism and Chemical Dependency Programs
DART – Drug and Alcohol Recovery/Treatment
DCC – Division of Community Corrections in DOC
DHHS – Department of Health and Human Services
DOC – Department of Correction
DOP – Division of Prisons in DOC
DWI – Driving While Impaired
DYS – Division of Youth Services in DHHS
FY – Fiscal Year
JAD – Joint Application Development
NDRI – National Development Research Institutes
OJJ – Office of Juvenile Justice
OPUS – Offender Population Unified System
R&P – Office of Research and Planning in DOC
SARGE – State Alliance for Recovery and General Education
SMAST – Short Michigan Alcohol Screening Test
SOAR – Sex Offender Accountability and Responsibility
SPAC – Sentencing and Policy Advisory Commission
TASC – Treatment Alternatives to Street Crime
TC – Therapeutic Community

Process Evaluation of the RSAT State Alliance for Recovery and General Education (SARGE) Program Executive Summary

February 15, 2001

Submitted by the NDRI Evaluation Team:

Jennifer Rounds-Bryant, Ph.D.
Co-Principal Investigator

Rose M. Etheridge, Ph.D.
Evaluation Methodologist

Robert L. Hubbard, Ph.D.
Principal Investigator

Executive Summary and Recommendations

The NC DOC undertook a process evaluation of the SARGE program in order to: (1) assess the extent to which the SARGE program is effective in carrying out its mission of treatment within the context of the overall mission of the NC DOC; (2) help inform program expansion; (3) facilitate the development of an infrastructure for ongoing data collection that can support a subsequent outcome evaluation and provide a mechanism for ongoing program performance monitoring; and (4) provide information to support a planned national evaluation of RSAT. The evaluation was funded through grant 99-RT-VX-K017 from the National Institute of Justice to the National Development and Research Institutes (NDRI).

The NDRI evaluation team designed the evaluation to inform policy and the clinical practice of substance abuse treatment with an incarcerated youthful offender population. An additional aim of the evaluation was to fully describe the SARGE treatment approach in order to accurately characterize the model, assess its fidelity to the intended Minnesota Model of treatment and provide a descriptive road map for implementing the model or a revised version of the model in other NC DOC facilities.

From the outset the NDRI evaluation team worked collaboratively with DOC staff and SARGE administrators and clinicians. This collaborative approach provides a model for future evaluations and added greatly to the process of program development. An advisory group of NDRI evaluators, SARGE program staff and DOC stakeholders was formed and met monthly over the two years of the evaluation to refine questions and help interpret observations. The process evaluation design was based on a careful construction and continuing refinement of the operating model and key issues in the SARGE programs in Morrison and Sandhills. The primary information for the evaluation was obtained from semi-structured interviews with staff and stakeholders and structured observations of treatment sessions and the milieu in which SARGE operated at both Morrison and Sandhills. Descriptive information from OPUS including the newly instituted Alcoholism and Chemical Dependency (ACD) module was used to the extent possible to supplement the interview and observation data. Ongoing feedback on issues generated from the interviews and observations was provided to the advisory group to help the evaluation team focus on the key issues and features in the implementation and operation of the SARGE programs.

Because NIJ deferred the national evaluation of this cohort of RSAT grantees, the fourth aim of the evaluation, to provide information to support a national evaluation of RSAT, has not yet been addressed. However, the specification of immediate, intermediate and long-term outcomes for the SARGE program developed under this process evaluation lays the foundation for a future outcome evaluation of SARGE, one that can be modified for subsequent national

evaluations of interest to NIJ and the state of North Carolina. The fully implemented ACD module in OPUS can provide much of the data to support an outcome evaluation.

Viewed from the perspective of its larger organizational context, SARGE implementation has involved the adoption of a set of compromises that enabled an additional level of care to be installed within North Carolina's youth command prisons. At the Morrison and Sandhills facilities, SARGE directors and NC DOC stakeholders adapted the 12-step Minnesota Model to a receptive facility environment. However, the implementation of SARGE in a minimum and medium custody prison necessarily involved some tensions among certain elements of the facility and program environment. Out of these tensions arose some program modifications that improved the fit of the program with the facility, the treatment participants and the SARGE clinicians. Among the factors that contributed to the program's appeal to facility superintendents was its part-time status and scheduling flexibility in being able to accommodate inmates' participation in education classes and other facility program and service offerings. In the future, additional modifications to the program's structure and treatment model may be needed as the model is adapted to other NC DOC facilities. Following the learning from the implementation experience at Morrison and Sandhills, implementation of the program at other NC DOC facilities should be planned and initiated with the full inclusion of custody officers in the planning with upper level administrators and managers to create facility-wide ownership.

Under the prevailing circumstances, both SARGE sites have performed well in implementing and delivering a part-time program of treatment to a population of incarcerated youthful offenders who "voluntarily" enter the program. At this stage in its evolution, there are a number of improvements that the program could undertake to strengthen the model and enhance its capacity for greater immediate and longer-term impact. These improvements are specified below and follow from the evaluation findings. The recommendations advanced are those that the weight of the evaluation evidence supports. We offer them as suggestions for program and practice improvements rather than as prescriptions or directives.

1. Systematically assess the SARGE screening, selection and referral process to objectively determine the adequacy of the process, the demand for the program and the extent to which the program is receiving appropriate referrals, particularly the extent to which referrals are consistent with the specified inclusion and exclusion criteria and the proportion of eligible inmates who are identified and referred to SARGE.

2. Strengthen the SARGE model to be more responsive to the characteristics and needs of the inmate population particularly in regard to literacy level of material, augmenting the classroom mode of presentation

with activities (such as role play, or dramatizations) adding content specific to inmate needs, (such as lifestyle issues or critical thinking) and linkage to other prison-based programs and services (such as psychological and vocational services).

3. Refine and strengthen the program structure by reducing group size, clearly designating treatment phases and instituting program wide events such as graduations.

4. Strengthen the SARGE milieu at each facility to increase its potential for reinforcing treatment-related goals outside the hours of scheduled treatment activities by structuring inmates' time outside treatment and integrating prison custody goals into the SARGE program.

5. Develop the SARGE linkages to aftercare and post-release follow-up by coordinating the efforts of area mental health programs, SARGE clinicians and prison case management in aftercare planning, delivery and establishing the mechanisms and responsibilities for attendance monitoring.

6. Develop policies to institutionalize SARGE as an ongoing component of the level of care within the NC DOC.

7. Conduct a staged outcome study of SARGE to assess the effectiveness of the model in four key phases: (1) the identification and referral of inmates, (2) program delivery to affect changes in knowledge, attitudes and behavior, (3) determination of service needs and linkage to appropriate services and (4) participation in post-prison recovery programs and activities.

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday March 15th, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative Bill Culpepper
Representative R. Phillip Haire

II. PRESENTATIONS

- DOC Substance Abuse Treatment;
  Kelly Little, Fiscal Research Staff
- IMPACT (Boot Camp)
  Elisa Wolper, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Tuesday, March 20 – Inmate Education and Other Programs
  Wednesday March 21 - Inmate Medical and Food Budgets; Prison Reserves
  Thursday March 22 – Community Corrections; Criminal Justice Partnership Act

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
March 15, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on March 15, 2001 in room 415 LOB. Four members of the Senate attended the meeting. The following House members attended:

Rep. Phillip Haire	Rep. Wayne Goodwin
Rep. John Hall	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

Senator Luther Jordan presided. Senator Jordan introduced Kelly Little, staff. Ms. Little presented the *Division of Alcoholism and Chemical Dependency Programs Budget Overview* dated March 15, 2001. See attached. The division administers five types of substance abuse treatment programs. They are: In-prison DART, SARGE, Private Alcohol and Drug Treatment Centers, DART-Cherry and, Therapeutic Community Model Programs. The therapeutic community model programs are new. SARGE is a 6 month program for at risk youth 16 to 21 year olds. DART Cherry is community aftercare. The private treatment centers' period of treatment is 12 to 18 months. DART-Cherry is for 28 to 90 days. Mary Francis, a DART-In Prison program has weekend visitation with their children pre release.

This year's authorized budget is $17.8 million. The Governor has recommended the following adjustments; termination of two private substance abuse contracts $3,394,226, Reduction of DART in-prison Aftercare $105,000 and Reduction in DART-Cherry Community Aftercare, $225,000. In response to a question by Rep. Kiser, Mr. Baker said probation officer tracks attendance in drug treatment and aftercare may be a condition of probation. Also in response to Rep. Kiser, Sandy Pearce of DOC said a task force from DHHS is working with probation to insure follow up in the community. In response to Rep. Sexton, TASC is operated by DHHS and the substance abuse programs are operated by the department of mental health.

In response to Rep. Justus, Ms. Katzenelson said recidivism rate for substance abusers is 44%. Rep. Justus commented that shorter programs are almost worthless and maybe we should fund longer term programs. Mr. Baker said the longer a person is in treatment, the better the outcome. He said that a way needs to be found to continue care in the community once a person is released from the therapeutic community. In response to Sen. Thomas, Ms. Pearce said 1239 women were referred to DART and Fountain now has in excess of 200 slots for female substance abusers. 185 women went through Mary Frances. DOC has a memorandum of understanding with DHHS. If a person is in the community DHHS is responsible. The last pages of the handout detail the Community Substance Abuse Programs.

Senator Jordan requested someone from Health and Human Services to attend a meeting. Rep. Sexton would like more information regarding 39 mental health providers.

Another handout, *Division of Alcoholism and Chemical Dependency Programs, March 1, 2001* was distributed.

Elisa Wolper, staff distributed a handout, *Annual Evaluation of IMPACT* dated March 1, 01 and *Department of Correction Review of IMPACT Boot Camp* dated March 13, 2001.

Mr. Guilford Leggett, assistant to the secretary IMPACT spoke. The IMPACT program is not coed, the men are housed at Hoffman and the women at Morganton. In the program today there are 13 women and 50 men. Senator Ballance stated that cutting the entire program wwould reduce the budget by about $6 million. Ms Wolper asked for caution until it could be determined where these people in the program are going.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Senate Committee Assistant

Department of Correction

Division of Alcoholism and Chemical Dependency Programs

Budget Overview

March 15, 2001

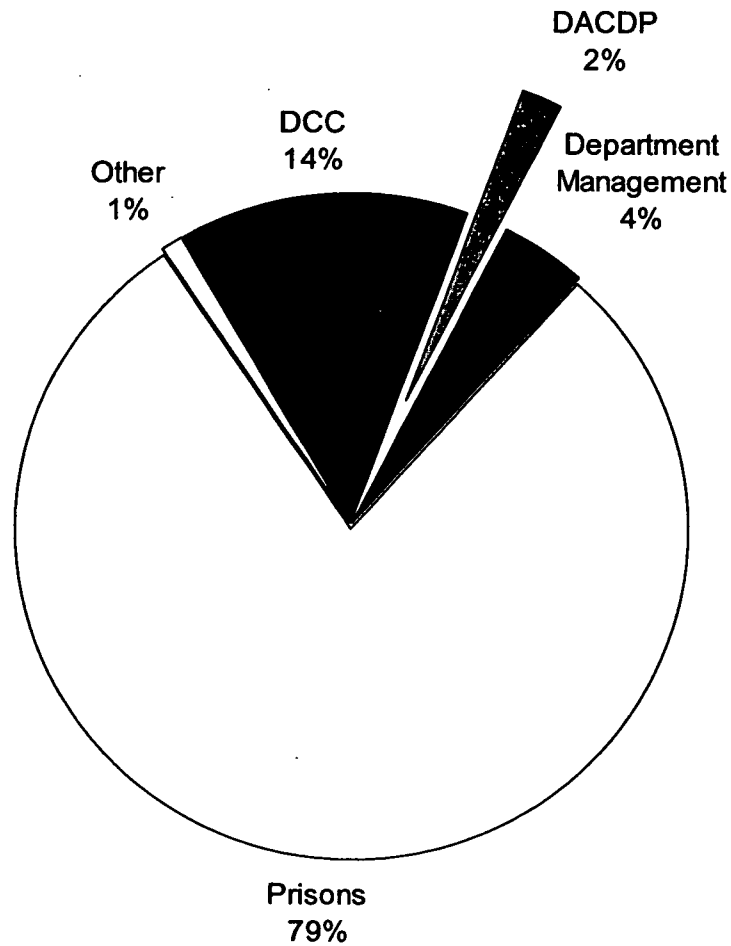
Fiscal Research Division

Division of Alcoholism and Chemical Dependency Programs

Mission: To plan, administer and coordinate chemical dependency treatment, recovery, and continuing care programs and services in the Department of Correction.

- Primary objectives of the program
  - Reduction of chemical dependency among offenders
  - Reduce likelihood of recurring criminal activity and recidivism
- Priority order for admission to treatment programs
  - Court Ordered
  - DOC Diagnostic Center referral
  - DOC Prison referral
  - Self referral

Division of Alcoholism and Chemical Dependency Programs



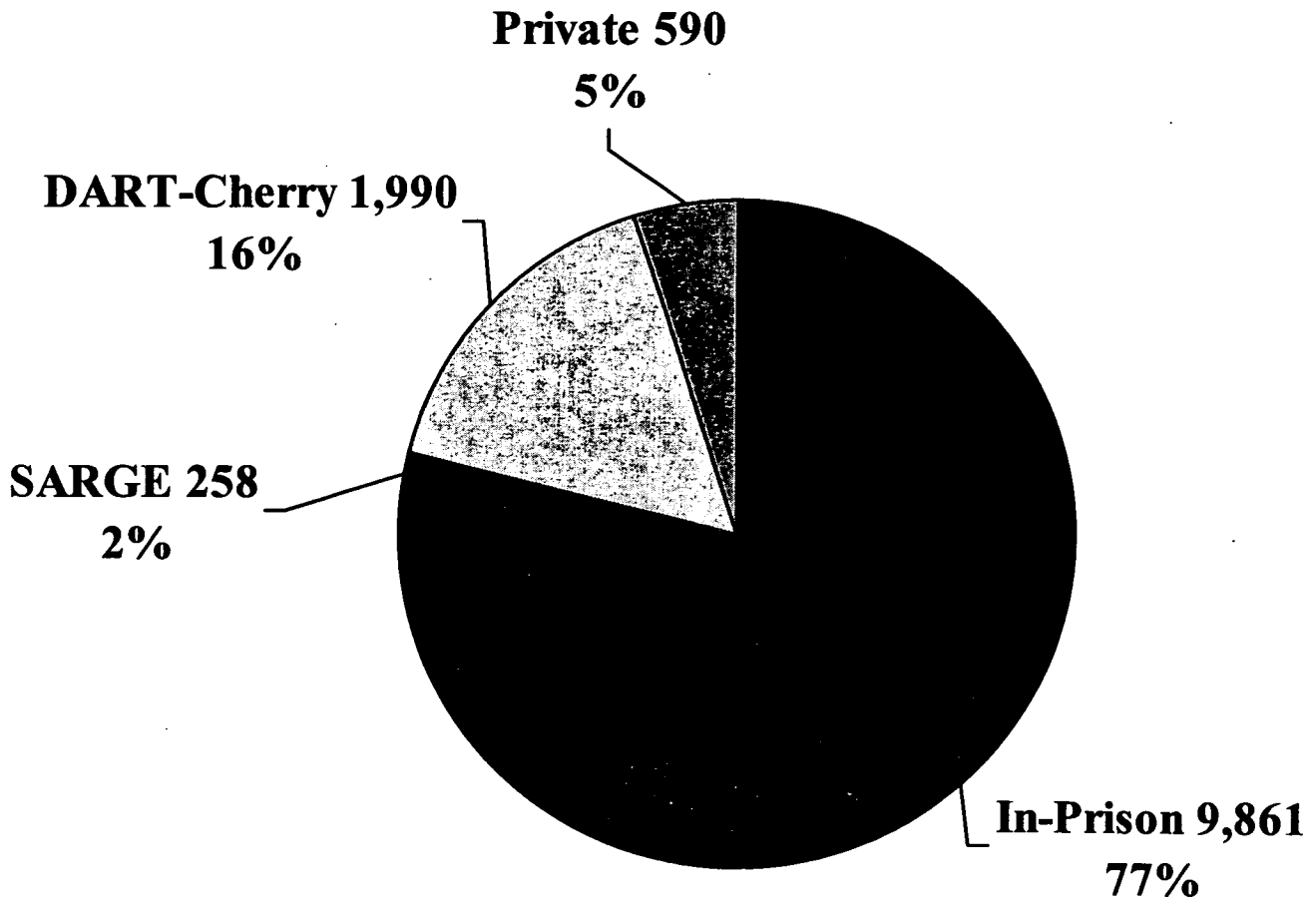
The Division administers five types of substance abuse treatment programs:

- In-Prison DART
- SARGE (State Alliance for Recovery and General Education)
- Private Alcohol and Drug Treatment Centers
- DART-Cherry
- Therapeutic Community Model Programs

Substance Abuse Treatment
Continued Care

- DART-Cherry Community Aftercare
- In-prison aftercare
- Recovery group
  - Narcotics Anonymous
  - Alcoholics Anonymous
- Winner's Circle
  - Pre-release preparation

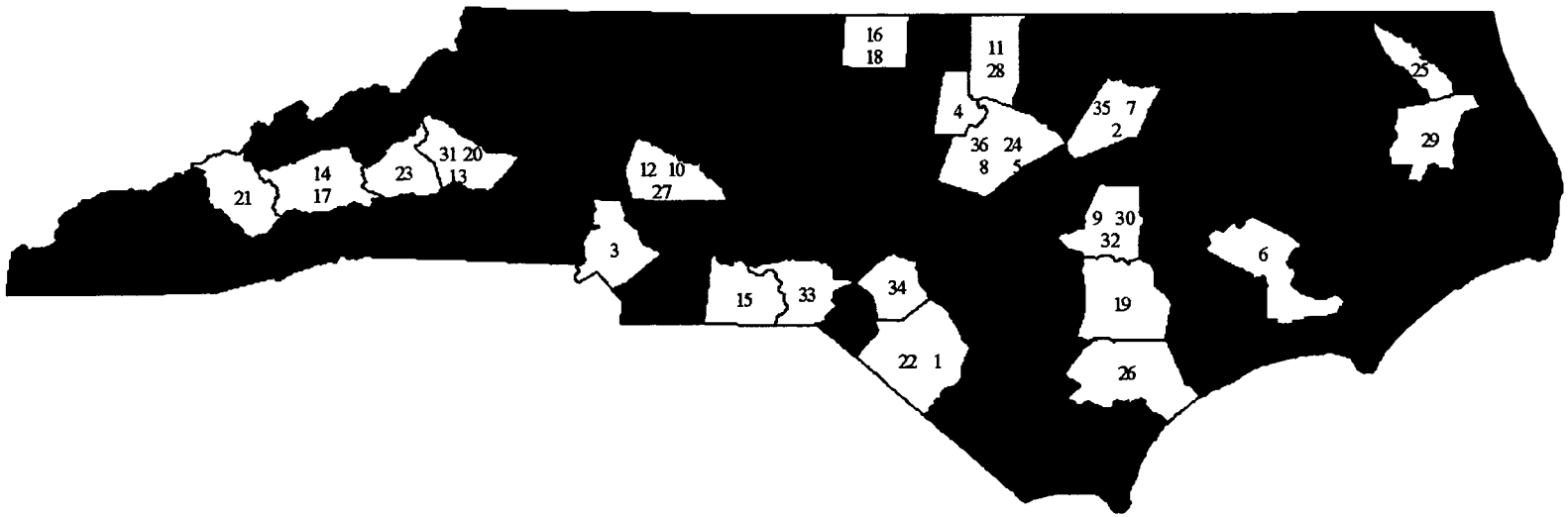
Number Served by Program 1999-2000



Average Cost Per Day By Facility Type

DART –In Prison	$25.34
Private Treatment Facilities	
➢ **Mary Frances**	$75.71
➢ **Cornell**	$53.56
➢ **Evergreen**	$60.81
➢ **Right Turn**	$59.54
DART-Cherry	$46.48

Substance Abuse Treatment



PRIVATE TREATMENT FACILITIES

1 Evergreen
2 Mary Frances
3 Right Turn on NC
4 Cornell Corrections

DART 24 HOUR

5 Central Prison
6 Craven
7 Fountain
8 NCCIW
9 Neuse
10 Piedmont
11 Polk
12 Rowan
13 Western Youth

DART INTENSIVE RESIDENTIAL TREATMENT

14 Black Mountain
15 Brown Creek
16 Caswell
17 Craggy
18 Dan River Work Farm
19 Duplin
20 Foothills
21 Haywood
22 Lumberton
23 Marion
24 NCCIW
25 Pasquotank
26 Pender
27 Piedmont
28 Polk Youth
29 Tyrrell Work Farm
30 Wayne
31 Western Youth

DWI DART

32 DART-Cherry

TREATMENT FOR YOUTHFUL OFFENDERS

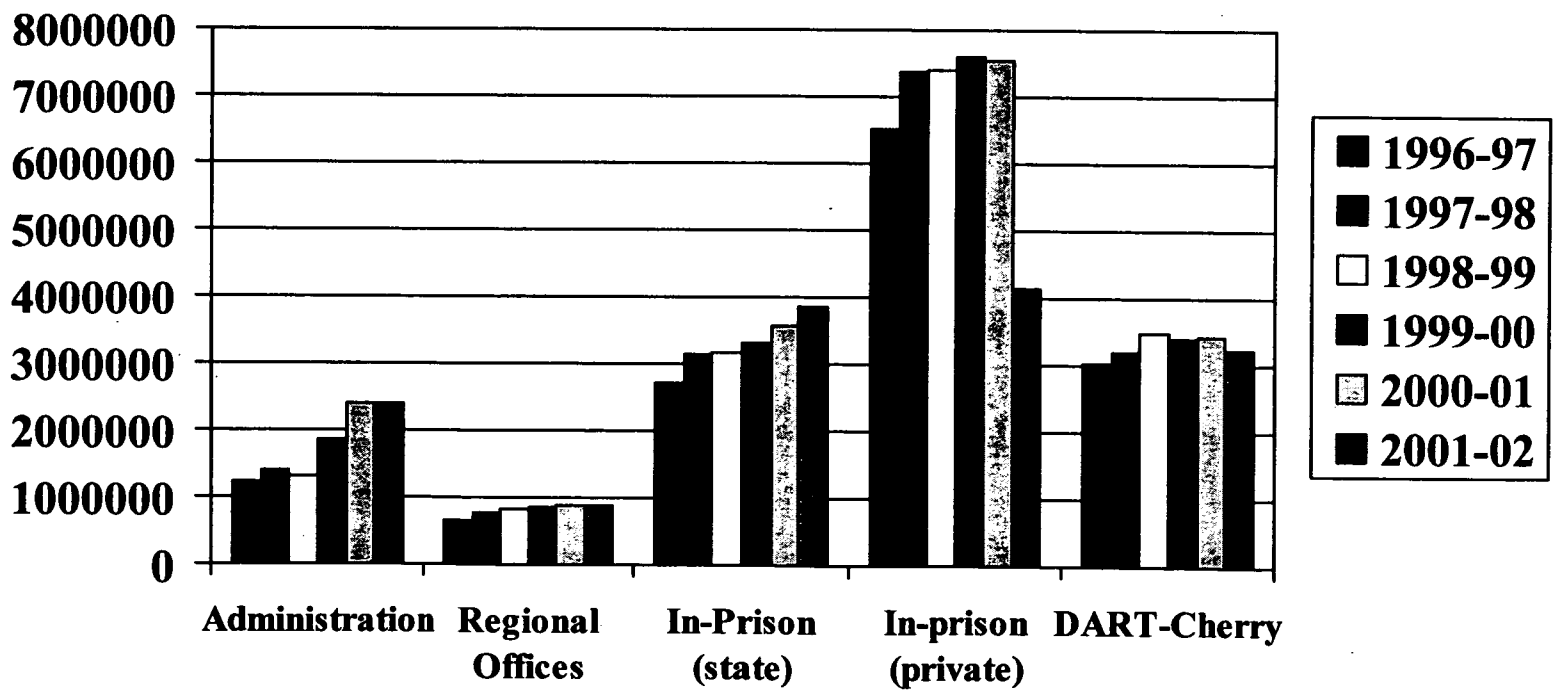
33 SARGE-Morisson Youth Institute
34 SARGE-Sandhills Youth Center

THERAPEUTIC TREATMENT MODELS

35 Fountain
36 NCCIW

Budget Trends

Program	96-97 Actual	97-98 Actual	98-99 Actual	99-00 Actual	00-01 Authorized	01-02 Gov. Rec.
Administration	1,230,644	1,408,781	1,326,114	1,853,193	2,401,344	2,395,909
Regional Offices	670,354	760,284	831,005	854,506	896,152	896,152
In-Prison (state)	2,721,474	3,140,297	3,174,126	3,309,324	3,585,047	3,868,096
In-Prison (private)	6,505,435	7,360,887	7,413,025	7,602,900	7,537,980	4,149,189
DART-Cherry	3,022,290	3,202,925	3,493,644	3,392,183	3,441,694	3,216,694
TOTAL	$ 14,150,197	$15,873,174	$ 16,237,914	$ 17,012,106	$ 17,862,217	$ 14,526,040
Positions	240	239	229	229	229	229



Highlights of 99-01 Budgetary Action

- 1999 Session
  - Reduced DART Cherry Aftercare funds ($50,000) NR
  - Increased funding for Women at Risk $75,000 R
  - Increased funding for Harriet's House $75,000 NR
- 2000 Session
  - Reduced DART Cherry Aftercare funds ($100,000) R
  - Increased funding for community substance abuse $100,00 NR
  - Increased funding for Harriet's House $75,000 R
  - Increased funding for Summit House $292,843R
  - Increased funding for Women at Risk $75,000 R

Contracted Services

- Total Budget: $8.2 million 12/31/00
  - $7.5 million Private Substance Abuse Facilities
  - $321,204 DART In-prison Aftercare
  - $244,800 DART-Cherry Community Aftercare
  - $107,454 DART-Cherry Medical Contracts
- Governor's Recommended Adjustments
  - Terminate 2 Private Substance Abuse Contracts ($3,394,226)
  - Reduce DART In-prison Aftercare ($105,000)
  - Reduce DART-Cherry Community Aftercare ($225,000)

Community Substance Abuse Programs

Agency	Program	Focus	Links with Other Programs	Annual Capacity	FY 99-00 cost
Department of Corrections	DART-Cherry	Probationers and Parolees with DWI or Drug Offenses	Probation/Parole Officers, TASC, Community Penalties, CJPP	811 90 day 1,303 28 day	$3,122,468
DOC	DART-Cherry Aftercare	90 outpatient treatment for offenders completing DART-Cherry	TASC and CJPP	182	$176,407
DOC	Criminal Justice Partnership Program	Intermediate Offenders and Pre-trial Release; parolees	TASC, Probation/Parole	91 counties	$7,765,940 Over $3 million in grants for substance abuse treatment
DOC Grant Funded Non-profits	John Hyman Harriet's House Summit House Women at Risk	Offenders in NE NC Mothers leaving prison Mothers on probation Women on probation		250 12 families 22 families; 20 per day DRC 370	$250,000 $275,000 $1,396,592 $200,000

Community Substance Abuse Programs

Agency	Program	Focus	Links with Other Programs	Annual Capacity	FY 99-00 Cost
DOC	SARGE Community Transactions	Youthful offenders following release from prison or detention		258	Federally funded
Administrative Office of the Courts	Drug Treatment Court	Close supervision and treatment of non-trafficking offenders	TASC,Probation/ Parole, DART	675	$1,273,000
HHS	Drug Education Schools	Education programs for offenders charged w/simple possession		1,071	Fee supported
HHS	Alcohol and Drug Education Traffic Schools	Required sanction for all DWI offenders as condition for restoring license		10,447	Fee supported
HHS	TASC-Treatment Alternatives to Street Crime	Assessment and case management of offenders w/substance abuse problems	Probation/Parole, Drug Treatment Courts, DART Aftercare	6,458 (actual)	$3 M

Michael F. Easley
Governor

NORTH CAROLINA
DEPARTMENT OF CORRECTION

Theodis Beck
Secretary

MEMORANDUM

To — Members of the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections and Crime Control Oversight Committee, and the Fiscal Research Division

From — Guilford Leggett
IMPACT Administrator

Subject — Annual Evaluation of the IMPACT Boot Camp program for FY 1999-2000

Date — March 1, 2001

IMPACT program has been in existence for over 10 years in North Carolina. During that time period, operational changes have been minimal.

However, starting July 1, 2000, several operational/program changes occurred to improve the overall program, better utilize bed space, and promote quality results while enduring recent budget cuts.

Changes to IMPACT operations/program are:

1. Extend program core from 12 to 14 weeks by converting 3 recycle periods to 2 recycle periods. This allows more time for educational and work opportunities for trainees.
2. Raise the size of an intake class to 35, even though there are only 30 beds, because initially there are 4-5 probationers who cannot pass the rigorous physical/mental intake processing.
3. Expand the Cognitive Behavior Intervention and follow up training requirements. CBI has consistently shown positive results in recidivism reduction in numerous national evaluation studies.
4. Conduct pre/post drug screen urinalysis. Results determine drug treatment placements and future treatment required. Since July 1, 2000, all trainees entering IMPACT have been tested. Positive pre-test results of 40-50% have been recorded at in-take, and 0% testing positive within one week of program completion.
5. Conduct pre/post Test of Adult Basic Education (TABE) testing. Results will assist staff to tailor the education program to trainees - as well as monitor the success of efforts. Preliminary results are showing

improvement in the Chapter 1 trainee classes (those individuals who do not qualify for the GED curriculum), resulting in an increase of six months grade level in math and reading skills.

6. Established computer labs at each facility, providing basic computer skills training for those trainees who have completed high school or GED equivalency.
7. Incorporated the DART 24 program into the core curriculum.
8. IMPACT staff, with the additional information gathered, can prepare an offender profile, which will be given to the receiving probation officer. This profile information will be the basis for the Case Management Plan that the probation officer will use upon the offender's return to the community.

IMPACT program has moved to position itself to work with probation offenders from a holistic approach. Through diagnostic testing, educational enhancements and behavior modification practices, anchored by the work ethic premise, IMPACT will be a more effective sanction.

N. C. Department of Correction

Fiscal Year 1999-2000 Report
IMPACT Boot Camp Program and
Post-Boot Camp Probation Program

Section 17.1. Subsection c) of Section 19 of Chapter 24 of the Session Laws of the 1994 Extra Session, as amended by Section 19.3 of Chapter 324 of the 1995 Session Laws, reads as rewritten:

"c) The Department of Correction shall evaluate the IMPACT program and the post-Boot Camp probation program funded under this section and report by March 1 of each year to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections and Crime Control Oversight Committee, and the Fiscal Research Division. The evaluation of the IMPACT program and the post-Boot Camp probation program shall focus on the performance, behavior, and attitudes of the offenders while in the program. Specific topics shall include measures of participation and completion, data on completion of educational, substance abuse treatment, and community service programs, drug testing and probation revocation statistics, and the current status of IMPACT graduates. The evaluation shall also include any available information on the difference in outcome among offenders who attend the IMPACT program only, offenders who attend both the IMPACT program and aftercare, and similar offenders who receive other intermediate sanctions."

Prepared by the NC DOC Office of Research and Planning

March 1, 2001

North Carolina Department of Correction
Report on FY 1999-2000 IMPACT and Post-Boot Camp Probation Programs

EXECUTIVE SUMMARY

Since 1994, the Department of Correction has been required to conduct an annual evaluation of the IMPACT (Intensive Motivational Program of Alternative Correctional Treatment) boot camp program. In 1996, the evaluation mandate was expanded to include the Post-Boot Camp Probation Program. Section 17.1 of the Session Laws of the 1998 General Assembly changed the content of the evaluation to utilize intermediate outcome measures (effect while the probationer is under supervision) for offenders in IMPACT and the Post-Boot Camp Probation Program (PBC Probation Program). As required by the legislation, this includes "...measures of participation and completion, data on completion of educational, substance abuse treatment, and community services programs, drug testing and probation revocation statistics, and the current status of IMPACT graduates."

IMPACT is the most restrictive, punitive sanction available to the court for Intermediate punishment offenders. Over half of the entries to the program result from a violation of a less restrictive punishment in the community. This makes selection of a comparison group more difficult, due to the higher risk and limited pool (age) of the IMPACT population.

Judges sentence probationers to the residential boot camp program, which includes a period of probation supervision in the community following graduation, or to the boot camp plus the one-year Post-Boot Camp Probation Program, which includes Intensive Supervision Probation and care management through the Treatment Alternatives to Street Crime (TASC) program. Post-Boot Camp Probationers are treated as a separate group in this report, although they participate in the residential part of the program in the same manner as the regular IMPACT probationers. The Post-Boot Camp Probation program was eliminated in the 2000-2001 budget; this is the last annual report to include data on the Post-Boot Camp Probation program. This was the first fiscal year during which the female boot camp program operated entirely at the western site; it was relocated there during June 1999.

The highlights of this evaluation report are summarized below.

Population Profile

- The program has an annual capacity of 1,560 trainees (1,440 males and 120 females). During this fiscal year the program had 1,112 entries: 588 at East and 524 at West.
- Fifty-three percent of IMPACT probationers and 63% of PBC Probationers were sent to IMPACT as a result of probation violations, hence, IMPACT probationers as a group are a higher risk population than a similar population of Intermediate offenders.
- Seventy-seven percent of the IMPACT probationers who graduated and 91% of the PBC probationers who graduated were convicted of felonies prior to coming to IMPACT. Felons comprised 81% of the comparison group.

- As of December 9, 2000, 51% of the IMPACT probationers were still on probation supervision, 11% had successfully completed their post-IMPACT probation term, and 32% had been revoked. Of the PBC probationers, 57% were still on probation, 6% had successfully completed probation, and 32% had been revoked. Among a statistically chosen comparison group, 63% were still on probation, 3% had completed, and 27% had been revoked.
- IMPACT probationers are more likely to be placed on Intensive Supervision Probation at the completion of the residential component than similar Intermediate offenders. Offenders placed on Intensive probation are more likely to be revoked than other categories of offenders due to higher risk and closer supervision.

Completion of the Program

- Seventy-nine percent (750) of the IMPACT probationers (both male and female) and 80% (126) of the Post-Boot Camp Probationers who began IMPACT in fiscal year 1999-2000 successfully completed the 90-day boot camp program through graduation. Reasons for non-completion include early termination, i.e. pending charges, being medically unfit, mentally inappropriate for the program, and revocation for non-compliance at IMPACT.

Participation in and Completion of Educational, Treatment and Work Components

- Thirty percent (267) of the IMPACT probationers who completed the boot camp program during FY 99-00 qualified to take the GED exam. Of that group, 79% (210) passed the GED.
- IMPACT probationers performed over 325,000 hours of work in the community during fiscal year 1999-2000, saving taxpayers the equivalent of over $1.6 million.

Compliance with Conditions

- Drug screens performed by probation officers showed evidence of drug use 28% of the time for all probationers/parolees, whereas for IMPACT graduates, drug screens were positive only 25% of the time during fiscal year 1999-2000.

Program Cost

- According to the DOC Controller's Office, the average daily cost per trainee in each facility for this fiscal year is

IMPACT East	$70.71
IMPACT West	$72.32

Introduction

This report is authorized by Section 17.1 of Senate Bill 1366 of the 1998 session of the North Carolina General Assembly. It describes intermediate outcomes for probationers in the male and female IMPACT boot camp program and the Post-Boot Camp Probation Program (PBC Probation Program) for fiscal year 1999-2000. The intermediate outcome measures include completion of the overall program, participation in and completion of educational, treatment and work programs, and compliance with special conditions of probation such as drug testing. The male and female programs are described separately.

Program Description – Male Program

IMPACT

The Intensive Motivational Program of Alternative Correctional Treatment (IMPACT) is an Intermediate Punishment program for probationers between the ages of 16 and 30. IMPACT is the most restrictive non-incarcerative Intermediate Punishment Program operated by the Department. Probationers are ordered to IMPACT by judges as a result of a conviction or a violation of probation. Classes of 30 probationers can be taken in each week, giving the program an annual capacity of 1,560. During this fiscal year, there were 588 entries at IMPACT East and 486 at West (1,074 overall).

The goal of IMPACT is to instill discipline, a work ethic, and self-confidence through a strictly regimented, work intensive, paramilitary regimen. IMPACT is a three-phase program lasting 12 weeks, with possible extension of an extra six weeks. The male classes admit up to 30 probationers twice monthly at each facility. The probationers (trainees) are required to exercise, drill, attend school, and work. The phase structure has been redesigned after June 30, 2000; this redesign is discussed elsewhere in the report.

Following the intake process at IMPACT, a typical day requires a trainee to get up at 4:30 a.m. for physical training and dorm inspection. Following a 15-minute breakfast, trainees will be sent out to a job site for the day. Most jobs involve significant physical labor, and are performed for public agencies, such as neighboring county governments, schools, and public parks. Trainees paint, roof, clear brush, and perform other maintenance tasks. Upon returning to the camp in the evening, trainees spend two hours in general education school offered by the local community college to prepare them to take the GED. Lights out is at 9:00 p.m., unless the trainee has earned behavioral demerits during the day, in which case he will be required to chop wood until 10:00 or 11:00 p.m.

Specialized programs are offered on weekends or during Phase Three. The Cognitive-Behavioral Intervention curriculum, Problem Solving Skills for Offenders (PSSO), is offered during the first phase followed by additional follow-up on weekends. Religious programs are available on Sundays. During the third phase, trainees participate in the Human Resource Development curriculum offered by the community college system.

Post-Boot Camp Probation Program

The Post-Boot Camp Probation Program (PBC Probation Program) was established as a pilot program by the legislature in 1995. It has operated in five counties from its inception, and a sixth was added in 1998. All offenders sentenced to IMPACT plus Aftercare were placed upon Intensive Supervision Probation at release from the boot camp, and were required to participate in treatment programs coordinated by TASC staff in the county. The program had a capacity of 180 offenders. The program was discontinued effective June 30, 2000.

Program Participation

During the 1999-2000 fiscal year:

- 1,112 probationers entered the IMPACT program; 876 (79%) completed successfully. The remainder did not successfully complete due to early terminations for reasons such as pending charges, medical reasons, mental health reasons, or revocations.
- 126 of the probationers who successfully completed IMPACT went on to participate in the PBC Probation Program. More than half are still active in the program.
- 53% of IMPACT probationers and 63% of PBC Probationers were sent to IMPACT as a result of probation violations.

Completion of the Education Component

The IMPACT program requires participation in a structured, independent-study school program that focuses on GED readiness. Probationers are required to attend school a minimum of two hours, four days per week throughout their term at IMPACT. IMPACT probationers must qualify to take the GED by passing a screening test. Thirty percent were qualified to take the exam during the 1999-2000 fiscal year, and 79% passed. The standard GED curriculum has been enhanced by the Department of Community Colleges to include a stronger vocational readiness component, so job readiness is emphasized both in the program's work component and school component. Trainees who are tested at intake and found to be at or below eighth grade reading level are placed in a specialized remedial learning school called Step One, also offered by community college instructors.

For trainees who have completed high school and do not need GED programming, IMPACT West currently offers computer literacy training in lieu of academic education. This offering will be available at IMPACT East as soon as a computer classroom is completed.

Participation in Work Activities

IMPACT emphasizes work while in boot camp. Probationers typically spend seven hours each day engaged in work projects. These projects include maintenance of local schools or other public facilities as well as construction work for community agencies, road clean-up, and disaster clean-up. During the 1999-2000 fiscal year, IMPACT probationers completed a total of 325,737 hours of work assignments in the community. Assuming that all workers were paid the minimum wage of $5.15 per hour, the savings to local governments would equal $1,673,750. This type of work would frequently cost

more than the minimum hourly wage, but due to statewide variations in compensation, minimum wage was used as the point of comparison.

Drug Testing Results

The Division of Community Corrections administers a Substance Abuse Screening Program test to identify illegal drug use and to make appropriate treatment referrals. Any probationer or parolee under supervision who is ordered to submit to drug testing as a condition of probation and/or parole is subject to random urinalysis testing to detect the presence of illegal drug use.

Currently, the six Substance Abuse Screening Labs operated by the Division of Community Corrections do not have a centralized data system to enable access to statewide statistics. For this report, each lab was given a list of names of IMPACT graduates, and asked to provide the number of specimens tested per offender and the results. For the probationers who graduated from IMPACT in 1999-2000, the Division labs screened 4,905 urine specimens, of which 1,215, or 25%, found evidence of drug use. This compares to a rate of 28% for all specimens of probationers and parolees screened in FY 1999-2000.

Beginning in late 2000, the IMPACT program began administering drug tests at intake and prior to release. Data on these tests will be available at the end of the fiscal year.

Attitude Change

During the 1998-99 fiscal year, Research and Planning attempted to measure attitude change in IMPACT offenders. IMPACT staff administered a 12-item questionnaire developed by Doris MacKenzie, a nationally recognized researcher on boot camps, to measure probationers' attitudes when they entered and graduated from IMPACT. The analysis of the survey scores indicated a slightly higher pro-social attitude, but it was not statistically significant. Researchers determined that the survey instrument was not sensitive enough to discern real differences in attitude. Researchers searched for a better survey instrument; other surveys were lengthy, costly, and required a certain reading level. Researchers decided that it was not practical to assess offender attitude change during the 1999-2000 fiscal year at IMPACT based on these factors. An instrument is being developed to measure cognitive change after completion of the Cognitive-Behavioral Intervention program. When the instrument is available, it can be used at IMPACT.

Program Cost

The Department of Correction Controller's office computes agency and program costs annually. According to the DOC Controller's office, the cost per offender per day at IMPACT East and IMPACT West for FY 1999-2000 is $70.71 and $72.32 respectively. This calculation includes direct costs and IMPACT and DOC indirect costs divided by the sum of the offender population at IMPACT on every day in FY 1999-2000.

Comparison to Similar Intermediate Punishment Offenders

The legislation requires this report to compare IMPACT and Post-Boot Camp probationers to similar Intermediate Punishment probationers who did not participate in these programs. Comparison groups were created by random selection, matching characteristics of sex, age, race, crime class, and prior record level of IMPACT graduates. The three groups are comprised of the following: probationers who exited IMPACT during fiscal year 1999-2000, probationers who exited IMPACT to the Post-Boot Probation Camp Program during fiscal year 1999-2000, and similar Intermediate Punishment probationers who began probation supervision during fiscal year 1999-2000 and have never been assigned to IMPACT. All three groups were tracked for an average of about nine months.

Table 1-Profile of Probationer Groups – Male Only

	Probationers Who Graduated from IMPACT FY 99-00	Probationers Who Graduated from IMPACT and Entered PBC Probation FY 99-00	Comparison Probationer Group Who Entered Probation FY 99-00
Ages 16-19	60%	56%	60%
Ages 20-24	35%	35%	35%
African American	47%	69%	46%
Convicted of Felony at Entry	78%	91%	82%
Convicted of Class H Felony at Entry	39%	41%	40%
Convicted of Class G Felony at Entry	15%	16%	18%
Convicted of Breaking/Entering at Entry	20%	16%	17%
Convicted of Non-Trafficking Drug Offense at Entry	24%	41%	28%
Convicted in Prior Record Level II	41%	43%	40%

Highlights from Table 1 include:

- A greater proportion of African-Americans was in the PBC probation group than in the other two groups.
- The vast majority of probationers in all three groups had been convicted of felonies.
- The most common conviction class of all three groups was felony Class H.

- More PBC probationers were convicted of non-trafficking drug offenses than the other two groups.
- A large proportion of probationers in all three groups were convicted in Prior Record Level II prior to entry.

Table 2 –Current Status of Probationers in Groups – Male Only

	IMPACT Probationers	PBC Probationers	Comparison Probationer Group
Currently Under Probation Supervision	51%	57%	63%
Successfully Completed Probation or Early Termination	11%	6%	3%
Absconded from Supervision	5%	5%	6%
Revoked from Supervision or Elected to Serve the Active Sentence	32%	32%	27%
Most Common Revocation Reason	Absconding – 29%	Absconding – 35%	Absconding – 25%
Other	1%	0%	1%

Highlights from Table 2 include:

- 51% of probationers who graduated from IMPACT are still under probation supervision in the community and have not been revoked. Most offenders in these groups have two to three years of probation supervision following completion of IMPACT or entry onto Intermediate Probation, thus, most are not expected to complete successfully within the time frame of this report.
- The revocation rates for all three groups were similar: IMPACT graduates (32%), PBC probation (32%), and the Intermediate Punishment comparison group (27%). This is true even though the majority of IMPACT probationers are higher-risk offenders (as evidenced by the fact that over half the IMPACT probationers and over 60% of the PBC probationers entered the program as a result of a violation) and IMPACT is the highest level of Intermediate Punishment that the Department of Correction administers.
- Examination of revocation rates reveals that IMPACT probationers in general are more likely to be placed on Intensive Supervision Probation than similar Intermediate offenders. In Table 3, 47% of the IMPACT population enter Intensive Supervision during the study period, in contrast to 43% of the comparison group.

Table 3: Percent of Offenders who begin Intensive Supervision within 30 Days

	IMPACT	Comparison Probationer Group
Not Intensive	53%	57%
Intensive	47%	43%
Total	100%	100%

Additionally, analyzing these rates reveals that offenders placed on Intensive Supervision Probation are more likely to be revoked than offenders not placed on Intensive (see Table 4).

Table 4: Revocation Rates by Intensive Supervision
(Intensive supervision started within 30 days.)

Intensive Supervision	IMPACT	Comparison Probationer Group
No	28%	23%
Yes	38%	32%

IMPACT offenders placed on Intensive are 6% more likely to be revoked than Intermediate offenders on Intensive. These two factors, that IMPACT offenders are more likely to be on Intensive and Intensive probationers are more likely to be revoked, combine to produce a higher revocation rate for IMPACT probationers, who have also been determined to be a higher-risk population than the comparison group.

FEMALE BOOT CAMP PROGRAM

The female IMPACT program opened in June 1998. The program takes in up to 30 female probationers once per quarter, resulting in an annual capacity of 120. In June 1999, the program was relocated from IMPACT-East to IMPACT-West in Morganton. The program had 38 entries in the 1999-2000 fiscal year; 24 completed.

The female program differs from the male program in a few significant ways, but features the same rigid daily schedule of work, education, and highly structured activities as the traditional male program. Women at the IMPACT have a modified, gender-appropriate fitness routine in contrast to the more intensive program required of male boot camp probationers. The women in the program also have different work assignments than men. Whereas men are usually assigned to work details involving hard physical labor, women will usually be assigned to more gender-appropriate activities, such as interior painting at public buildings, furniture repair, and landscaping projects. The local community college also provides parenting classes and domestic violence education to women at IMPACT; this curriculum is not currently available to males.

Table 5-Profile of Probationer Groups – Female Only

	Probationers Who Graduated from IMPACT FY 99-00	Comparison Probationer Group Who Entered Probation FY 99-00
Ages 16-19	44%	45%
Ages 20-24	35%	34%
African American	24%	25%
Convicted of Felony at Entry	68%	69%
Convicted of Class H Felony at Entry	32%	32%
Convicted of Class G Felony at Entry	15%	14%
Convicted of Larceny at Entry	29%	16%
Convicted of Non-Trafficking Drug Offense at Entry	24%	28%
Convicted in Prior Record Level II	32%	31%

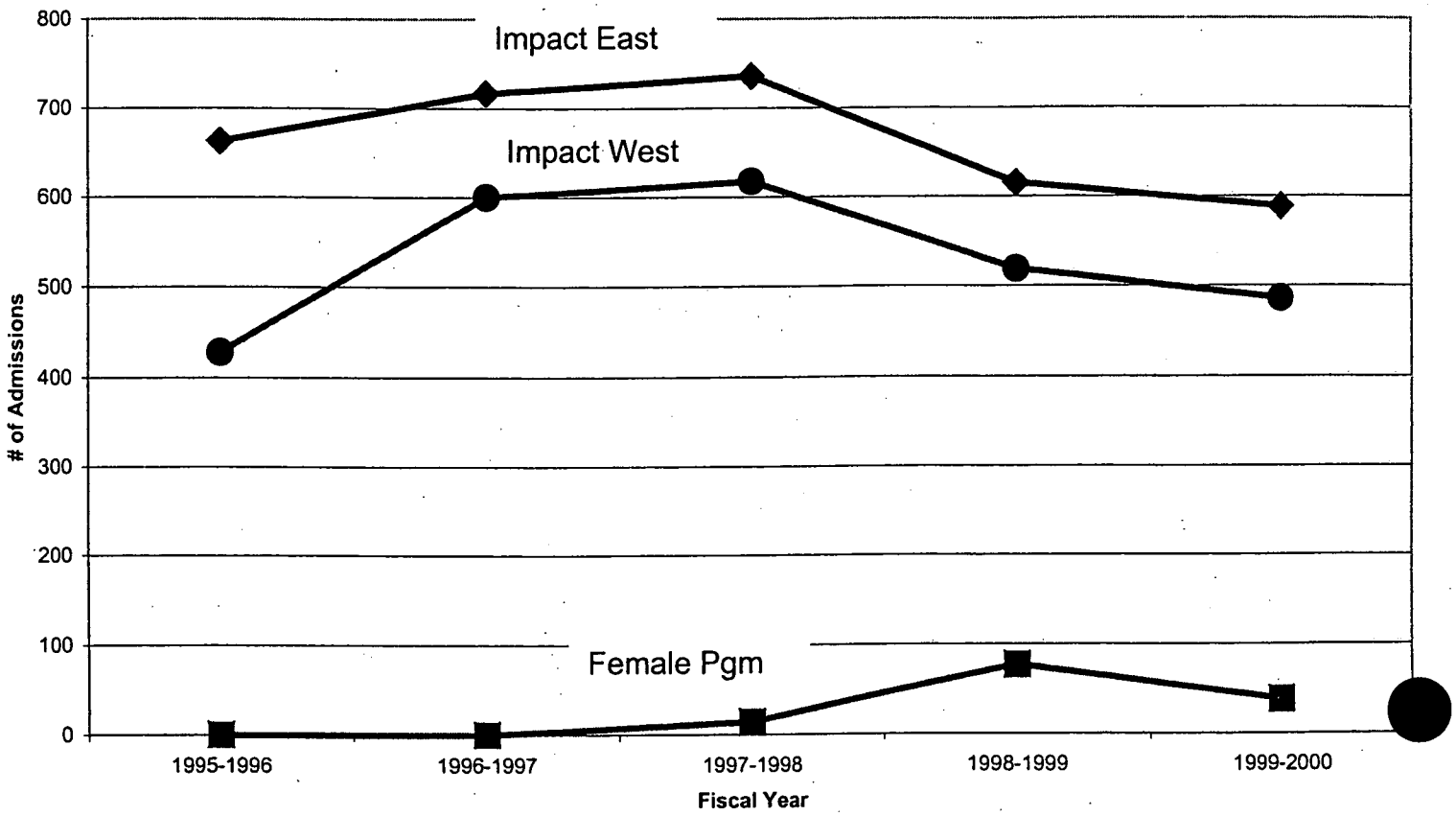
Table 6 –Current Status of Probationers in Groups – Female Only		
	IMPACT Probationers	Comparison Probationer Group
Currently Under Probation Supervision	44%	67%
Successfully Completed Probation or Early Termination	17%	6%
Absconded from Supervision	15%	5%
Revoked from Supervision or Elected to Serve the Active Sentence	24%	22%
Most Common Revocation Reason	Multiple Technical Violations – 29%	Absconding – 25%
Other	0%	0%

Highlights from these tables include:

- Female IMPACT probationers have a slightly higher revocation rate than the comparison group. Their rate is lower than the revocation rate for male IMPACT probationers.
- The successful completion rate is higher for female IMPACT probationers than for the comparison group.

ADMISSIONS TO IMPACT

1995/96 through 1999/00



FY	EAST	WEST	FEMALE	TOTAL
1995-1996	**663**	**428**	**0**	**1091**
1996-1997	**717**	**600**	**0**	**1317**
1997-1998	**736**	**617**	**14**	**1367**
1998-1999	**615**	**519**	**77**	**1211**
1999-2000	**588**	**486**	**38**	**1112**

DEPARTMENT OF CORRECTION
REVIEW OF IMPACT-BOOT CAMP

Intensive Motivational Program of Alternative Correctional Treatment

Joint Appropriations Subcommittee on Justice & Public Safety

March 13, 2001

Fiscal Research Division

1

Program Background

- IMPACT--Intensive Motivational Program of Alternative Correctional Treatment. Also known as Boot Camp. A 90-120 day regimented program of paramilitary drill, community service work (325,000 hrs) and study (210 GEDs).
- Began as 90 beds for youthful male offenders on probation in 1991 but has been expanded and broadened several times.
- Currently operated as a residential program and intermediate sanction for offenders up to age 30 with felony or serious misdemeanor charges.

2

Who Goes to IMPACT
Males, 1999-2000

- 60% under 20; 95% under 25
- 78% felons (down from 87% in 2 years)
- 41% prior record II; 53% prior record I
- 19% fall in cells with "C" punishment
- 11.5% with prior incarcerations
- 53% sent for probation violation
- May enter with pending charges

3

Who Goes to IMPACT
Females, 1999-2000

- A little older: 44% under 20; 79% under 25
- Fewer felons: 68% felon
- 32% prior record level II

4

IMPACT--Program Changes

- Organizational: Originally part of Div. Of Prisons--Youth Command. Later moved to Div. Community Corrections as split sentence program. In 1998, reclassified as residential program. Moved out of DCC in 1999. Supervised by Director of Residential Programs.
- Female Program: Opened as 60 beds at Hoffman in June 1998. Moved to Morganton in July 1999--1 class of 30 every 4 months. This change resulted in a budget reduction of $1,341,615 and 33 positions.
- Aftercare: Funded 1996-2000 as contracts with TASC in 5 sites. Funding eliminated July 1, 2000.

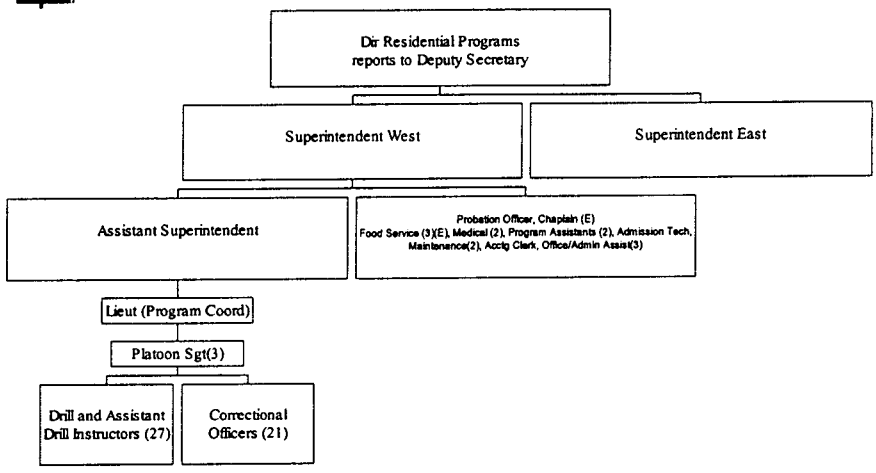
5

Capacity & Utililization

- Current Capacity: 360 Beds
  1,560 Annual *(1,440 Male)*
- Men and Women at Morganton; Men at Hoffman
- Average Stay: 81 days
- Completion Rate: 79%
- Average Daily Population: 114 (E) 104 (W)
- Utilization: 1,112 (77%) male
  38 (32%) female

6

IMPACT STAFFING



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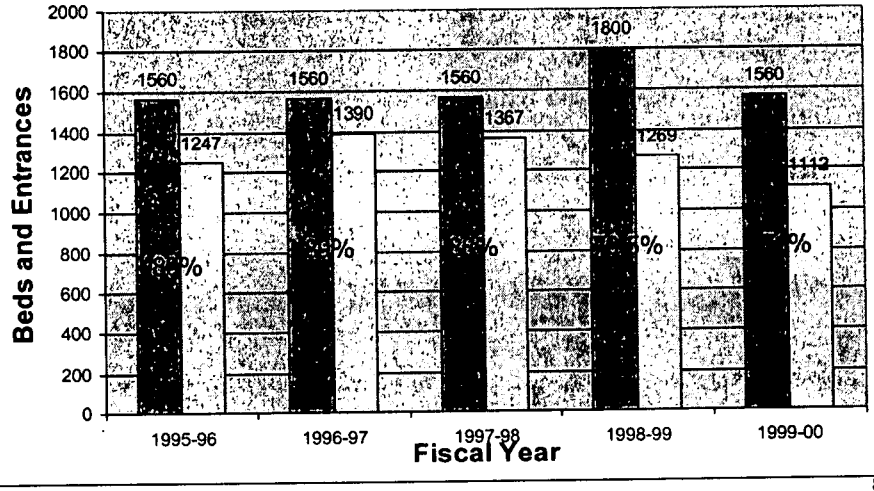
IMPACT Capacity vs. Utilization



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Current Operations

- 2000-2001 Authorized Budget: $6,033,913
- 2000-2001 Positions: 147
- Average Daily per Offender Cost $70.71(E) 72.32(W)
- Average Daily Cost Medium Custody Inmate: $68.13

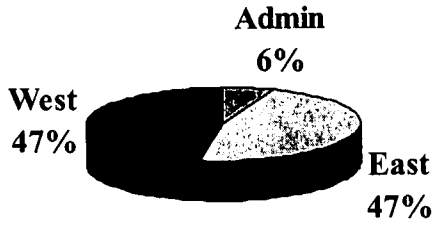
9

IMPACT Budget ($ Millions)

Administration: $ .37

IMPACT-East: $2.82

IMPACT-West $2.84



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Budget Trends

IMPACT BUDGET (Residential Programs)			
	1998-99 Actual	1999-2000 actual	2000-2001 Auth
Personal Services	$5,428,589	$4,748,662	$5,069,392
Non Personnel Costs	$1,314,439	$852,434	$964,521
Total	$6,743,028	$5,601,096	$6,033,913

increases for 2000-2001 due to legislative pay increase and about $100K increase in supplies

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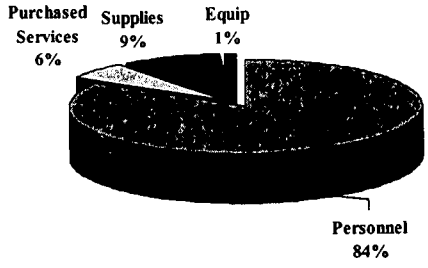
IMPACT Budget by Purpose

2000-2001 Authorized

Personnel	$5,066,992
Travel	$16,586
Food/Medical & Utility	$425,807
Other Supplies &Purchased	$422,113
Equipment	$72,608
Leased Equip	$29,807
TOTAL	**$6,033,913**



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Major Changes in IMPACT Funding

- 2000-2001 ($108,300) Reduction in operating expenses
  ($440,000) Eliminate aftercare funding
- 1999-2000 ($1,341,615) Reduction from consolidating female program with Morganton male program and reducing food service staff at Hoffman
- 1998-1999 $1,459,951 Increase to open female program at Hoffman and to add food service staff
- 1998 $1.94 Million capital expense to build facilities for female program at Hoffman

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Trends in Outcome Measures

Year	Graduate Rate	Revocation Rate	
		IMPACT	Comparison
1999-2000	79%	37%	33%
1998-1999	80%	34%	32%
1997-1998	86%	38%	39%

Source: annual reports

Revocation rate includes absconders

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Major Policy Issues

- Program Effectiveness
  - Annual Report required by statute originally focused on recidivism, later broadened to look at attitudes and other measures.
  - DOC has not been able to show any beneficial impact on probation revocation or attitudes.
  - Sent Comm Recidivism Report founds 56.5% of 1996-97 participants had at least one fingerprinted rearrest within 2 years. Rearrest rates were 33.7% for all intermediate probation and 42.9% for all intensive probation.

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Major Policy Issues

- Program Effectiveness
  - National literature has found Boot Camps ineffective in absence of after-care. Common issues in research are difficulty in defining a comparison group and in showing effect on recidivism.
  - Program provides structure, community service, educational programs (GED and literacy), a drug free environment and substance abuse treatment.

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Major Policy Issues

- Cost Effectiveness
  - A day of IMPACT costs 3.8 times as much as intensive probation w/electronic monitoring and 13% more than average prison costs
  - Costliness in part due to full staffing by platoon even when not all beds are full.
  - Cost effectiveness depends on where offenders would go if IMPACT did not exist as an option.
  - About half of IMPACT offenders are probation violators with median time on probation 195 days. Would probation have been revoked if IMPACT did not exist? Alternatives: intensive/EHA if not already, split sentence

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Cost if Revoked

- For an offender who enters IMPACT on probation violation (53%), graduates (79%), enters intensive probation (47%) but is then revoked (32%) and faces their original sentence:

195 days probation:	$ 369	*($2,385 if intensive)*
IMPACT	$5,793	
7.4 months intensive	$2,715	
ADDITIONAL COST	**$8,877**	

(illustrative example based on averages and medians)

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Cost if Not Revoked

- For an offender who is sentenced directly to IMPACT, graduates to intensive probation and successfully completes:

IMPACT	$5,793
6 months Intensive	$2,201
12 months Regular	$681
TOTAL	**$8,675**

- Assuming Class H/Prior Record I, would have faced up to 6 months in Medium Custody at direct cost of *$12,263*

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Major Policy Issues

Female Program

- Female programs lowers utilization, increases average cost.
- Females show higher revocation/absconder rates than males (39% vs 37%) but greater difference from their comparison group (27%)
- Equity issue if sanction available only to males.

20

Major Policy Issues

- Role in Structured Sentencing
  - There are few Residential Program options for intermediate punishment offenses; others are substance abuse programs such as TROSA and DART-Cherry.
  - Other options for Intermediate Punishment include; Intensive Probation, Electronic Monitoring, Day Reporting Centers, Split Sentences.

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Recent Program Changes

- Scheduling larger intake classes since some turn out ineligible. Helps utilization
- Outreach to judges
- Adding 2 weeks to basic program
- Drug screening and DART 24 program
- Cognitive Behavior Intervention
- Computer labs

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This Year's Utilization

- 32 classes received
- 796 offenders admitted
- Includes 20 females in 2 classes
- 367 graduated
- 108 dismissed

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IMPACT Aftercare

- Funded as pilot program in 1996 in four areas (Forsyth, Mecklenburg, Nash/Edgecombe, New Hanover)
- Expanded to 5th site (Buncombe) and made recurring in 1998. Total Capacity: 200
- Funding made recurring in 1999
- Funding eliminated 7/1/2000
- Operated by contracting with TASC; served 126 in 1999-2000

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VISITOR REGISTRATION SHEET

Justice and Public Safety — 3/15/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
[signature]	DOC
[signature]	ACT
[signature]	DOC
Sandy Pearce	DOC
[signature]	DOC
[signature]	BPPHC
Melissa Lovell	DOJ
Douglas Holbrook	DOC
Fred Aikens	DOC
[signature]	Project Challenge

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday March 20th, 2001
1:30 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding
Representative Bill Culpepper
Representative R. Phillip Haire

II. PRESENTATIONS

- Inmate Education and Other Programs
  Jim Mills, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Wednesday March 21 - Inmate Medical and Food Budgets; Prison Reserves; Community Corrections; Criminal Justice Partnership Program
  Thursday, March 22 – Probation and Parole
  Tuesday, March 27 – Department of Justice

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
March 20, 2001

The Joint Committee on Justice and Public Safety met on Tuesday, March 20, 2001 at 1:30 PM in room 415 LOB. Four Senate committee members attended. The following House members attended:

Rep. Bill Culpepper	Rep. Phillip Haire
Rep. Wayne Goodwin	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

Senator Frank Ballance opened the meeting. Jim Mills, staff, was introduced. Mr. Mills distributed a handout titled *DOC Overview of Inmate Education Programs.* Mr. Mills discussed the handout. Prisoners can earn credit for getting a GED. Rep. Haire was interested in the recidivism rate for the prisoners who obtain a GED. Those figures are not available at this time.

Rep. Bill Culpepper took the chair. Of the approximate $790,000 in the inmate welfare fund, $280,000 has been recommended by the Governor to go into the general fund. In response to Rep. Kiser, $4.6 million in the general fund pays teachers who are on the same pay scale as teachers in the education system. In response to Rep. Haire, Mr. Greg Stahl (DOC) said the Sentencing Commission projection does not indicate a great increase in juvenile admissions. The projection is from 1200 juveniles under 16 to 1600 in ten years.

Mr. Mills distributed another handout titled *DOC Budget Overview of Prison Programs.* DOC programs are 6% of the budget. In response to Rep. Kiser, there are programs to deal with the mentally retarded. Diagnostic centers assess inmates in two to three weeks. Those that need referral to a licensed psychologist are referred. Today there are about 52.7 inmates to staff. In response to Rep. Kiser, there are weekly religious services for inmates. Those on death row get individual attention daily from chaplains. In response to Rep. Goodwin, there are about 15 differing religions recognized. In response to Rep. Kiser, the costs of road squads is over $9 million. The road squad officers are specially trained.

Rep. Culpepper adjourned the meeting at 2:50PM.

Rep. Bill Culpepper
House Chair

Gloria Haywood
Committee Assistant

DEPARTMENT OF CORRECTION

Overview of Inmate Education Programs

Joint Appropriations Subcommittee on Justice and Public Safety

March 20, 2001

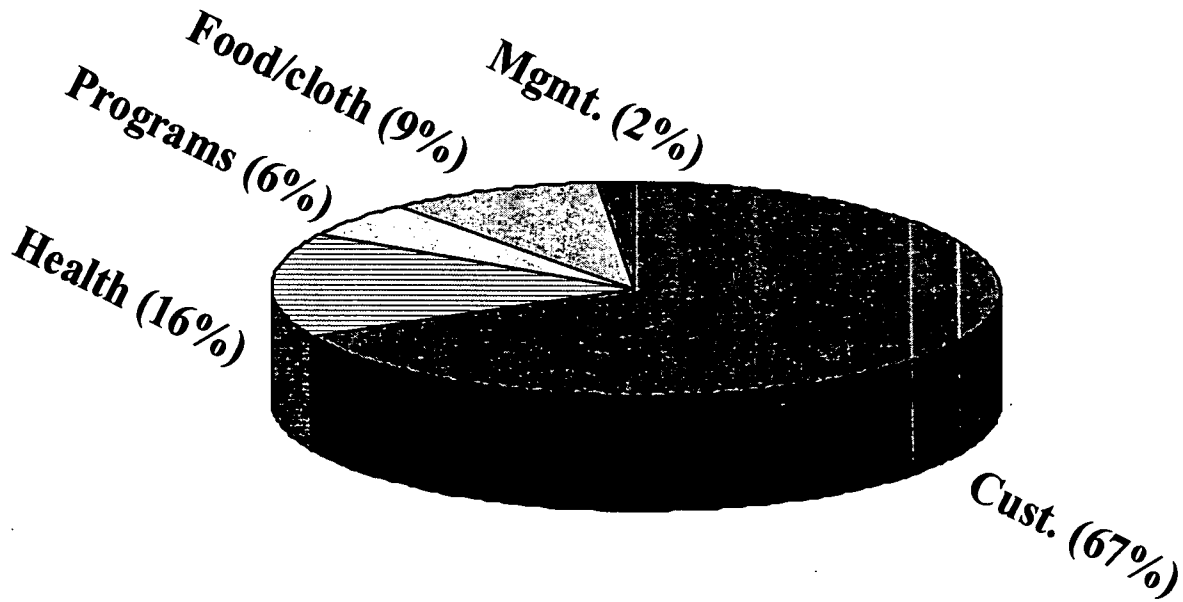
FRD

Division of Prisons Authorized Budget
December 31, 2000

Prison Budget

(in millions)

Custody/Sec:	$512.8
Medical:	122.2
Programs:	42.4*
(Educ $4.6)	
Food/Cloth:	72.4
Mgmnt. :	11.7
TOTAL:	*$761.5*



NOTE: total programs budget should be $41.4; $1million was coded to wrong prison budget code.

DOC Inmate Education -- Program Facts

2

- **G.S. 148-22.1:** DOC should take advantage of 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.*" Also requires that youthful offenders be highest priority.

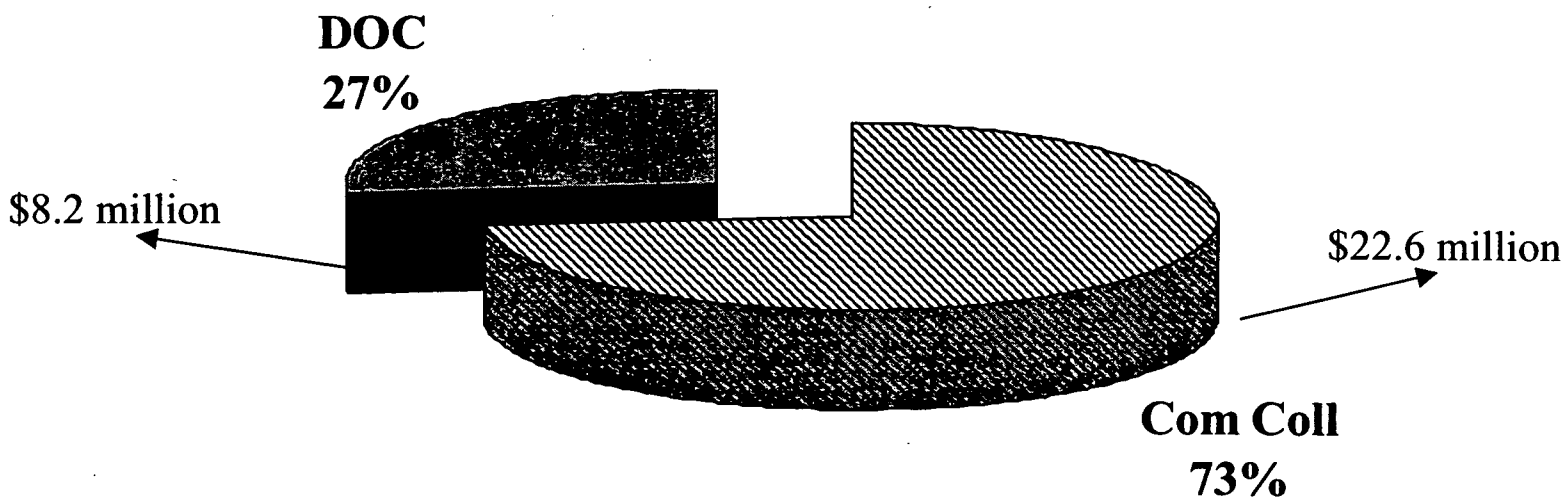
- *Community Colleges provides and funds all inmate vocational programs and academic programs for inmates 21 and older.* In 1999-2000, 19,855 inmates were enrolled in two major categories of education: basic skills (GED, Basic ED.) and occupational continuing education (short -term) (16,724 in 97-98). 4,697 inmates were enrolled in curriculum programs (long-term certificates, degrees, diplomas other than GED). *Community Colleges receives funds based on inmates actually enrolled at beginning of quarter and their resulting contact hours (actual attendance)*

- *DOC education mission has evolved to providing primarily academic and special education services to youthful offenders (less than age 21).* DOC is oriented to provide GED, Adult Basic Education and remedial reading and math skills. Most positions are assigned to fiveYouthful Offender facilties. **Currently DOC has 92 positions, 11 funded by grants. 60 positions are teachers.**

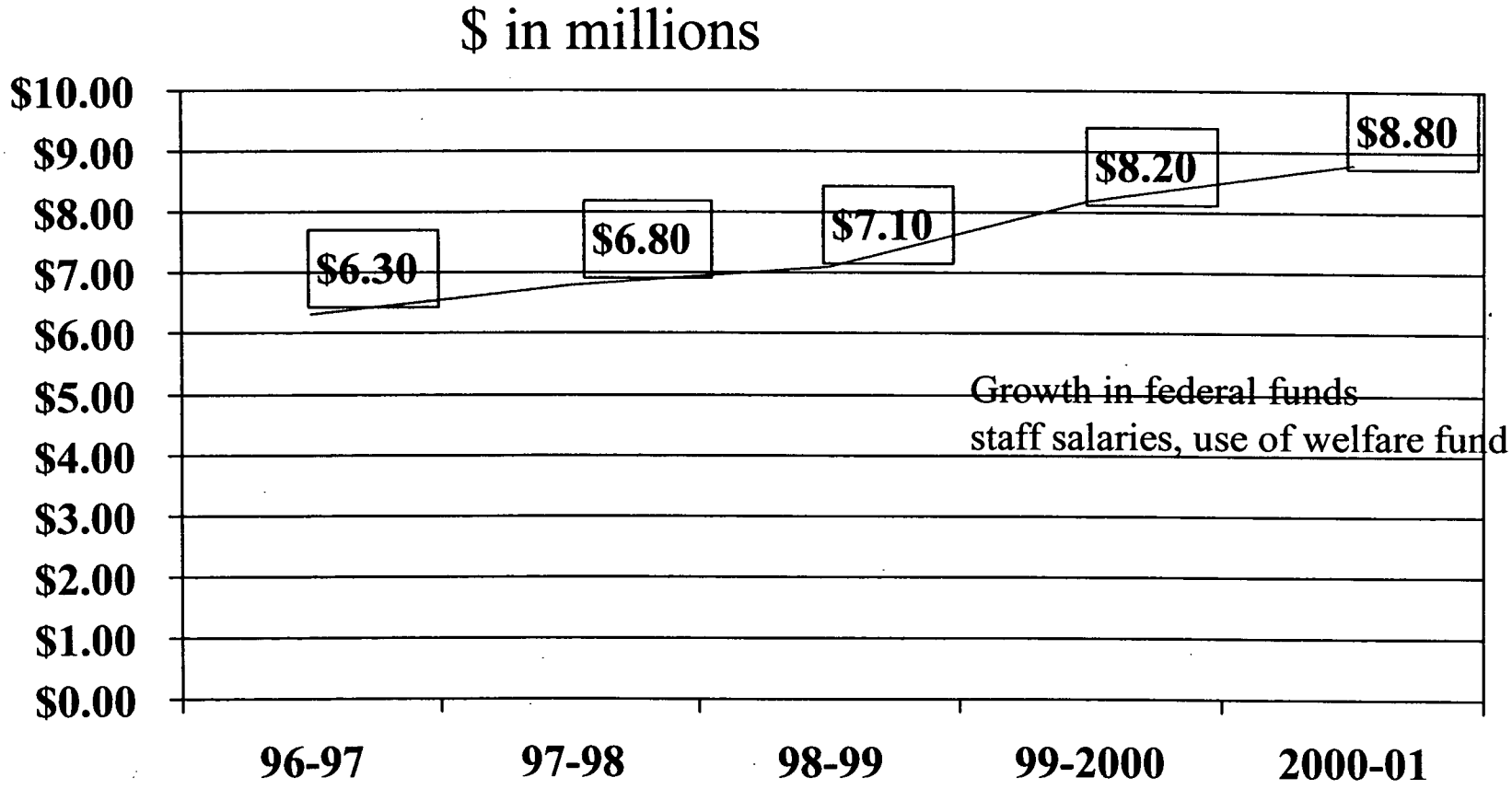
DOC Inmate Education -- Program Facts

- Only 22% of Inmates aged 21 and below report completing 12th grade
- 46% of inmates report completion of 12th grade; DOC testing shows only 26% read at 12th grade level or above.
- GED tests in 2000: 3,868 administered/completions at 2,124 (count of administration is duplicated due to retesting)
- DOC uses inmate welfare funds for independent study courses through UNC and Shaw. Inmates are ineligible if incarcerated for A through B2 felony or if Class C through I and not within 10 years of parole or release.
- On 2/25, 715 students were enrolled in DOC academic or special education programs. Ratio of teachers to inmate students was about 1:8 for special ed and ranged form 1:9 to 1:15.6 at 6 prisons with DOC programs. *Overall ratio is 1 teacher for every 12 inmates*

Funding for Inmate Education – Department of Correction and Community Colleges - - 1999-2000 Expenditures



Growth in DOC Inmate Education Budget*



* Includes general fund, inmate welfare fund, and federal funds

Funding for Inmate Education Programs -- 2000-01 Authorized Budget

- General Fund ($4,600, 000 est)
  - Funds primarily salaries and benefits for 81 DOC teachers (99% of budget is salaries and benefits). 11 other teachers funded from grant funds

- Inmate Welfare Fund ($2,485,661 est.)
  - Pays for educational supplies, classroom furniture, contractual services, repairs/renovations to vocat. buildings and Divison of Voc. Rehab Services

- Chapter I Federal Grants ($520,699)
  - Pays for educational needs (reading and math) of inmates under age 21 without a high school education -- focus is literacy and special assistance with reading

- Federa IDEA (Individuals with Disablilties Education Act) ($150,084)
  - Funds for school age inmates with learning disabilities

- Federal Transition Training Grant ($1,053,484)
  - Youthful Offender Grant with focus on transition skills

Total DOC Education Budget is $8.8 million Total Education budget with community college funding estimated at $30.6 million

Budget Changes -- Inmate Education Program

- 1998 General Assembly Actions
  - Reduction of ($374,103) by authorizing use of inmate welfare fund to pay for one academic director and six teachers. Continued trends from 1995-97 Session of reducing DOC funding by increased use of Inmate Welfare Fund and increasing role of Community Colleges.
- 1999-2001 Budget Reductions -- Eliminate 11 positions
  - Eliminate final two adult teachers at Harnett and Eastern Schools (2)
  - Abolish Physical Education Teachers (4) (overlap with recreation program staff)
  - Abolish Remaining Vocational Teachers (3) - Auto body and repair at Piedmont
  - Abolish Adult Education Director position at Eastern and Asst. Director at Western
  - **Total Reduction**: ($307,214) in 99-2000; annualized reduction ($338,814)

Budget Issues for Discussion

- **Can DOC use additional inmate welfare funds to fund inmate education?**

- **Should teacher/inmate ratios (#inmates to teachers) be increased?**

- **Should DOC continue to fund non-mandated education (only special education is federal mandate while education of under 16 *may* be mandate; statutory changes would be needed).**

Department of Correction -- Budget
Overview of Prison Programs

Joint Appropriations Subcommittee on Justice and Public Safety

March 20, 2001

FRD

Division of Prisons Authorized Budget as of December 31, 2000

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(in millions)

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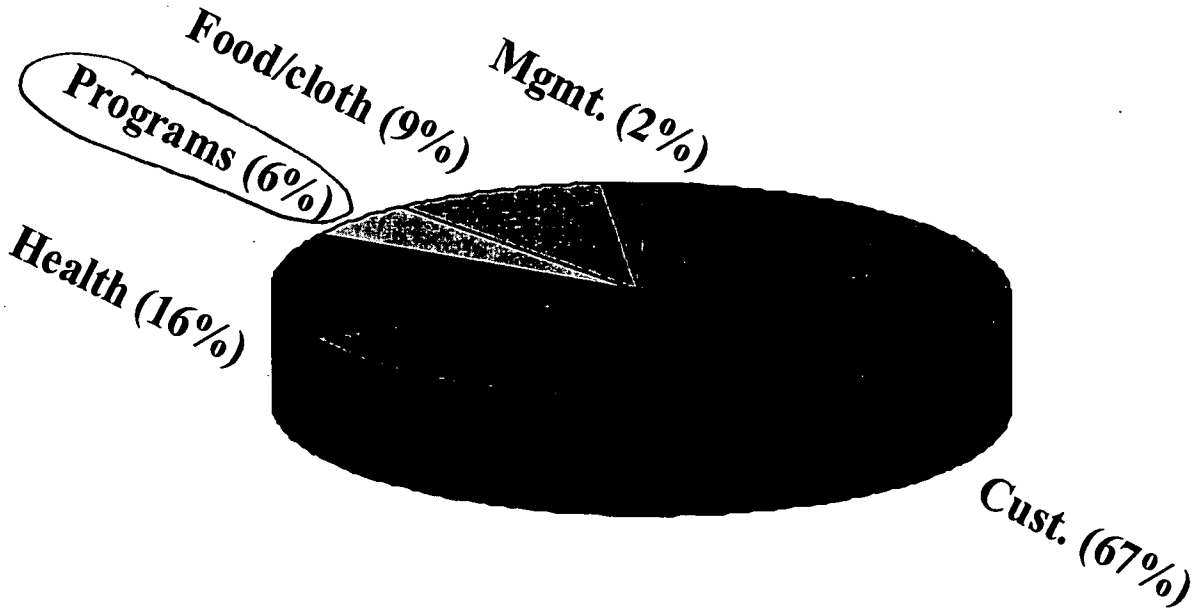


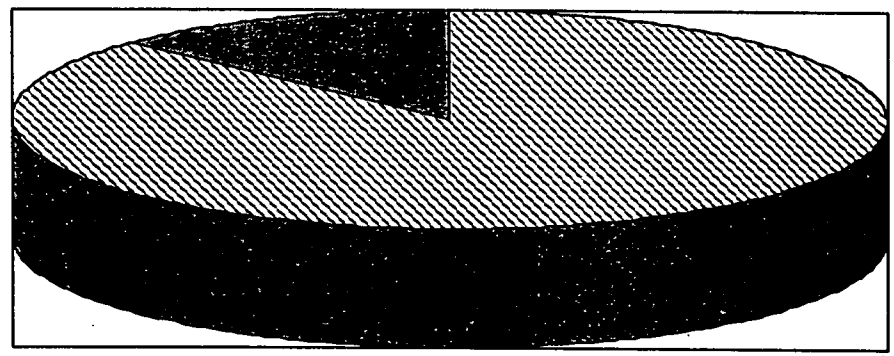
*Note: total programs budget should be $$41.4; $1 million coded to wrong prison budget code

DOC Programs (excludes education) – FY 2001 Authorized Budget Dec. 31, 2000

$4.78 million

138 positions

Rec/Diag
13%



Prog Srvcs
87%

$32.24 million

853 positions

Total Budget: $37 million (12/31/00) (excludes $4.4 million academic budget in fund 1340) ***and 991 positions*** (***Gov Budget Vol 4, JPS***)

Overview of Prison Programs

- G.S. 148-22 – "DOC…shall provide humane treatment for prisoners and programs to effect their correction and return to the community as soon as practicable."
- G.S. 48-26 …. "public policy of .. N.C. that all able bodied prison inmates shall be required to perform diligently all work assignments provided for them." Goal is to reduce cost of maintaining population while teaching job skills and work habits that will result in employment after release

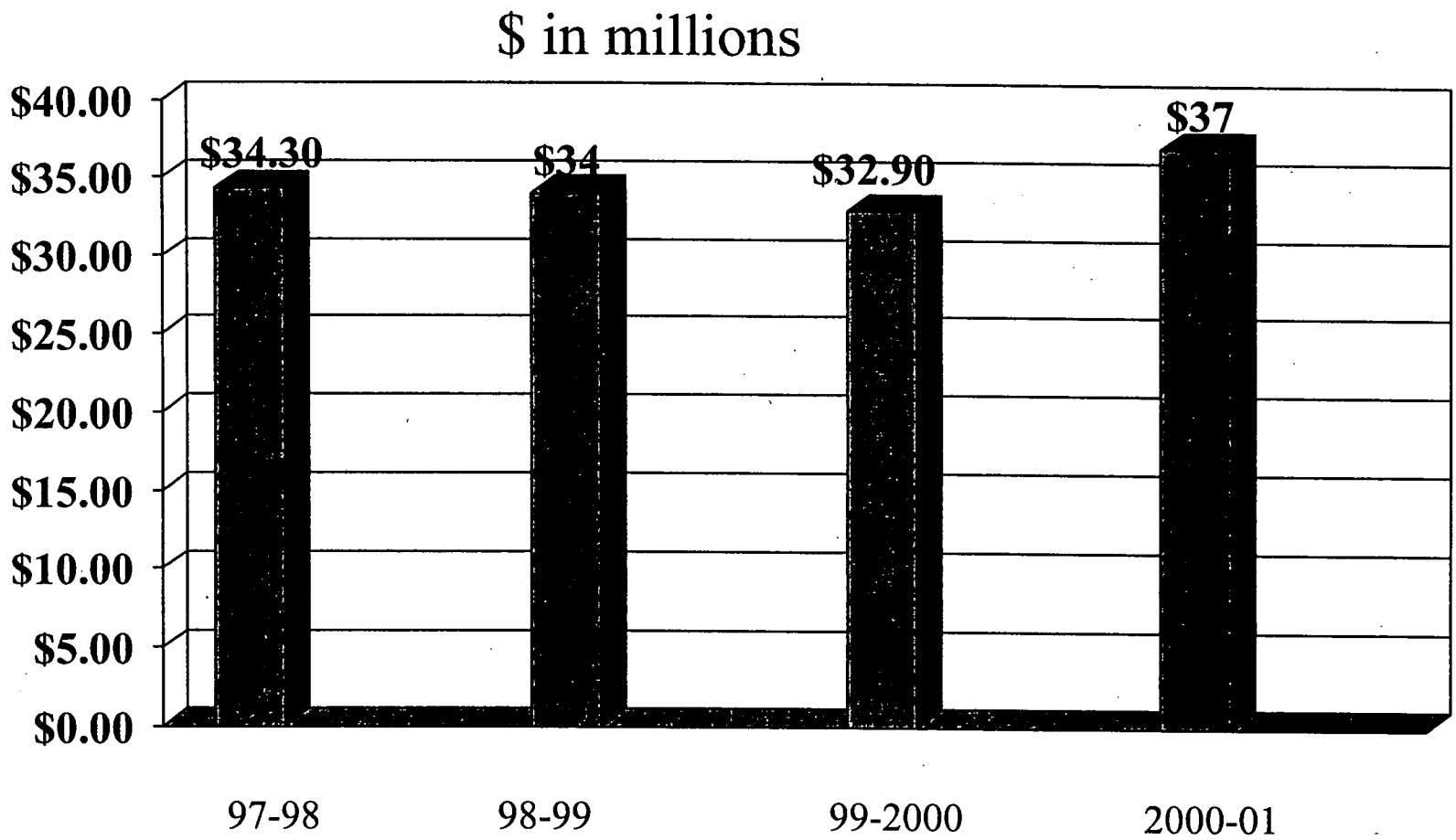
- Prison Program Components (Budget 1350)

  - (1) Reception and Diagnostic Centers (nine centers) – Intake, assessment, assignment

  - (2) Program Services: (1) In prison: Counseling and case management, classification reviews, recreation, chaplin services, and library services and (2) Community work, such as community work crews and DOT road squads

DOC Programs – Budget History*

4



*BD 701 Reports for Fund 1350 General Programs and R & D Centers; 2001 authorized 12/31/00 while other years are expenditures

DOC Programs -- General Assembly Budget Changes

- Program positions were cut as GPAC prisons were closed
- Closed Guilford Reception and Diagnostic Center (97-98)
- Elimination of 29 program assistants to maintain a 50: to 1 inmate to staff ratio (97-98).
- Work release fees paid by inmates to DOC were increased and General Fund was reduced
  - 98-99 fee was increased from $12.50 to $14 a day ($436,500 reduction) and to $15 in 2000-01 ($325,000)
  - Increased transportation fee from $1.50 to $2 a day

DOC Reception and Diagnostic Centers

- Nine Reception and Diagnostic Centers located at nine prisons
- Center population based on geography, specialization, and gender
  - Inmate Intake and Orientation
  - Assessment to determine proper custody classification, work, and program assignments
  - Goal is to minimize community and institutional security risks and provide opportunity for productivity and development of inmates
  - Assign to one of 77 prisons

Reception and Diagnostic Center Staffing

- Staff Positions (138 total for 9 centers)
  - Director
  - Case Analysts (Senior Analyst(s) at two largest centers)
  - Admissions Technicians
  - Behavioral Specialists
  - Processing Assistants
- Workload Standards (cases processed per month)
  - Cases Analyst: 48 cases
  - Admissions Techs: 75
  - Processing Assistants: 100

Department of Correction Reception and Diagnostic Centers

Prison	Offender Types Processed	Processing Capacity*	Average Number of Inmates Processed Per Month**	Number of Staff	Average Number of Staff to Inmates Processed
NCCIW	Female Felons & Safekeepers Female Med./MH Misd.	160	157	11	1:14
Fountain	Female Misd.	54	60	7	1:9
Central	Male Felon ≥ 22 ≥120 Mos (SS) Or ≥ 20 Years (Fair)	96	185	8	1:23
Piedmont	Male felons from West <120 mos SS;≤ 20 yrs. fair	272	379	20	1:19
Craven	Same as Piedmont but from Eastern NC	408	434	34	1:13
Polk Youth	Male Felons Age 19-21 and Safekeepers Age 18-21	360	210	15	1:14
Western Youth	Felons/Misd. ≤ Age 18 Years Old; Safekeepers	107	108	11	1:10
Neuse	Misd. ≥ Age 19 from East; Felons 15 Months Or Less	400	345	23	1:15
Rowan	Misd. Age ≥ Age 19 from West; Misd. ≥ 19 Safekeepers	86	151	9	1:17
Systemwide			**225**	**138 (15 AVG.)**	**1:15**

**Processing capacity indicates number of beds available; DOC is collecting information on actual processing time.*

***Average per month over last 19 months, from July 1999 through January 2001.*

DOC RECEPTION AND DIAGNOSTIC CENTERS - NUMBER OF CASES PER STAFF BY CENTER

DOC Position Title and Standard	AVERAGE NUMBER OF CASES PROCESSED PER STAFF PER MONTH									
	NCCIW	Fountain	Central	Piedmont	Craven	Polk	Western Youth	Neuse	Rowan	Systemwide
Case Analyst (48 cases a month)	***39*** (4)	***30*** (2)	62 (3)	***47*** (8)	***36*** (12)	***42*** (5)	***27*** (4)	***43*** (8)	***50*** (3)	
Admissions Tech (75 cases a month)	***52*** (3)	***30*** (2)	185 (1)	***63*** (6)	***48*** (9)	***52*** (4)	***36*** (3)	***69*** (5)	76 (2)	
Processing Asst. (100 cases a month)	***78.5*** (2)	***60*** (1)	***92.5*** (2)	***95*** (4)	***62*** (7)	***70*** (3)	***54*** (2)	***58*** (6)	76 (2)	
Other Staff (Supv. & Sen. Anly)	2	1	1	2	0	3	2	4	2	
Total Staff	11	7	8	20	34	15	11	23	9	
Average # Cases Processed	157	60	185*	379	434	210	108	345	151	225
Average # Case Processed to Total Staff	14:1	9:1	23:1	19:1	13:1	14:1	10:1	15:1	17:1	15:1

*Average at Central is 139 over last 6 months; Central requests 2 Adm. Techs, one process. asst. and one case analyst for new center in 2001-02

NOTE: Numbers based on average number of cases over 19 months - July, 1999 through January, 2001

Budget Issues for Discussion – Reception and Diagnostic Centers

Workload and Efficiency

- *Should any positions be shifted between centers to balance workload?*
- *Can any positions be reduced? Consideration is future "admission" trends*
- *Should all inmates go through same intake and assessment process (two to three week process)?*
- *Should any centers be combined?*

Prison Programs

- Programs Budget ($32.2 million) is primarily positions: 853 program positions in 77 prisons and area offices
- Positions are Asst. Supt for programs and program directors (large to medium prisons) and program supervisors, program assistants I and II, classification coordinators, chaplins and clerical staff
- Staff carry caseloads/monitor progress of inmate in various work and education programs to determine progress and classification changes

DOC Prison Programs: Staffing

- Guideline is 50 inmates per staff (one staff for every 50 inmates)
- 50 to one ratio includes total program staff except chaplins and clerical which are staffed on needs of individual prisons
- 2001 average system-wide ratio is 52.7 inmates per staff (estimated figure from DOC inmate/staff ratio report 3/19/01 for 606 positions vs. EOC)
- ***Budget Issues***:
  - *Is 50:1 guideline appropriate?*
  - *What would be impact of higher ratio (higher ratio results in fewer employees and greater caseloads)*
    - *Example: 55:1 equals approx. 26 fewer positions*

DOC Programs: Chaplin Program

- Chaplin program started as community volunteer program in early 1970's
- Established as permanent DOC program as prison population and diversity of religious needs grew.
- DOC Staffing for Chaplins
  - 73 DOC Chaplins (permanent positions)
  - 11 DOC Contract Chaplins
  - 29 Community Funded Chaplins
  - 16 Volunteers Chaplins)
- ***Budget Issue*** ***(Total Budget for program salaries is $2.9 Mill.)***
  - *Can more religious work be performed by volunteer chaplins or community funded chaplins at certain prisons rather than having permanent staff?*

Inmate Work Programs

- Work Release
  - Minimum Custody Level III (Highest level)
  - Wages repaid based on General Statutes
  - Currently inmate pays DOC $15 a day for work release
    - *Should this fee be increased again?*
- Community Work Crews
  - Minimum Custody with Supervision
- Road Squads
  - Minimum Custody supervised by DOT
  - Medium Custody supervised by DOC: One officer for every 4 inmates (crew is usually 12 inmates and 3 officers; statewide 306 staff for 1,224 inmates)
  - DOT reimburses DOC for work at set amount per year through 2001 ($7 million in DOC budget for receipts)

VISITOR REGISTRATION SHEET

JUSTICE & PUBLIC SAFETY — 3-20-01

Name of Committee — Date

VISITORS:. PLEASE SIGN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Greg McLeod	CCPS
Richard Garnett	DOC
Keith Hosier	DOC, DOP
Angie Law	DOC, DOP
[illegible]	DOC
NELS ROSELAND	OSBPM
Barbara Baber	
[illegible]	[illegible]
Penny Thompson	DOP

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday March 21st, 2001
8:30 a.m. and 15 minutes after the last chamber adjourns
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan
Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- Inmate Medical and Food Budgets
  Jim Mills, Fiscal Research Staff
- Prison Reserves
  Jim Mills, Fiscal Research Staff
- Community Corrections
  Kelly Little, Fiscal Research Staff
- Criminal Justice Partnership Program
  Kelly Little, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Thursday, March 22 – Probation and Parole
  Tuesday, March 27 – Department of Justice
  Wednesday, March 28 – Department of Justice

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **March 21, 2001,** at 8:30 a.m. in Room 415 LOB. Five (5) Senators were present. The following members of the House were present:

Rep. Bill Culpepper	Rep. Phil Haire
Rep. John Hall	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

A Visitor's Registration Sheet is attached and made part of these minutes.

Representative Culpepper, Presiding House Chair, welcomed the committee members, introduced the pages and thanked staff members for being present.

Mr. Jim Mills, gave an overview of the Department of Correction's Budget for Inmate Costs (non-medical) **(Handout #1).**

Sen. Ballance questioned the money? Rep. Kiser asked why the State had additional facilities in addition to private facilities.

Greg Stahl, Department of Corrections, explained leasing vs. purchasing. Mr. Stahl was not sure of the amount it would cost to cancel the contract, but will find out and report his findings back to the Committee.

Rep. Kiser wanted to know what company was being used and was told it was Prison Enterprises.

Jim Mills suggested the committee should look at the $1.3 million line item budget request for equipment.

Sen. Ballance questioned the leasing program with private companies.

Greg Stahl shared with the committee that a comprehensive report had been completed and a report had been given to Gov. Ops.

Rep. Kiser again questioned the soap issue - wanted to know if other state agencies used these products. Mr. Stahl responded the company produced a full line of products and agencies such as schools used these products. The trade name is "Taristen" (sp.?)

Mr. Mills continued on page 5 of the handout – Food Budget (explanation) and also on page 6, changes in the food costs, etc.

Representative Kiser questioned where the money would come from with the shortfall. Ms. Barbara Baker, DOC, will get answers and respond back to the committee.

Representative Justus wanted to know why it was cheaper to feed adults than juveniles – Staff will report back to the committee regarding this question.

Jim Mills (Page 7) explained that the COC would be reducing meat portions and serving sizes. He also discussed Food Budget Staffing (page 8).

Rep. Kiser asked about the ration and the total number of inmates working in food service. DOC staff will report back with the figures.

Jim Mills(page 9 and 10) Food/Continuation Budget.

Sen. Ballance asked where the food comes from. Mr. Stahl told the committee that the food is purchased in bulk and re-packaged. A new "clause" has been added that all meat must be USDA inspected.

Rep. Kiser asked about canteens and was told the department was working toward having all institutions become money free.

Rep. Justus wanted to know if raising their own food would be feasible for the DOC. He was told that it was not cost effective.

Jim Mills continued with Inmate Medical **(Attachment #2)** and discussed, in length, pages 2 and 3.

Rep. Culpepper wanted to know the number of Mental Health Beds in facilities and were they included in EOC Social Beds?

Rep. Kiser asked whether interns were employed at DOC medical facilities? Dr. Paula Smith answered that only fully trained physicians were employed at these facilities. She also reported that the DOC was exploring whether an insurance policy could be written and used by inmates.

Rep. Kiser asked why inmates were being transported long distances to receive medical treatment. Dr. Smith responded this was due to the contract the DOC/State has with UNC-Hospitals in Chapel Hill.

Sen. Ballance asked if an inmate needed a knee or hip replacement if it was done. Dr. Smith told the committee these procedures were performed and she would get a detailed list for the committee.

Jim Mills (page 8 and 9) gave detailed descriptions.

Rep. Justus expressed concern about the rising costs of prescription drugs. Mr. Stahl discussed this matter and also that it would take an additional 10 million dollars to continue the contract with UNC Hospital for treatment of inmates. Major costs of prescription drugs are for non-generic drugs.

Rep. Justus asked what the present situation was with AIDS/HIV in the system. Dr. Smith responded that 592 inmates have been identified as having AIDS/HIV. However, she reported that cancer (non-related to AIDS/HIV) was the leading cause of inmate deaths.

Rep. Justus wanted to know the average cost for inmate health care. He was told that this figure was below the national average for an average citizen.

Sen. Bingham asked why UNC Hospitals were increasing their fees so much. Dr. Smith explained about the procedures and polices of having inmates in the hospital. The inmate's visibility was a problem for the hospital. She also explained the "safe-keeper" program.

Sen. Thomas asked if the State was responsible for 100% of the medical costs and Dr. Smith responded yes.

Sen. Ballance asked the number of AIDS/HIV patients that were bed ridden. Dr. Smith will report back with the actual number.

Sen. Ballance asked if the inmates received any Medicare of Medicaid assistance and Dr. Smith replied in the negative, as the state did not receive any state or federal funding for inmate's medical care.

Rep. Culpepper questioned the current procedure if an inmate has health problems they cannot be released early, as they are not able to earn credits for early release. He suggested to the committee that they consider a special provision in the future to address this matter.

Rep. Haire questioned if the inmate's age was over 65, whether they could receive Medicare or Medicaid assistance. He was told no, as the inmates are wards of the state, and the state is fully responsible for their care. He was told that they also do not receive any Social Security benefits.

Rep. Kiser suggested the committee take a closer look at the budget medical expenses.

Sen. Clodfelter asked if the state paid at the Medicare rate or private rate for inmate's treatment. Dr. Smith responded that DOC pays at the private rate.

Rep.Sexton asked who handles inmates who are very ill and are released early due to their health problems? Mr. Stahl reported that the department is currently working on this subject and that to date, the finding have been very disappointing. There are few, if any, providers and many legal problems to deal with.

Jim Mills discussed inmates going to nursing/rest homes instead of hospitals.

There being no further business, the meeting adjourned at 9:50 a.m. The Committee will meet on Thursday, March 22, 2001, at 8:30 a.m. in Room 415.

Respectfully submitted,

Rep. Bill Culpepper, Presiding House Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 3/26/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Doug Lassiter	Lassiter Enterprises
Tomakio Dennis	CJPC
Paula Y. Smith, MD	DOP/DOC
Barbara Baker	DOC
Richard Martin	DOC
Paul Stanley	DOC
Greg Hall	DOC
Cam Cavel	B.P.D.T.H.L
Eddie Caldwell	NC Sheriffs Assn / NC Law Enf. Off. Assn
Larry Dix	DJTDP
J. H. Isaac	FOP

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Deb Ross	ACLU

JUSTICE & PUBLIC SAFETY

DATE: 3/21/01

SENATE PAGES:

NAME Keith Crain

HOME Avery Co.

SPONSOR Senator Moore

NAME

HOME

SPONSOR

HOUSE PAGES:

NAME Lydia Boyd

HOME Granville Co.

SPONSOR Crawford

NAME Lauren Honeycutt

HOME Granville Co.

SPONSOR Crawford

attach. #1

Department of Correction Budget for Inmate Costs (non-medical)

Joint Appropriations Subcommittee on
Justice and Public Safety

March 21, 2001

FRD

Division of Prisons Authorized Budget as of December 31, 2000

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(in millions)

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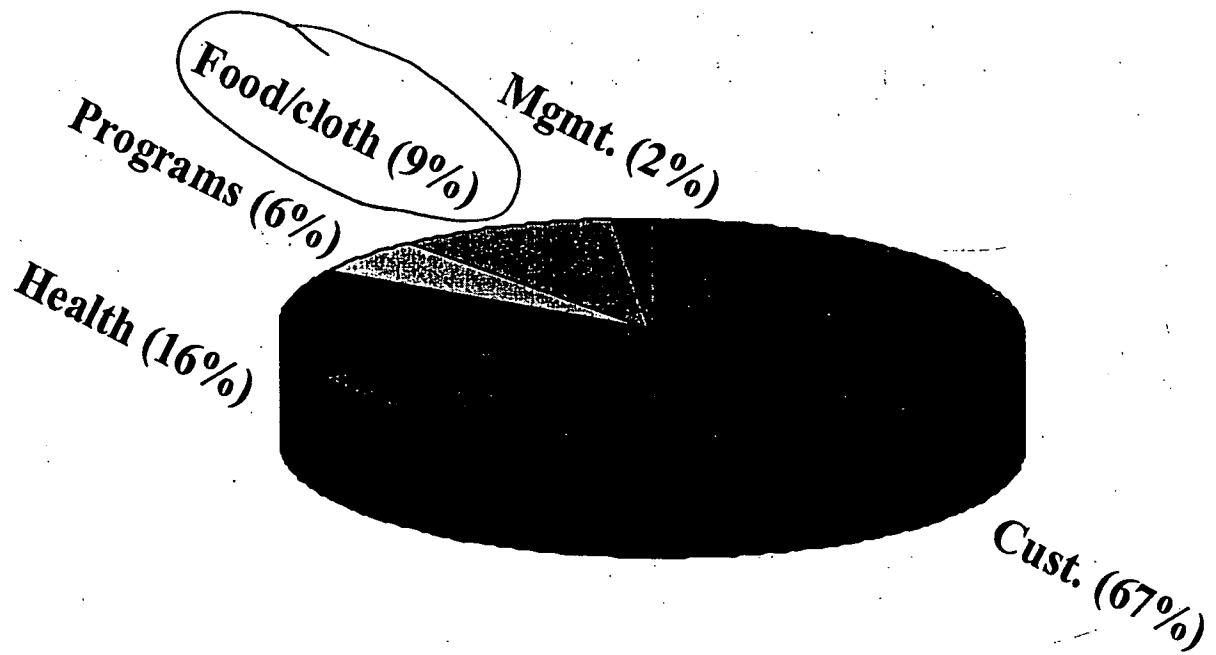
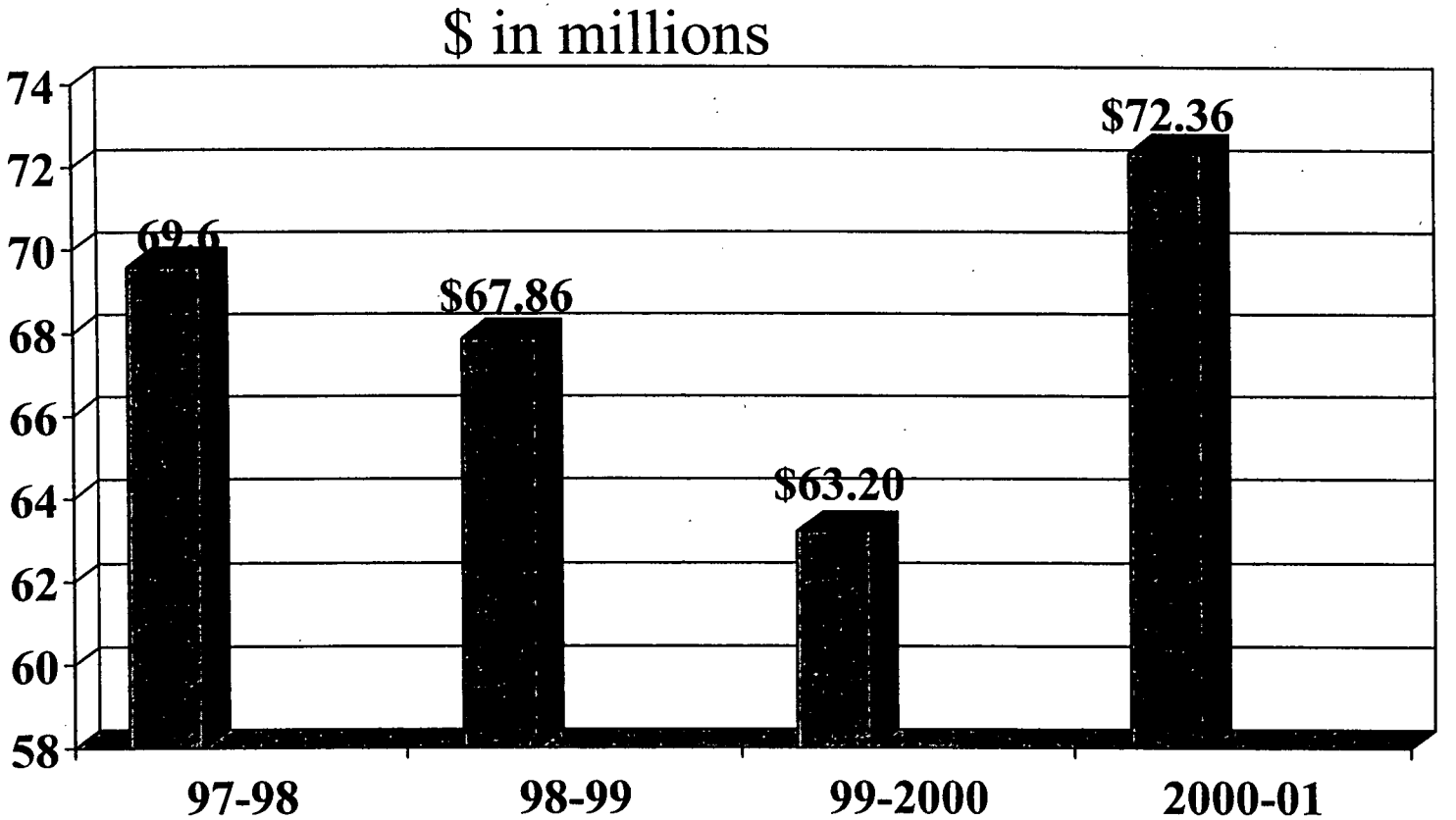


Note: Programs budget should be $41.4 million; $1 million coded to wrong prison budget code

DOC Inmate Costs (non-medical)

Budget History*



* Source for figures: DOC year end BD 701 reports on expenditures. 2000-01 figure is "authorized" budget as of 12/31/00. Increases due to salaries, new contract of $1.5 million, and increase in "authorized" food budget.

DOC Budget for Inmate Costs (non-medical)
Dec. 31, 2000 Authorized Budget

Inmate Budget

(in millions)

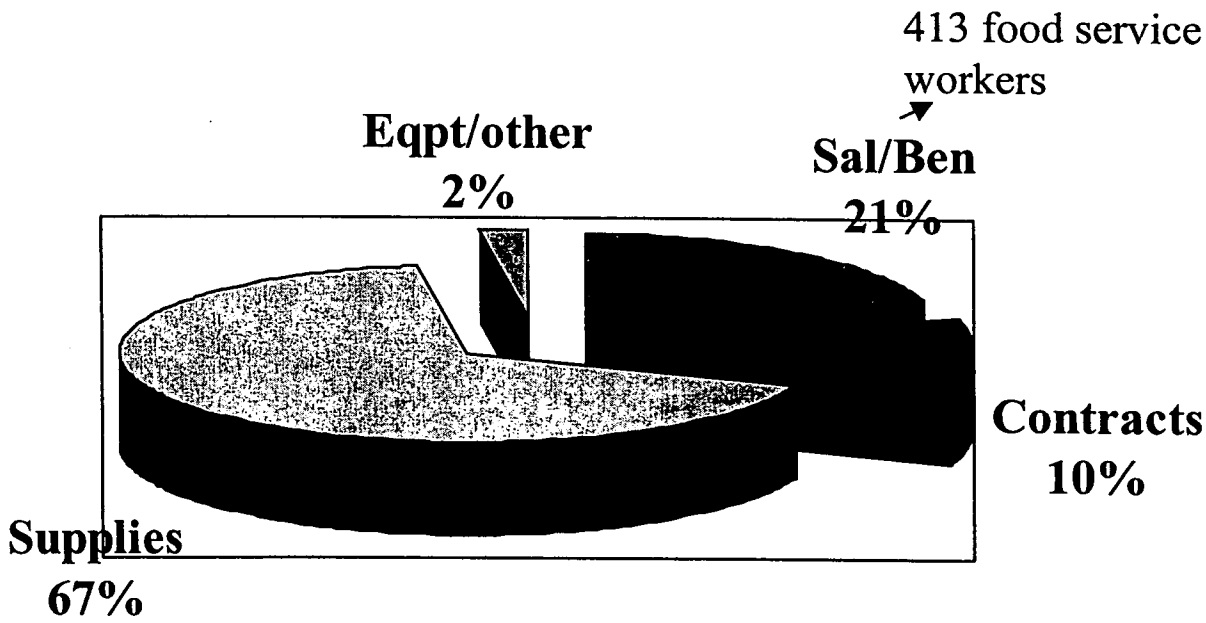
Supplies: $ 48.6

Salar/Ben: 15.1

Contracts: 7

Other : 1.7

Total: $72.4



Food: $31.7 million

Inmate.Clothing/Rec

Supplies: $7.4 million

Inmate Costs – Contracts (Purchased Services) and Equipment

- Total Contracts Budget is $7 million: two major items:
  - Laundry Service Agreement with Enterprises ***($4.8 million 2001***; 97-98 was $4.5 million and 99-2000 was $4.47 million)
  - Miscellaneous Contract from SIPS convenience contracts for analysts and programmers to work on OPUS ($1.5 million).
- Equipment Budget: $1.34 million for replacement kitchen equipment; expenditures per year have ranged from $400,00 to $700,000+ in last three years
  - Replacing more equipment this year in older prisons and $125,000 for additional equipment at two former private prisons. Balance is about $285,000 as of March 2001
  - *Can equipment budget be reduced to previous levels?*

DOC Inmate Food Budget – General Assembly Actions

- 1997-98 – Reduction of ($3,124,828)
- 1998-99 – Reduction of ($5,358,432)
  - Budget reduction based on population projections and anticipated system efficiencies.
  - General Assembly special provision authorized DOC to use other funds if reductions were too excessive and if Gov. Ops approved. Also required study by OSBM
  - Major shortfall occurred - - increases in population and delays in automation of menus and inventory.
  - Gov. .Ops approved use of other funds and General Assembly approved $200,000 one time appropriation for food
- 1999-2000 - - No action
- 2000-01– Governor recommended reduction of ($2 million) and General Assembly another ($500,000)

DOC Budget History for Inmate Costs -- Food

Fiscal Year	Expendit. (Food only,per DOC reports)	Average Inmate Pop. (DOC Figures)	Cost Per Inmate
96-97	$29,292,057	29,505	$993
97-98	$31,398,637	31,267	$1,004
98-99	$30,479,492	31,065	$981
99-2000	$27,142,619	29,994	$905
2000-01*	$25,791,918 (Auth. $31.7 mill.)	31,377	$822

*Figure for FY 2001 is projected expenditure; authorized budget was $31.74 million

DOC Inmate Food Budget

- Why is budget going down? Some examples:
  - Master menu planning/automation of menu system
  - Automated Inventory of Products
  - Reduce meat at breakfast and size of meat portions at most facilities (Enterprises profit?)
  - Questions by Legislature and DOC prison mgmnt. resulted in automated report for monitoring meal costs at each prison.
  - $2.48 per day for 3 meals in February 2000; $2.19 in January 2001 for adult facilities and $2.40 for youthful offender facilities.

DOC Budget for Inmate Costs
Food Service Staffing

Date of Population and Staffing Count*	Number of Inmates Per Food Service Worker*
3/1/98	70 to 1
2/27/99	69.2 to 1
4/21/00	72.7 to 1
3/19/00	76.96 to 1

*Source: DOC "Inmate/Staff Ratio Report"

Inmate Costs – Budget Issues for Discussion 9

Governor's Budget Recommendation for 2001-03

- Governor's budget for 2001-02 and 2002-03 reduces food budget by ($2,197,549) each year. Reduction is from authorized budget of $31.7 million. *This reduces budget to $29.5 million*
- *Are additional reductions possible?*
  - Projected expenditure for 2001 is $25.8 million
  - If expenditures are the same in 2002, based on declining costs, *potential balance could be $3.7 million;* with inflation of 5.4% and adjustment for inmate population, cost range is between $27 and $27.5 million, *leaving potential balance of $2 to $2.5 million.*
  - *Other Considerations*: Inmate budget inadequate in medical area; food savings used for inmate medical costs in 2001 ($6 million to be diverted for cost of prescription drugs in 2001)

Inmate Costs – Budget Issues for Discussion

- Governor's original budget (JPS Volume 4) recommended per diem increase for the inmate budget based on population projections*
  - Amount requested was $276,910 for food for FY 01-02
  - Amount requested for non-food and non-medical inmate costs (e.g. clothing, rec. supplies) was $984,708 for FY 01-02 and over $1.9 million for FY 03
- *Should inmate per diem be included in continuation budget?*

*Per diem estimates based on January 2000 projections, not January 2001

Attach. # 2

DOC Budget for Inmate Health Care

Joint Appropriations Subcommittee on Justice and Public Safety

March 21, 2001

FRD

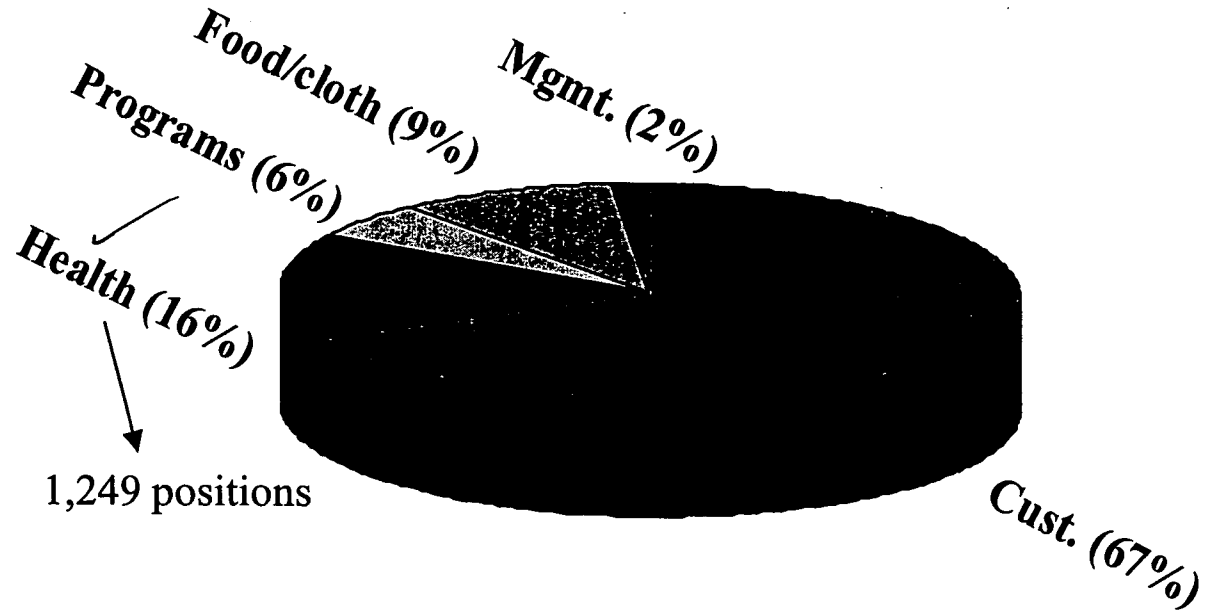
Division of Prisons – Authorized Budget as of December 31, 2000

Prison Budget

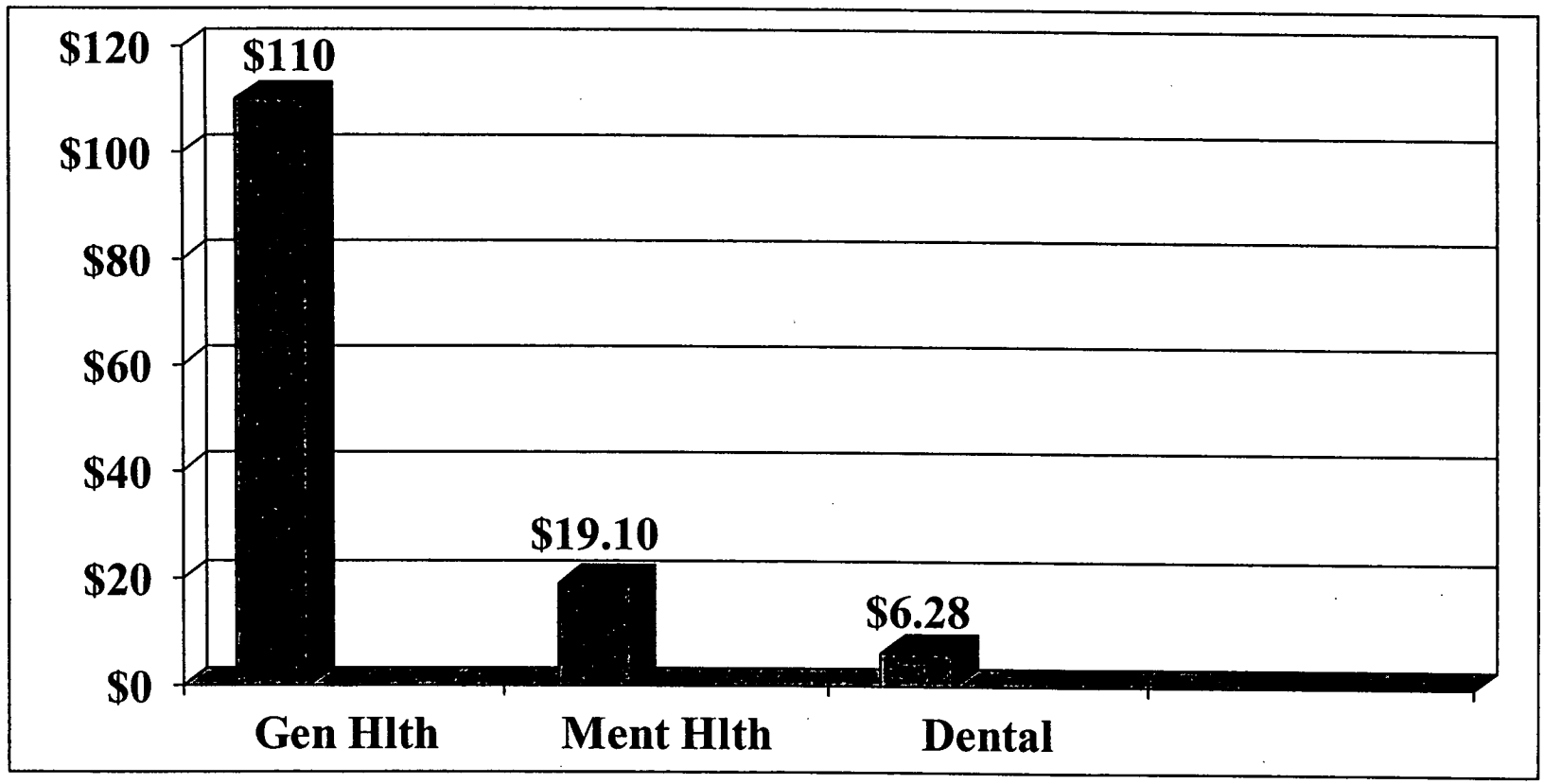
(in millions)

Custody/Sec:	$512.8
Health:	**122.2**
Programs:	42.4
Food/Cloth:	72.4
Mgmnt. :	11.7

TOTAL: *$761.5*



Inmate Medical Budget – Expenditures by Program in FY 99-2000*



**Total Expenditures of $135 million*

DOC Health Care Policies for Inmates

- DOC is required to provide level of health care necessary to diminish pain and suffering, not elective surgery
  - G.S. 148-19 directs that DOC prescribe standards for health services and that the Commission on Mental Health adopt standards for delivery of mental health and mental retardation services
  - NC Administrative Code charges the Director of Prisons with responsibility of providing "the services necessary to maintain basic health."
  - Medley vs. Atkins (1992) stated "The DOC has a duty to provide adequate medical care to inmates in its custody."

National Studies - - Inmate Health Care

- U.S. Department of Justice (Medical Problems of Inmates – 1997)
  - Likelihood of injury or illness increases with time in prison
  - Medical problems more common among older inmates and inmate population is aging
  - Medical problems more prevalent among inmates who had been unemployed or homeless

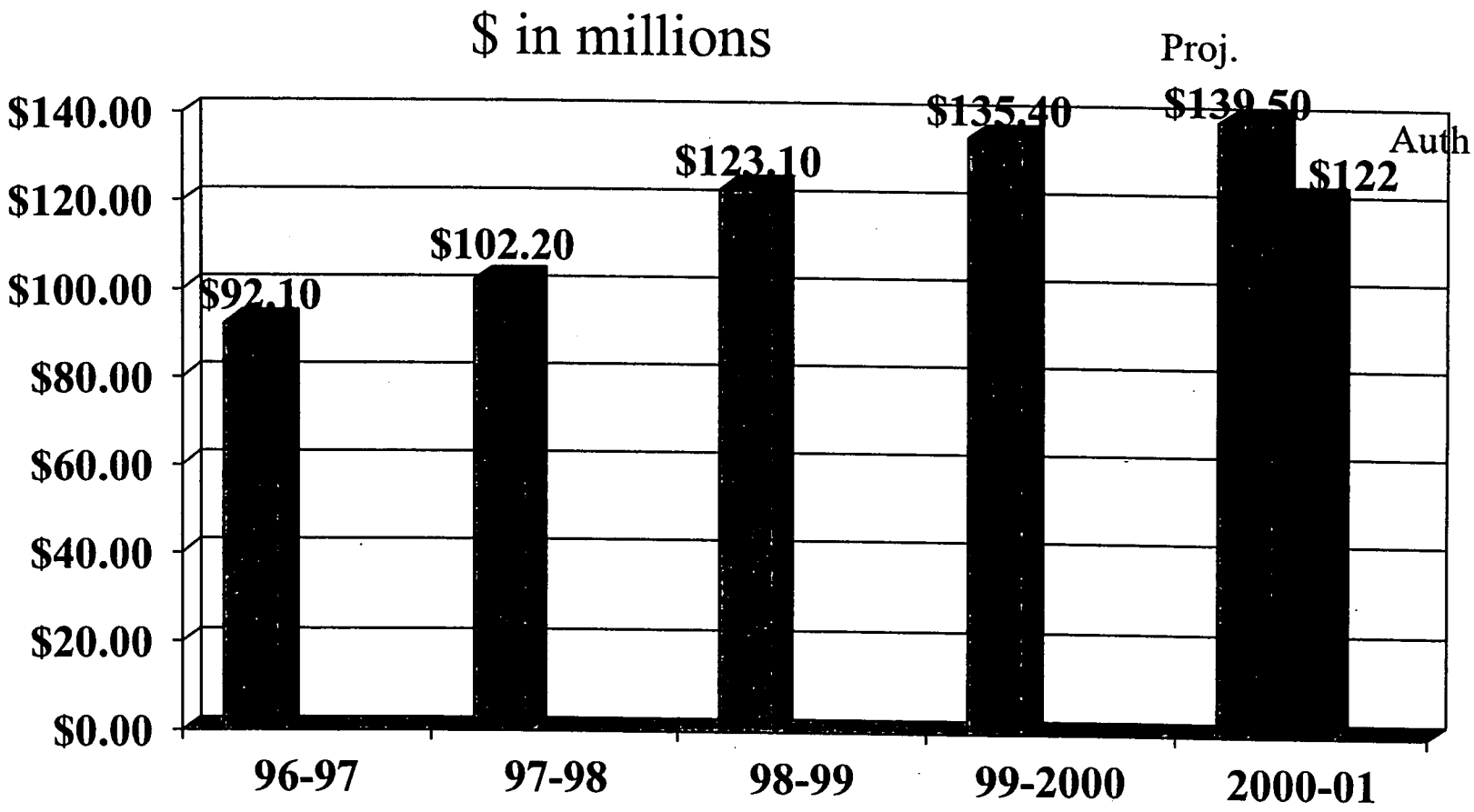
DOC Facilities

- Mental Health Beds
  - 7 prisons with a total of 439 non-acute Mental Health beds
  - Central and Women's Prison together have 172 acute MH care beds, 144 and 28 respectively
- General Medical
  - NCCIW, Central, and McCain operate 400 "hospital" beds
- Contract with UNC-Chapel Hill for inmate care (beds and providers) that cannot be provided in DOC system or in smaller local hospitals

Recent Budget Changes to Inmate Medical Budget

- **1997 Session** – Health budget was reduced by $2.3 million based on population projections but DOC authorized to use available funds if expenditures projected to exceed budget and if approved by Gov Ops
  - DOC has requested expenditure increase each year; in 2000, Gov Ops approved increase of $17.9 million over certified budget
  - DOC to request increase of $17 million plus for 2001
- **1998 Session** – Health budget appropriated $600,000 and 51 new medical positions authorized; also required study of costs by State Budget Office
- **1999 Session** – Cut 12 of 51 positions that had been vacant over one year and cut contractual services that had been used prior to new positions
- **2000 Session** – Authorized 3 medical cost containment positions to review bills, fees, and contracts

Growth in DOC Health Care Budget



Figures for 2001 are DOC projections and DOC authorized budget as of 12/31/00

Growth in Inmate Medical Budget

- Four major areas are driving cost increases:
  - Contracted Services. Because of continual vacancies in nurse positions and difficulty recruiting physicians, DOC is somewhat dependent on contractual employees
  - Hospital Services for Inmates. These are costs of a hospital bed. DOC has difficulty finding hospitals interested in contracting to handle inmates
  - Other Provider Services. These are costs charged by specialists at hospitals and other specialists as needed.
  - Prescription Drugs. Despite use of a Minnesota Purchasing Consortium this is the major growth area (percentage) in the inmate health budget. The top 20 drugs in expenditures account for over 55% of drug purchases and most are non-generic. AIDS/HIV treatments are major cost drivers.

Growth in Inmate Medical Budget

Budget Purpose (major items)	**97-98 Expendit.**	**98-99 Expendit.**	**99-2000 Expendit.**	**2000-01 Proj. Expendit.**	**% Growth since 97-98**
Contract Employees	$8,854568	$10,266,217	$11,929,170	$12,790,535	44%
Hospital Provider	$11,783,418	$17,581,703	19,078,055	$17,621,610	49.5%
Other Provider	$16,212023	$23,302,748	$24,104,461	$19,321,948	19%
Prescrip. Drugs	$10,699,718	$14,390,541	$19,233,590	$20,394,381	**90.6%**
Total Med Budget	***$102.2 M***	***$123.1 M***	***$135.41 M***	***$139.5***	***36.5%***
Avg Cost per Inmate	$3,270	$3,961	***$4,515***	***$4,430***	35.5%

Authorized budget for 2000-01 was $122 million as of Dec. 31, 2000

Inmate Medical Budget Cost Containment Actions

- What actions has DOC taken to control costs? Examples are:
  - Use of Pharmaceutical Consortium
  - Established medical utilization review team to review certain medical procedures before authorizing
  - Initiated inmate co-pay system ($3 for routine visit by inmate and $5 for visits outside normal sick call or if emergency call not justified)
  - Developing automated system linking medical purchasing and accounting, allowing automated review of bills and matching invoices to contract terms
  - Established pilot program for privatization of medical services at Pasquotank and Hyde
  - Converted physician contracts to permanent positions resulting in savings compared to contract costs

Possible Future Actions

- *Adjust budget closer to expenditures*?
  - Original Governor's Budget would have increased budget to actual expenditures plus inflation (over $150 million)
  - DOC estimates that $5.18 million will be need to be funded for prescription drugs – this was part of DOC's $15.5 million list of critical items not funded
- Review Minnesota Drug Purchasing Consortium Contract for Other Options (P & C Contract from mid 90's)
- Negotiate reduced hospital and provider rates with UNC Chapel Hill and other hospitals?
- Are more cost containment positions needed? Top level medical business manager?
- Continue automating health care system
- Construct new hospital at Central and small DOC regional hospitals

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday March 22ndt, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative Bill Culpepper
Representative R. Phillip Haire

II. PRESENTATIONS

- Community Corrections
  Kelly Little, Fiscal Research Staff
- Criminal Justice Partnership Program
  Kelly Little, Fiscal Research Staff
- Prison Reserves
  Jim Mills, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Tuesday March 27 – Probation and Parole
  Wednesday March 28 – Department of Justice
  Thursday March 29 – Department of Justice

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
March 22, 2001

The Joint Subcommittee on Justice and Public Safety met on March 22, 2001 at 8:30AM in room 415 LOB. Four Senate members attended. The following House members attended:

Rep. Phillip Haire	Rep. Larry Justus
Rep. John Hall	Rep. Joe Kiser
Rep. Wayne Sexton	

Senator Luther Jordan chaired the meeting. He introduced Kelly Little, staff who made a presentation on Community Corrections. See handout titled *Community Corrections Programs.*

In response to a question by Rep. Kiser, in intensive probation care, the staffing ration is 1 to 25. Also in response to Rep. Kiser, Mr. Stahl said yes there are some vacancies in surveillance officers though not an abnormal amount. In response to Rep. Kiser, Mr. Theodis Beck said it is preferable for Probation officers to visit offender but that is changing so that more offenders will visit probation officers. In response to Sen. Jordan, discretionary grants are applied for by he county and the division of community corrections decides how to allocate them. In response to Senator Ballance, special programs include Victims Assistance. Special Programs receive 12 % of the budget ($16.4 million out of $134 million. In response to Sen. Ballance, intensive teams consist of two people. Also in response to Sen. Ballance, whether Criminal Justice Partnership Programs are effective or not seems to depend on the program. The programs are a cornerstone of structured sentencing and are worth the effort.

There are 34 school partnership programs which try to prevent criminal activity. There are 43 victims advocates in 43 judicial districts. There are informal community policing efforts in 43 districts and 6 sex offender pilot programs. (see page 13 of handout)

Ms. Little distributed another handout titled *DCC 1410 Travel Budget Analysis.* In response to Sen. Thomas, Mr. Stahl said the probation officers are not allowed to take vehicles home. If they are called out and must use their own vehicles, they are paid mileage. According to Mr. Beck incidents of officers using their vehicles are rare because police are usually called. Rep. Sexton wanted to know how much transporting of offenders is done. Mr. Stahl said there is one secure vehicle per district. There is no reliance on local sheriffs.

Ms. Little distributed another handout, *Division of Community Corrections Communications* which describes the costs of communications. In response to Sen. Jordan, the contract for communications is negotiated by State Purchasing. Cell phones are issued to supervisors. In response to Rep. Kiser, Mr. Beck said probation officers are generally tied into frequencies of local police or sheriffs but it varies from place to place.

CJIN is used mostly in urban districts but the Division of Community Corrections is not connected to CJIN. As an additional follow up to rep. Kiser, Ms. Thomas, staff, said funding for the Mobile Data Network goes mostly to the Highway Patrol. To equip anyone else with this technology would cost $10,000 per vehicle and the General Assembly had not allocated funding for this. Rep. Justus commented that the thought one central communication system would be cost effective.

Ms. Little made a presentation titled *Criminal Justice Partnership Programs*. See handout of the same title. Page 8 of the handout shows the Criminal Justice Partnership Programs grant funding history. These are no match grants. The handout lists Offender Admissions and Exit data. Page 19 shows data from the Craddock Study. The programs admit offenders with higher risks. Overall, 20.1 % of CJPP clients were rearrested within 12 months of exit. Those who completed the program had a re-arrest rate of 13% compared to 25% who did not complete the program. The Day Reporting Centers are the only sanctioned program among the CJJ Programs.

An additional handout titled, *DCC Legislative Report on Criminal Justice Partnership Act* was distributed for information purposes.

Senator Jordan adjourned the meeting at 10AM.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Senate Committee Assistant

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Community Corrections Programs

Overview

March 2001

JPS Sub-Committee

Continuum of Punishments

ACTIVE

PRISON

JAIL

INTERMEDIATE

Split Sentence

IMPACT Boot Camp

Residential Community Correction

Electronic House Arrest

Day Reporting Centers

COMMUNITY

Intensive Supervision

Traditional Supervision

Targeting Community Corrections

Most Restrictive

- Split Sentencing
- Intensive Probation
- Electronic Monitoring
- DART-Cherry
- IMPACT
- Day Reporting Centers

First Offenders/Deferred

- Pre-trial Release
- IMPACT/Split Sent.
- Drug Treatment Court
- Community Service

Community Service Programs
All Departments—Current State Funding

- DOC PROGRAMS

-Substance Abuse $4 mil
-Probation Parole $106 mil
-CJPP $7.8 mil
-Grant Funded $2 mil
-IMPACT $5.6 mil

- JUDICIAL

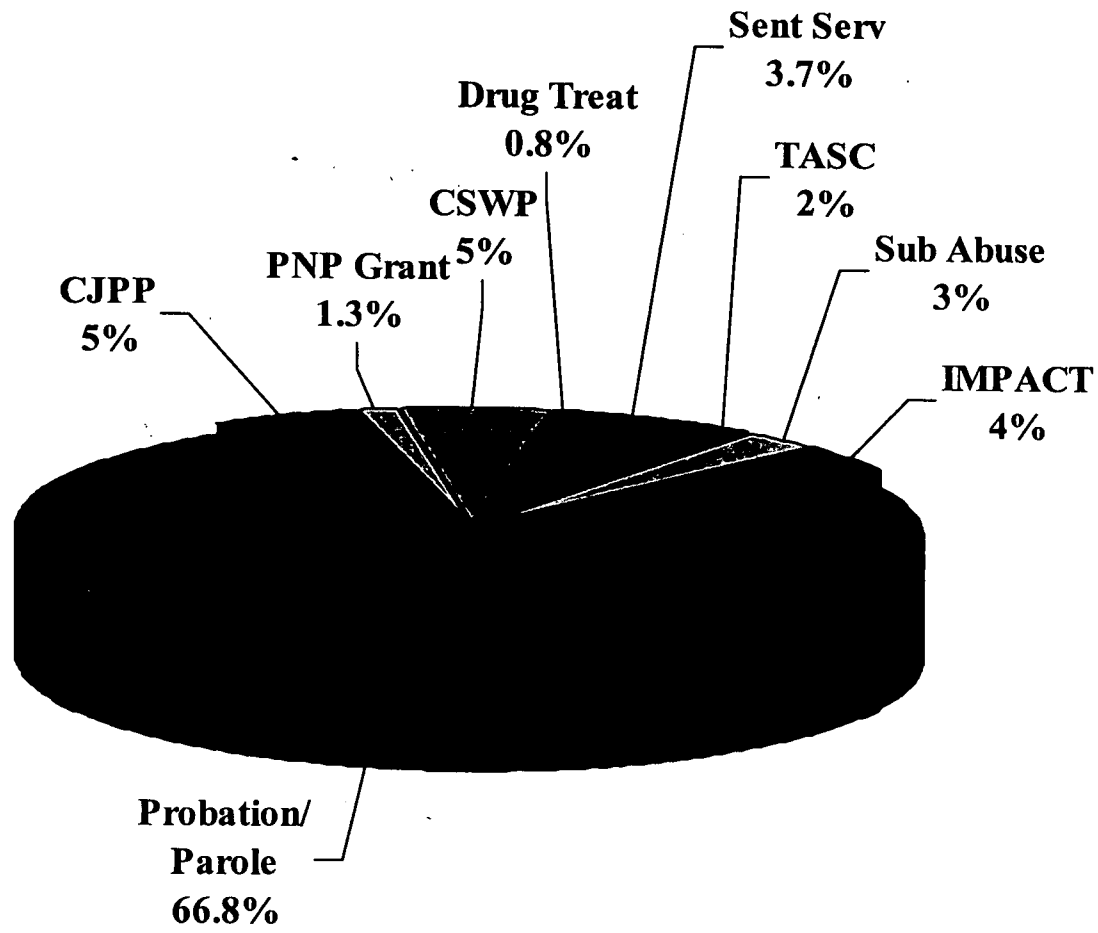
-Drug Treatment $1.3 mil
-Sentencing Services $5.9 mil

- DHHS

-TASC $3 mil

- CCPS

-Community Service $7.5 mil



Community Service Programs
All Departments---Numbers Served

- DOC PROGRAMS

-Substance Abuse 1,990

-Probation Parole 117,235

-CJPP 5,886

-Grant Funded 27,002

-IMPACT 1,560

- JUDICIAL

-Drug Treatment 675

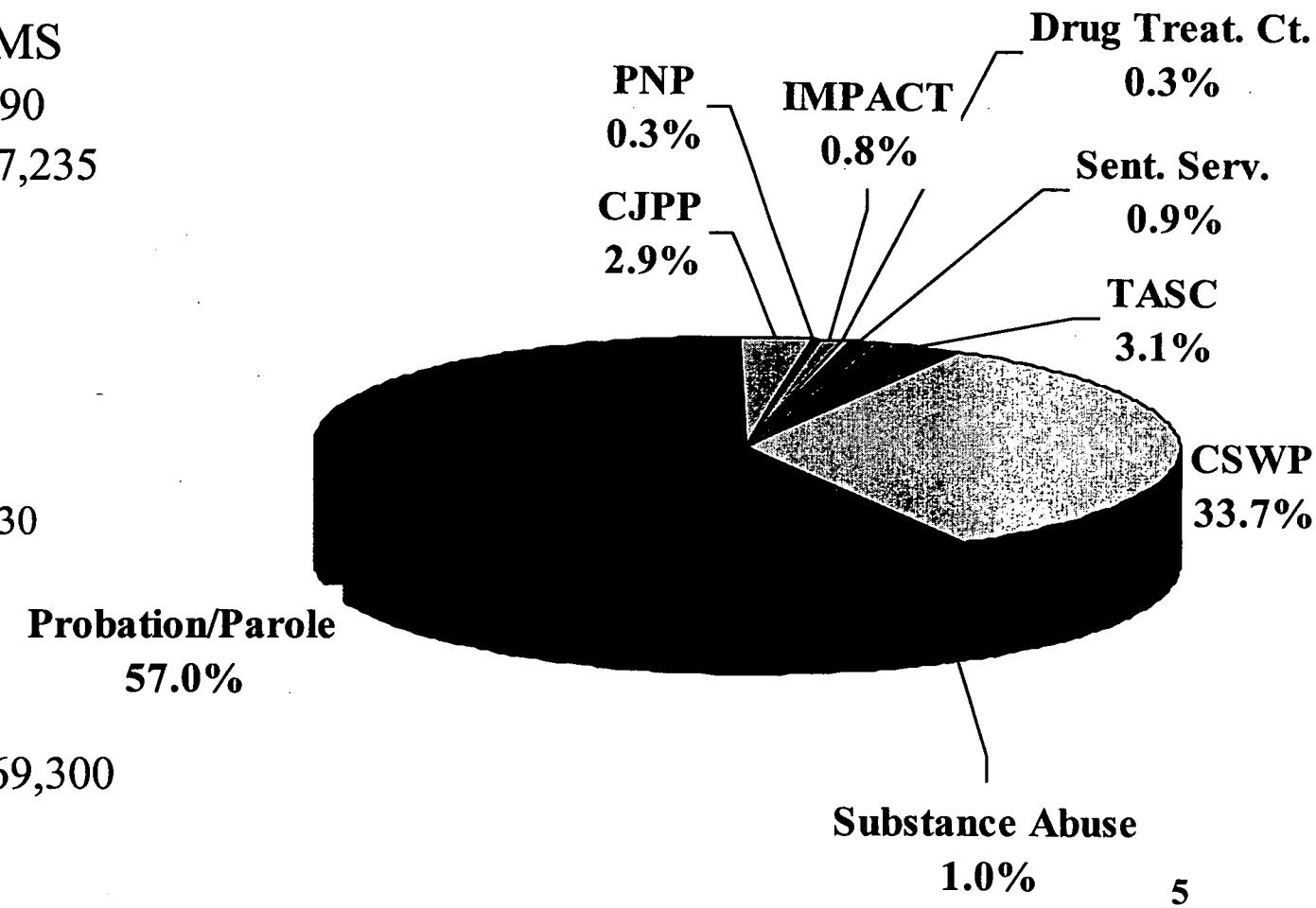
-Sentencing Services 1830

- DHHS

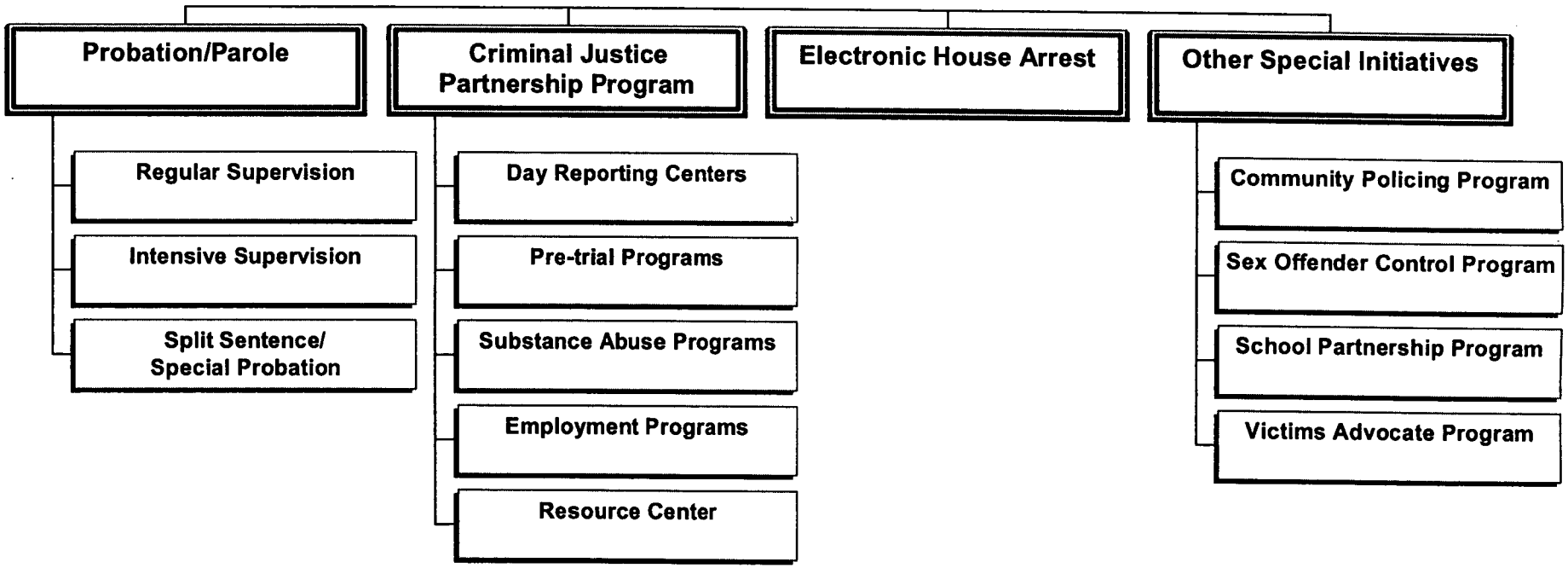
-TASC 6458

- CCPS

-Community Service 69,300



Division of Community Corrections



Highlights of 1999-2001 Session

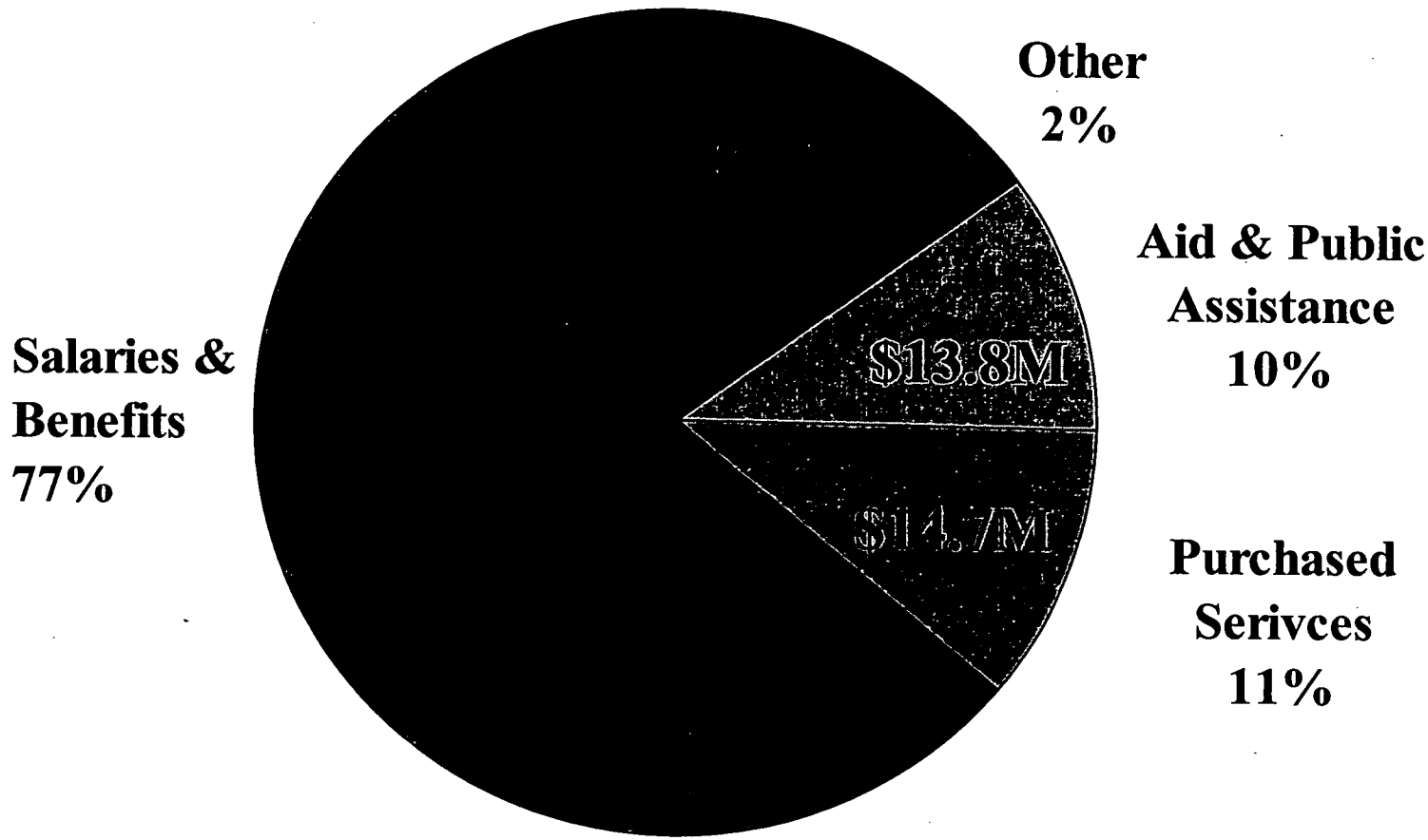
- **1999 Session**
  - Reduced funds for leased space by consolidating offices ($343,220)R
  - Increased funding to allow for reallocation of PPO Is to PPO IIs $775,727R
  - Reduced funds for non-participating counties CJPP ($705,704)NR
  - Reduced funds for office furniture for DCC ($118,336)R
  - Continued funding for Victims Assistance Pilot Program $119,915 R / $75,000 NR
  - Funded additional discretionary grants for CJPP $225,000 NR

Highlights of 1999-2001 Session

- **2000 Session**
  - Increased funding to allow for reallocation of additional PPO Is to PPO IIs $935,112
  - Reduced DCC travel budget ($200,000)R, funding for DCC employee physicals ($150,000) R, and equipment ($110,000)NR
  - Eliminated 6 Electronic House Arrest Specialist ($93,924)
  - Increased drug test fees by $1.50 ($126,186)R
  - Reduced funds for non-participating counties CJPP ($420,000)NR

Division of Community Corrections

2000-01 Budget by Purpose ($ millions)

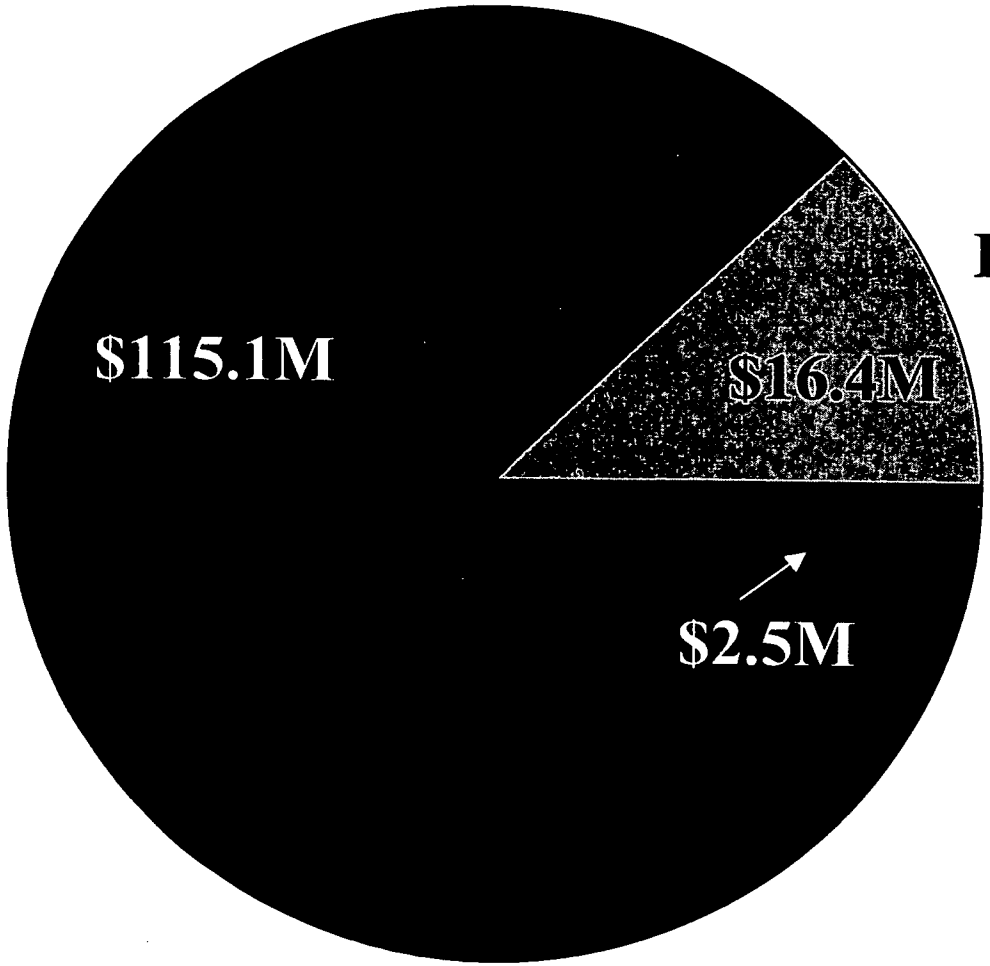


Total 12/31/00: $134 million

Source: 12/31/00 BD 701

Division of Community Corrections

Authorized Budget 12/31/00



Total 12/31/00: $134 M

Probation and Parole

- Intensive probation costs **$12.23** per offender per day, regular probation **$1.89**, EHA **$6.41**
- There are currently 43 Administrative Officers, 697 PPO Is, 515 PPO IIs, and 363 Intensive Teams
- As of December 31, 2000 there were:
  - **8,592** offenders on Intensive Supervision
  - **667** EHA
  - **107,820** Regular Probation
  - **3,073** Parole
  - **669** Post-release Supervision

Criminal Justice Partnership Programs

- In 99-00 CJPP provided $7,765,940 to local county governments for development and operation of community correction programs.
- There are currently 80 funded programs in 91 counties.
- The average cost per offender per day is $10.30.
- In 99-00 there were 3,550 exits from CJPP sentenced offender programs. Of these exits, 36% were successful completions of the program

Other DCC Programs

- 6 Sex Offender Control pilot programs
  - Wake, Durham, Forsyth, Guilford,Mecklenburg, Iredell, Davie, Davidson, Alexander, Cumberland, New Hanover, Surry, Catawba, Cabarrus, and Buncombe
- Informal Community Policing efforts in 43 districts
- 34 School Partnership Programs
- 43 Victims Advocate/Notification Coordinators (Administrative Officers)

DIVISION OF COMMUNITY CORRECTIONS
9-Mar-01

DCC 1410 Travel Budget Analysis
for Fiscal Year 2000-2001

Authorized Budget 5327XX Travel Lines: 39,353

Breakdown of Estimated Travel Expenses for Fiscal year 2000-2001

Management Travel	19,167
In-service Training	2,130
	$21,297

Management Travel - This includes support of management evaluation and audits, Curriculum Development, Personnel related activities, and Leadership and other committee meetings for management.
In-service Training - This includes Substance Abuse Screening, and CJPP Fiscal and DCC Fiscal Training.

DIVISION OF COMMUNITY CORRECTIONS
9-Mar-01

DCC 1430 Travel Budget Analysis
for Fiscal Year 2000-2001

Authorized Budget 5327XX Travel Lines: 482,829

Breakdown of Estimated Travel Expenses for Fiscal Year 2000-2001

Training - DCC Adjunct Instructors w/OSDT	58,320
Training - Operational	21,497
DCC Conference Expenses	27,427
DCC Management Travel	93,192
	$200,436

Training - DCC Adjunct Instructors work with OSDT Instructors - This training includes Firearms Training, Unarmed Self-defense Training, Unlawful Workplace Harassment, OC Pepper Spray, OSDT Basic Training, and OSDT Intensive Officer Basic Training.

Training - Operational - This training includes CJPP Training, OMM Training, CBI Training, Sex Offender Training, OPUS Training, CLDP Training (Leadership and Management Training), and EHA Training.

DCC Conference Expenses - Conferences expenses to include CJPP Training Institute, NCI Offender Employment Specialist, Internet Crimes Against Children, and American Correctional Assoc. Summer Conference.

DCC Management Travel - This includes support of management evaluations and audits, Curriculum Development, CJPP Travel, Personnel related activities, and Leadership and other committee meetings for management.

NORTH CAROLINA DEPARMENT OF CORRECTION
DIVISION OF COMMUNITY CORRECTIONS
CONFERENCE EXPENSES FY 00-01

CONFERENCE (INTERNAL CONFERENCE IN-STATE)	MEETING ROOM (532513900)	MEALS (532724)	LODGING (532721)	BREAKS (532724)	MILEAGE (532714)	**TOTAL**
*CJPP Training Institute (8/27/00-8/30/00)	$2,483.52	$14,750	$2,238.72	$800.00	$247.92	$ 20,520

Note: This is the only conference that DCC sponsored and it was held in August.

CONFERENCE (EXTERNAL CONFERENCES IN-STATE)	REGISTRATION (532930)	MEALS (532724)	LODGING (532721)			**TOTAL**
NIC Offender Employment Specialist Training (9/25/00-9/29/00)		$980.00	$ 1,855.00			$2,835
Internet Crimes Against Children (10/3/00-10/5/00)	$120.00	$76.00	$207.00			$403

CONFERENCE (EXTERNAL CONFERENCES OUT-OF-STATE)	REGISTRATION (532930)	MEALS (532725)	LODGING (532722)	AIRLINE (532712)		**TOTAL**
American Correctional Assoc. Summer Conf. (8/13/00-8/17/00)	$735.00	$492.00	$1,500.00	$942.00		$3,669

PLANNED CONFERENCES FOR BALANCE OF FY 01 - NONE (EXTERNAL & INTERNAL)						**TOTAL** $0
				GRAND TOTAL		**$27,427**

NOTE: Other external conferences attended by Division of Community Corrections employees were funded by the Office of Staff Development and Training. (N.C. Initiative on Race Relations, National Association of Blacks in Criminal Justice, Chemically Dependent Offender Conference, Basic Criminal Street Gang, Understanding, Accessing and Treating Sex Offenders, N.C. Correctional Association, American Probation and Parole Association, S.C. Probation and Parole Association Roundtable Meeting.)

*Includes expenses for 20 N.C. State Advisory Board Members attending a statutory-required quarterly Board meeting held simultaneously with the CJPP Training Institute.

Division of Community Corrections
Communications

555 cellular phones @ $14.75/mo. x 12 = $98,235
179 Nextel (cell phone/talk around combination being piloted) @ 51.45 x 12 = $110,515.

Total annual = $208,750

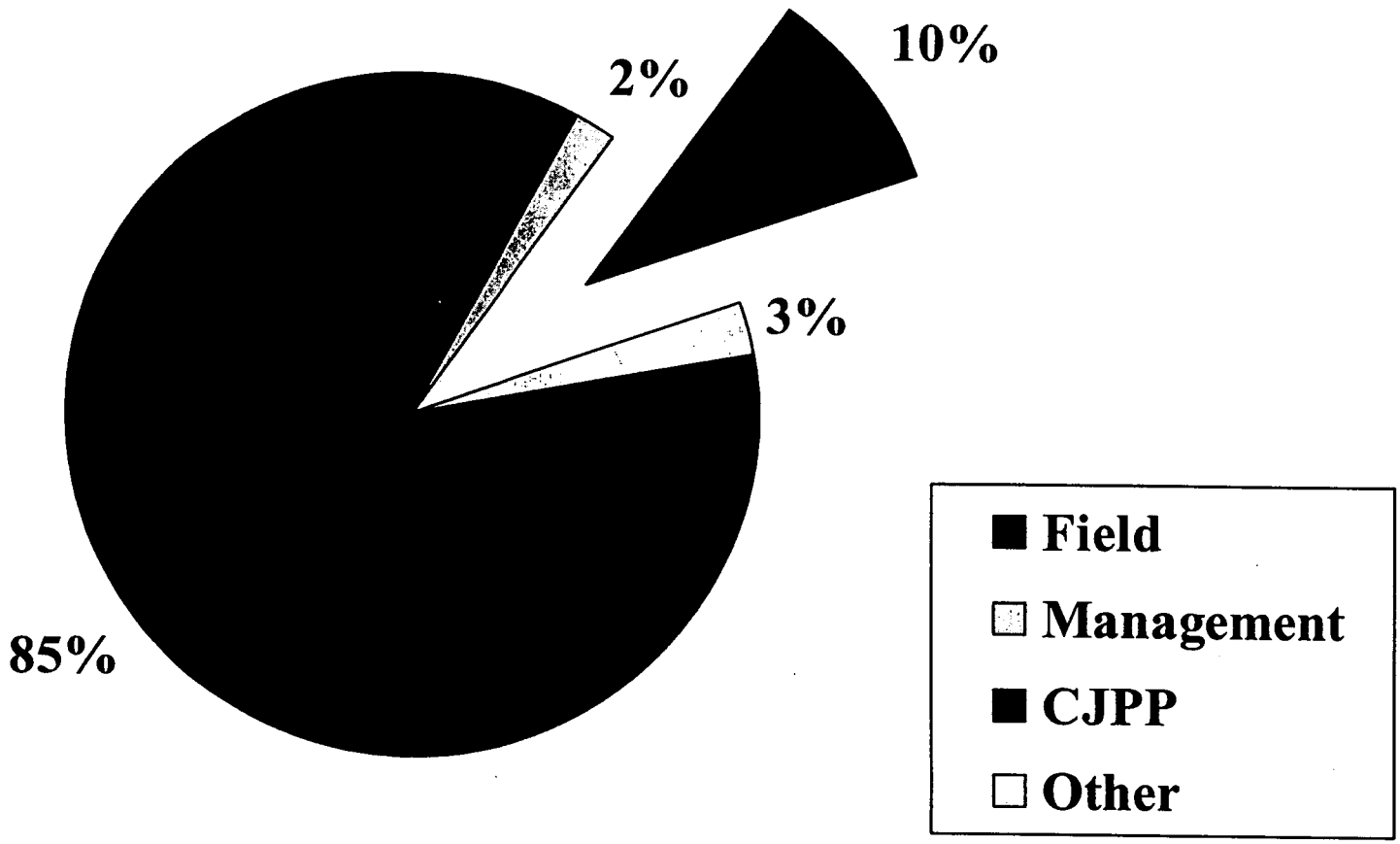
Additional Communications Equipment
21 car phones
1,595 handheld radios
698 car radios
357 pagers

Department of Correction
Division of Community Corrections

Criminal Justice Partnership Programs

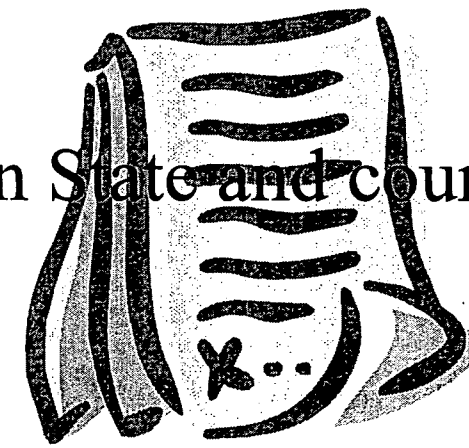
Joint Appropriations Subcommittee
on Justice and Public Safety
March 2001

Division of Community Corrections



Criminal Justice Partnership Act

- Established by the 1993 General Assembly to:
  - Provide supplemental community based corrections programs
  - Expand sentencing options
  - Promote coordination between State and county programs

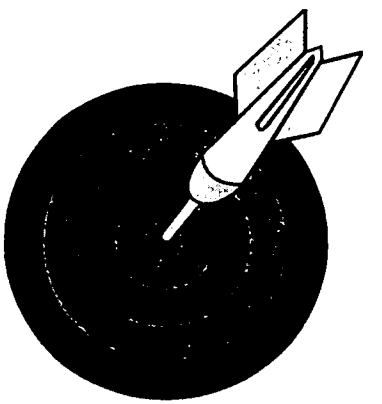


Program Goals

- Reduce recidivism
- Reduce probation revocations
- Reduce substance abuse
- Reduce county and State costs for incarceration

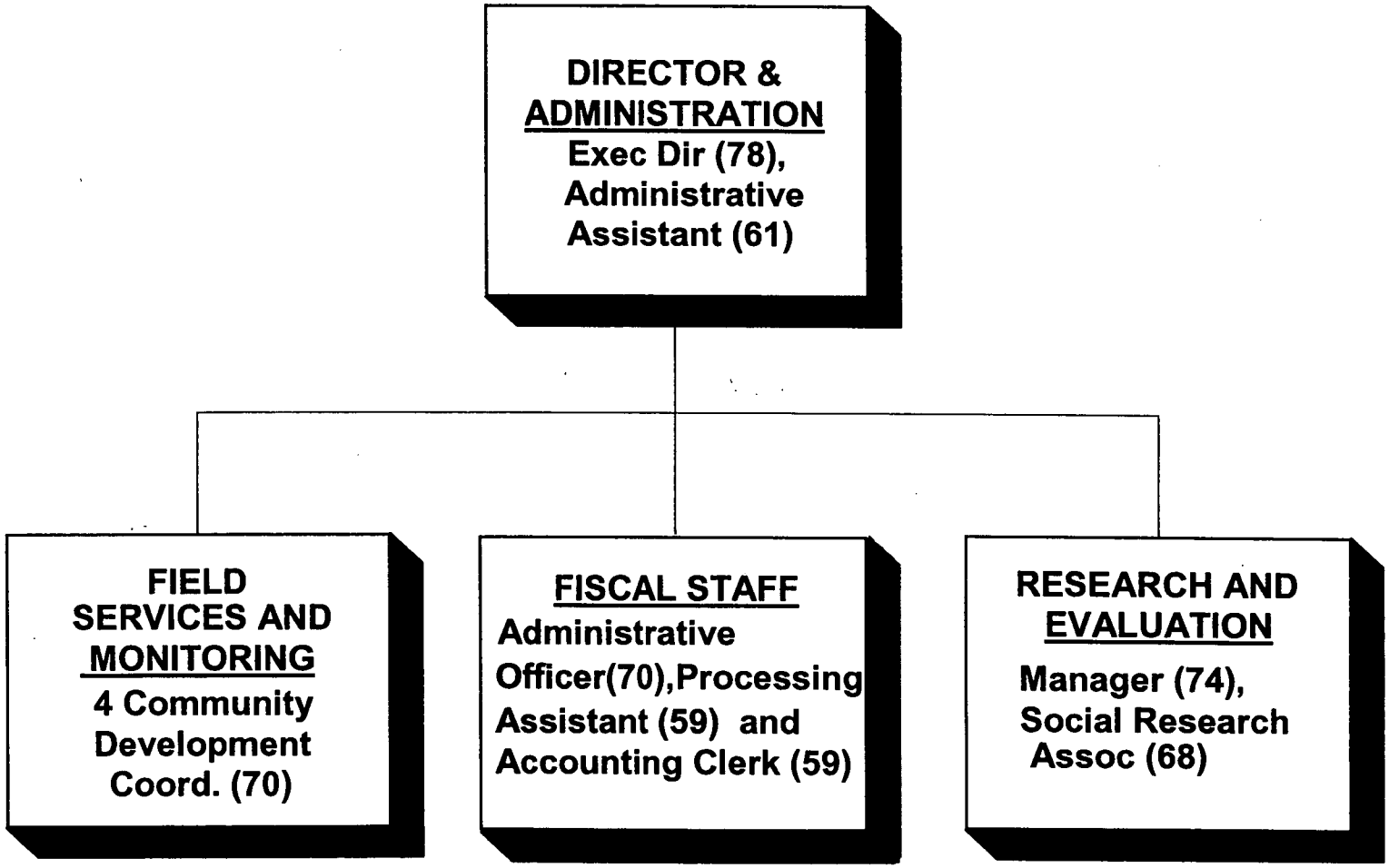
Target Population

- Offender sentenced to intermediate punishment
- Offender in confinement awaiting trial
- Offender serving a term of post-release supervision
- Offender on parole



CJPP Organizational Structure

Criminal Justice Partnership Program (Total Staff: 11)



Program Funding

- Implementation grants are available to counties who convene a CJPP Advisory Board and submit a Community Based Correction Plan
- Allotments are made to each participating county according to the following formula:
  - **20% fixed equal dollar amount for each county**
  - **60% based on county population**
  - **20% based on supervised probation admissions rate for the county**

CJPP Grant Funding History

	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01
CF Previous FY	0	2,648,174	10,310,992	7,827,345	4,711,504	3,416,620	2,921,707
Implementation	1,500,000	9,600,000	4,600,000	4,600,000	7,100,000	7,571,249	8,680,000
Discretionary	1,500,000	2,400,000	0	0	0	225,000	0
Total State Aid Awarded	3,000,000	14,648,174	14,910,992	12,427,345	11,811,504	11,212,869	11,601,707
Total State Aid Expenditures	351,826	4,337,182	7,083,647	7,715,841	8,394,877	8,291,162	
Carry Forward	2,648,174	10,310,992	7,827,345	4,711,504	3,416,620	2,921,707	

Source: Department of Correction, Division of Community Corrections

Cost Per Offender Per Day

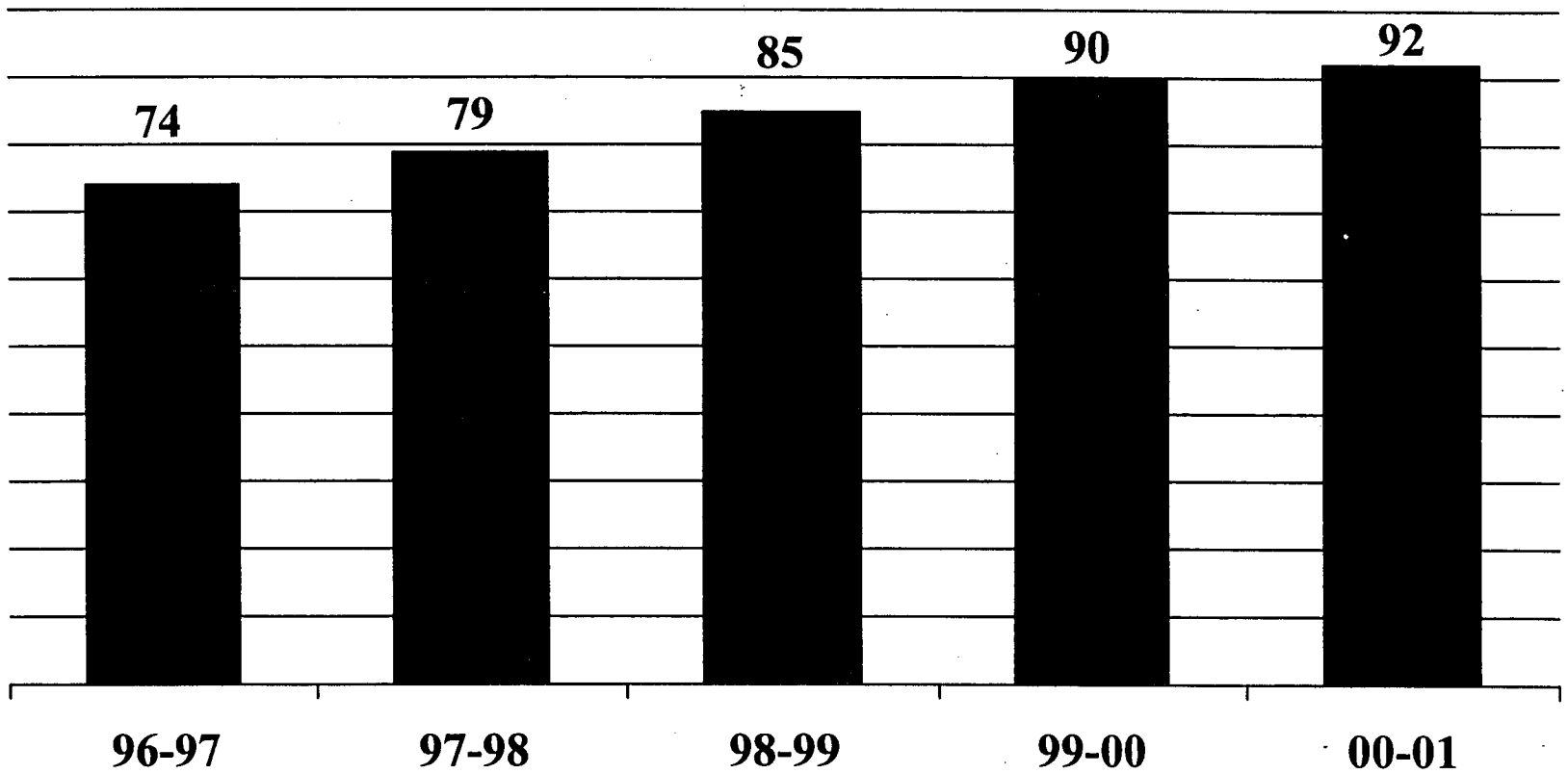
- Pre-trial Release
  - Program $5.67 + Admin. $0.13 = **$5.79**
  - Jail Bed Day Savings FY 99-00 = **173,399**

- Sentenced Offenders
  - Program $9.53 + Admin. $0.77 = **$10.30**

Current Programs
FY 99-00
As Reported by Counties

- Sentenced Offenders
  - 35 Day Reporting Centers
  - 33 Satellite Substance Abuse Services
  - 6 Work/Employment Centers
  - 6 Resource Centers
- Pre-Trial
  - 14 Pre-trial Monitoring
  - 12 Pre-trial Surveillance

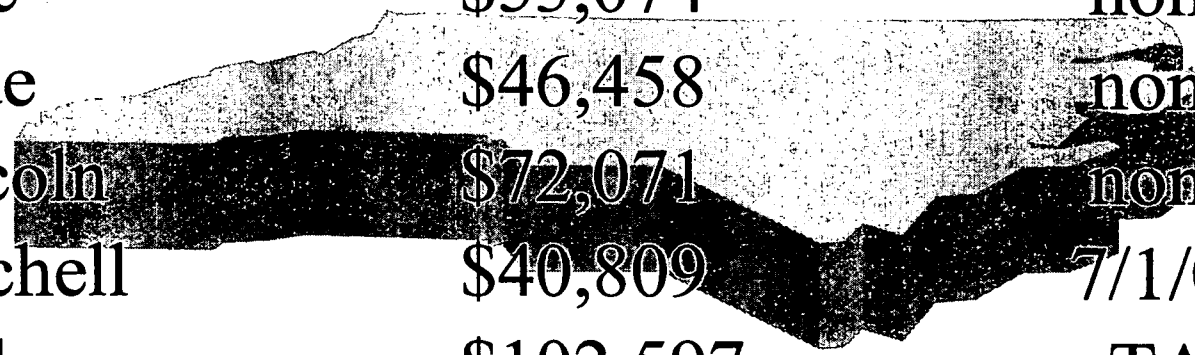
Participating Counties



FY 99-00 Non-Participating Counties

Where are they now?

County	Allocation	Interest
Bladen	$70,149	none
Dare	$53,074	none
Hyde	$46,458	none
Lincoln	$72,071	none
Mitchell	$40,809	7/1/01
Nash	$102,597	TA
Rutherford	$84,474	none
Union	$111,020	TA



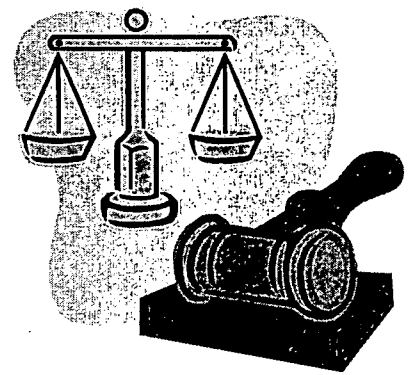
Offender Admissions Data
FY 99-00

Sentenced Offenders

Total Entries 3,917

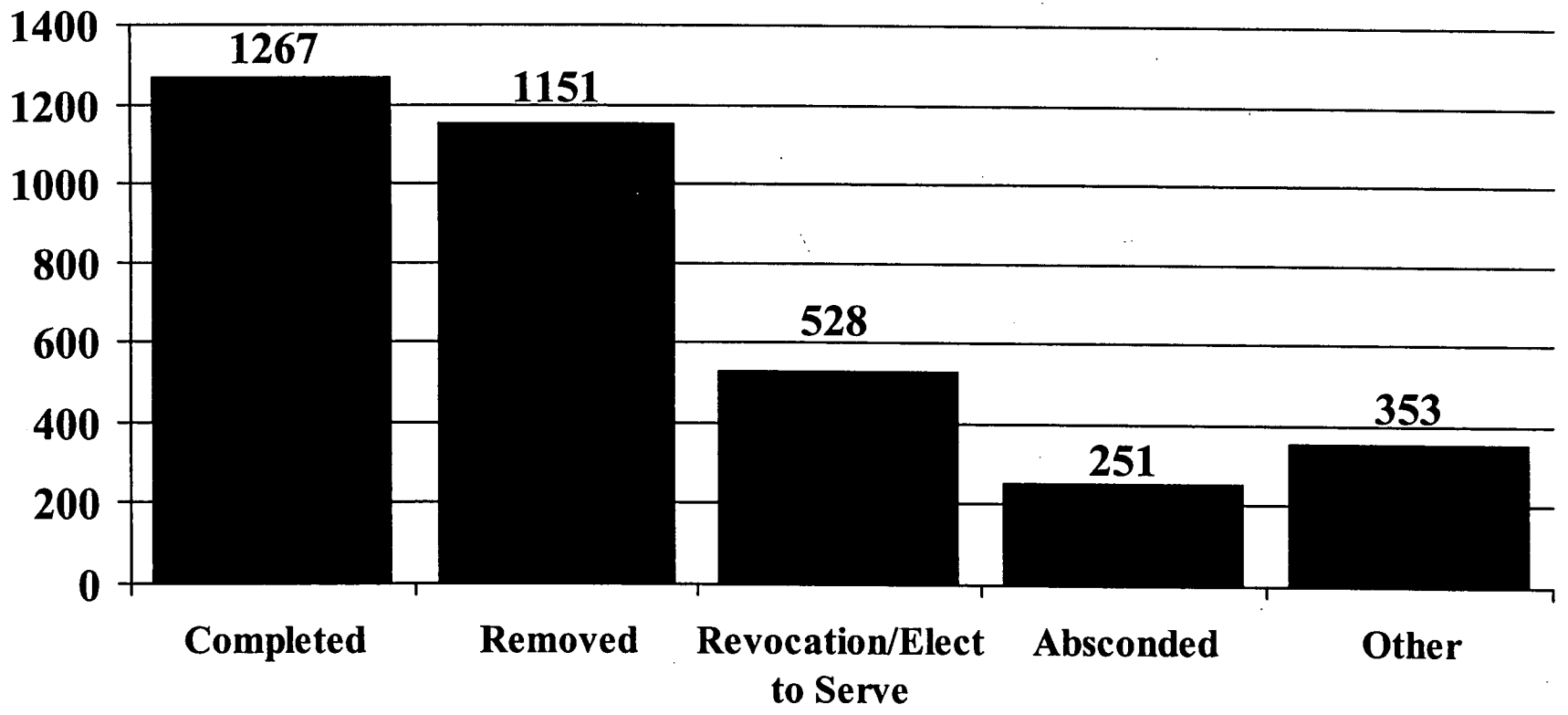
Referral sources:

- 65% Courts
- 2% Parole/Post Release
- 33% Probation/Parole



Offender Exit Data

Sentenced Offenders: 3,550 total exists



Source: CJPP Annual Report

Offender Admissions Data
FY 99-00

Pretrial Offenders

- 3,348 Interviewed
- 2,802 Presented to court
- 2,363 Admissions

Offender Exit Data

Pre-Trial Programs

- 1,519 Successful completions
- 397 Violations
- 119 Re-arrest/new charges
- 190 Other terminations

Probation Status after CJPP Exit

July 1, 1998 to July 1, 1999

Of the 3,077 offenders tracked for up to 17 months after exit from CJPP sentenced offender programs:

- 37% were revoked from probation
  - 86% revoked for technical violations
  - 14% revoked for pending charge or new crime
- 5% elected to serve their active sentence
- 14% were terminated from probation
- 33% were still on probation
- 11% completed probation

Source: CJPP 2001 Annual Report

CJPP Issues

- Evaluation of Programs
- Capacity vs. Utilization
- Standards for Day Reporting Centers
- Inflationary Increases for Existing Programs
- Funding of Discretionary Grants

Evaluation of Programs

Preliminary Results of Craddock Study

(Looked at groups entering Day Reporting Centers and 1 SSATP from July to Dec 1997)

- Programs admit offenders with higher risks
- 45% completion rate; 50% national average
- Overall 20.1% of CJPP clients were rearrested within 12 months of exit; those who completed had a rearrest rate of 13% compared to 25% for those who did not complete

Evaluation of Programs

G.S. 143B-273

Duties of State CJPP Board

- To evaluate the effects of categories of programs funded . . . and to prepare a written report.

Duties of County CJPP Boards

- To monitor and evaluate the impact of community based corrections programs and prepare a written report.

Evaluation of Programs

- The Division of Community Corrections has recently put in place, a Quality Assurance Process to evaluate community based corrections programs.
- Upon completion, data compiled will allow programs to assess targeting accuracy, program utilization, completion rates, and reductions in probation violations.

Utilization vs. Capacity

Policy Issues

Without known capacity levels, it is difficult to determine:

- How many clients can be served with current funds?
- Are programs underutilized? If so, to what extent?
- Are programs spending proportionally to number served?
- How many offenders in need are not being served?
- Is expansion funding needed?

Utilization vs. Capacity

Next Steps

- Determine whether true capacity levels can be ascertained for each type of program.
- Direct a DCC task force to review the capacity issue.
- Examine CJPP MIS system for modification needs.
- Special provision to direct collection of utilization vs. capacity to be included in annual report?

Standards for Day Reporting Centers

- Currently, there are no formal standards
- DCC is working with local program directors to develop standards related to these issues:
  - Transportation assistance, hours of operation, involvement of the correctional team, response to DRC violations, consequences for non-compliance, reporting requirements, curfews, staffing, and drug screening

Why are Standards Important?

- Day Reporting Centers are the only sanction among the CJPP programs.
- Absent uniform standards, an imposed sanction to a DRC means a different level of punishment for offenders in different counties.
- Due to the absence of standards, judges may be less likely to sanction an offender to a DRC, causing underutilization of the program

Program Goals for FY 2001-02

- Implementation of program standards
- Training on evaluation processes at CJPP Training Institute
- Encourage process evaluations be conducted by local programs to present to county boards
- Complete Quality Assurance evaluations on all CJPP programs
- Implement a new oversight review process for use by local programs

Inflationary Increases?

- 1999-2001 Governor's Recommended Budget included a 2.5% inflationary increase for implementation grants; Legislature did not fund the increase.
- No inflationary adjustment has been given since 1997.
- In order to adjust salaries for COLA, funding for services must be reduced.

Funding of Discretionary Grants

- Statute specifies following uses for discretionary grants:
  - To encourage innovative multi-county efforts
  - Cooperation and collaboration among existing services
  - Renovation of existing facilities
  - Innovative substance abuse programs
- Discretionary funding has been primarily used for:
  - Substance abuse treatment (contractual and residential)
  - Facility purchase and renovation
  - Cannot be used for fulltime staff or ongoing operational costs

Funding of Discretionary Grants

- Except for a small amount ($225,000) in FY 99-00, the only source for discretionary grants has been unspent funds from prior year.
- Projected FY 2000-01 Available Reversion: $1,447,090 *

* *Source: 2001 CJPP Annual Report*

Governor's Recommendations

- Reduce the implementation grant funding by ($270,000) for non-participating counties
  - Total allocation for non-participating counties $539,843
- Reduce implementation grant funding by an additional ($1 million) due to carry forward trends
  - Carry forward FY 99-00 $2,921,707; anticipated carry forward for FY 00-01 $1,447,090

* *Source: 2001 CJPP Annual Report*

STATE OF NORTH CAROLINA
DEPARTMENT OF CORRECTION

Division of Community Corrections
LEGISLATIVE REPORT
ON
CRIMINAL JUSTICE PARTNERSHIP ACT

February 1, 2001

Michael F. Easley
Governor

Robert Lee Guy
Director

Theodis Beck
Secretary

REPORT ON CRIMINAL JUSTICE PARTNERSHIP PROGRAM

Section 18. (d) The Department of Correction shall report by February 1, 2001, to the Chairs of the Senate and the House Appropriations Committees, the Senate and House Appropriations Subcommittees on Justice and Public Safety, and the Joint Legislative Corrections and Crime Control Oversight Committee on the status of the Criminal Justice Partnership Program. The report shall include the following information:

(1) The amount of funds carried over from the 1999-2000 fiscal year to the 2000-2001 fiscal year;
(2) The dollar amount and purpose of grants awarded to counties as discretionary grants for 2000-2001.
(3) Any counties the Department anticipates will submit requests for new implementation grants;
(4) The number of counties submitting offender participation data via the electronic reporting system;
(5) An analysis of offender participation data received during 2000-2001; and,
(6) An update on efforts to ensure that all counties make use of the electronic reporting system.

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X. Offender Outcomes Under CJPP Act
Summary of Preliminary Results.....Appendix 4

DCC
Legislative Report
On
Criminal Justice Partnership Programs
February 1, 2001

I. Introduction - Division of Community Corrections

In 1993, the Division of Adult Probation and Parole embarked on an aggressive plan designed to implement and enhance North Carolina's Structured Sentencing law and restore the public's faith in our criminal justice system by "changing the way we do business." The two major areas of change represent the agency's reorganization and implementation of a comprehensive community corrections strategy. The new sentencing law became effective October 1, 1994, and since that time, we have made great strides in restoring both public and professional trust in the criminal justice system. On July 1, 1998, the Department of Correction completed its reorganization by incorporating the Criminal Justice Partnership Program into the **Division of Adult Probation and Parole** and changing the agency's name to the **Division of Community Corrections**.

The foundation of the "new" Division's Community Corrections Strategy is the establishment and utilization of a graduated continuum of community based punishments. These sanctions provide quality control and supervision over the offender and also require much needed educational, vocational and substance abuse programming for the offender. The General Assembly has allocated additional vital resources in order to successfully implement these changes, including the passage of the Criminal Justice Partnership Act in 1994.

II. History - Criminal Justice Partnership Act

In conjunction with the passage of Structured Sentencing, the General Assembly also enacted the State-County Criminal Justice Partnership Act to establish community based correctional programs. By statute the Department of Correction awards grants to counties which voluntarily apply for community corrections funding. The Partnership Act is designed to expand sentencing options by adding community based sanctions and/or programs at the local level. Together with prisons, jails, other immediate sanctions and community (traditional) probation, we have formed a progressive ladder of punishments to effectively control, treat and hold criminal offenders in North Carolina accountable.

Goals of the Programs
- Reduce Recidivism
- Reduce Probation Revocation
- Reduce Alcoholism/Other Drug Dependencies
- Reduce Cost of Incarceration

Eligible Population
An offender is an adult who either is in confinement awaiting trial or was convicted of a misdemeanor or a felony offense and received a nonincarcerated sentence of an intermediate punishment or is serving a term of post-release supervision after completing an active sentence. In 1996 the population was modified to include inmates convicted prior to Structured Sentencing and eligible for parole.

III. Program Overview

General Statement

Today, community based correctional programs are in operation over the vast majority of the State with each having its own uniqueness geared around the needs of each individual locale. Programs such as day reporting centers, resource centers, pretrial programs, substance abuse programs and work/employment programs are beginning to mature and flourish.

In concert with local county governments, it is the goal of the Division of Community Corrections that all 100 counties participate in the Criminal Justice Partnership Program. Today, there are 80 funded programs participating with 91 counties represented. Tyrrell County submitted an implementation application for funding that was effective January 1, 2001. As of January, there were a total of 81 funded programs representing 92 counties. Nash and Mitchell Counties are currently receiving technical assistance and anticipate submitting implementation applications in the very near future. Active discussions are presently underway with the remaining six counties in hopes of establishing their programs in the not so distant future. Those counties are Bladen, Dare, Hyde, Lincoln, Rutherford and Union.

Local programs tend to have their own characteristics; however, each type is predicated around one or more of the following program types:

- **Day Reporting Center** is a facility to which offenders must report on a regular and frequent basis as a condition of supervision in order to account for their movements or to participate in programs, services, or activities offered at the center. Activities at the center may include substance abuse treatment, literacy or vocational training, cognitive restructuring or anger management and job development, among others. Day reporting centers allow increased control over offenders on probation and provide rehabilitation services.

- **Pretrial Programs** are designed to help manage jail populations by expediting pretrial release of appropriate persons to community supervision prior to trial. Such programs are intended to help counties reduce costs. Because jail detainees have not been adjudicated, the conditions that can be placed upon them are restricted.

- **Substance Abuse Programs** include assessment, drug screens, detox, outpatient counseling, residential treatment, family support, halfway house, psychiatric care, outpatient, intensive outpatient and inpatient programs and therapeutic communities. Substance abuse services are often purchased through a contractual agreement with the provider.

- **Work/Employment Programs** provide labor for community projects and are intended to help offenders seek, apply for, secure, and maintain employment in the community. Such services often include vocational training.

- **Resource Centers** tend to be modified versions of day reporting centers with the exception of many services being offered off-site. Offenders report on a regular and frequent basis as a condition of supervision and participate in program services or activities offered by the center. Some programs and services are typically offered off-site.

Program Types (FY 99-00)

1. Sentenced Offenders	
Day Reporting Centers	35
Satellite Substance Abuse Services	33
Work/Employment Programs	6
Resource Centers	6
2. Pre Trial	
Pre Trial Monitoring	14
Pre Trial Electronic Surveillance	12
3. Total Programs	80
Total Counties Served	91

IV. Fiscal Status Report

In accordance with the State-County Partnership Act, Criminal Justice Partnership Program funds are paid to participating counties on a reimbursement basis through the availability of two types of grants, implementation and discretionary. By statute, implementation grant funds, which are intended to support county programs' operational needs, are based on a formula and are awarded on a non-competitive basis.

Discretionary grant funds, awarded at the discretion of the Secretary of the Department of Correction, are intended to be used for the enhancement of programs and are to be applied on a non-recurring basis only. By statute, those funds are established to encourage innovation, collaboration, non-jail renovations, and substance abuse treatment programming. There is no cap on the amount of funds a county can request, and unlike implementation grants, there is no formula for awarding discretionary grant funds. Historically, discretionary grants have been used to enhance programs through the funding of a wide variety of program needs, ranging from substance abuse treatment programs to facility renovations.

Originally, $9.6 million was appropriated annually for implementation grant funding and $2.4 million for discretionary grant funding. By statute, all portions of grant funds remaining unspent by counties at the end of each fiscal year revert to the Criminal Justice Partnership Account for expenditures in the following fiscal year. In recent years, appropriations for Criminal Justice Partnership Program grants have been substantially reduced, and as a result, the funding of discretionary grants has relied solely on the availability of end-of-year reverting funds. While it is true that the number of potential new programs continues to diminish due to the increasing number of participating counties, a strong need continues to exist to support programs through the availability of discretionary grant funds. Particularly noteworthy is the fact that in the coming years, it is anticipated that discretionary grant funding will be heavily relied upon to support the cost of necessary technological advancement of county programs, particularly as that relates to the critical need of providing effective entry and analyses of offender data.

A. FY 1999-2000 Spending Summary

	Requested	FY 99-00 Awarded	Spent	% Spent	FY 98-99	FY 97-98
Implementation Grants		$ 8,650,692.00	$ 7,451,643.34	86%	85%	84%
Discretionary Grants		$ 351,927.00	$ 314,296.45	89%	54%	80%
Overall:		**$ 9,002,619.00**	**$ 7,765,939.79**	**87.5%**		

B. FY 2000-2001 Fund Reversion Summary

Available Funds		
Carry Forward from FY 1999-2000	$ 2,921,707	(Unspent balance as of June 30, 2000)
Less:		
FY 1999-2000 Obligations (July 1 - August 15 expenditures outstanding grant extension obligation)	$ 1,501,735	($1,329,369 reported by Accounting though 8/24. Additional $172,365 projected by CJPP for final FY 99-00 processing.)
Total Unspent Balance from FY 99-00	**$ 1,419,972**	

Certified FY 2000-2001 Continuation Funding	$ 9,340,000	
Certified FY 2000-2001 Discretionary Grant Funding	0	
Total Appropriated Funds for FY 2000-2001	**$ 9,340,000**	
Total Available Funds for FY 2000-2001	**$ 10,759,972**	

E. Projected Expenditures

Implementation Grants	
Approved Implementation Grant Funding 7/1/00	$ 8,971,549
Projected Additional FY 00-01 Implementation Grant Funding	
Tyrrell County (6 months)	$ 23,899
Total Implementation Grants:	**$ 8,995,448**

DISCRETIONARY GRANTS AWARDED IN FY 2000-2001

Awarded Effective October 1, 2000				
	County	**Type of Program**	**Purpose of Grant**	**Rewarded Amounts**
1	Allehgany	Satellite Substance Abuse Treatment	Air conditioner unit ($675), auto repair ($1,000), building renovation ($500)	$ 2,175
2	Allehgany	Satellite Substance Abuse Treatment	Substance Abuse Treatment (IOPT) ($12,200), continuing education ($900), fuel ($2,400)	$ 15,500
3	Carteret	Jobs/Life Structure T	Purchase a 15-passenger van	$ 25,000
4	Columbus	Satellite Substance Abuse Treatment	Substance Abuse Treatment (IOPT), plus TV/VCR and Cognitive Behavior Intervention tapes	$ 15,000
5	Craven	DRC	Purchase a computer	$ 2,223
6	Hertford	DRC	Purchase van	$ 20,000
7	Iredell	DRC	Purchase 2 computers and 2 printers	$ 5,660
8	Randolph	DRC	Purchase a 15-passenger van	$ 25,000
9	Rowan	Satellite Substance Abuse Treatment	Supplement current substance abuse contract ($11,085), and purchase a computer ($1,725)	$ 12,810
10	Stokes	DRC	Purchase a 15-passenger van ($23,000), lawn equipment ($500), and breathalyzer ($1,500); pave parking lot ($3,000) and construct shelter/awning ($3,000)	$ 31,000
11	Surry	DRC	Upgrade telephone system ($2,000), purchase computer ($1,200) ISDN installation ($800)	$ 4,000
12	Vance/Granville /Franklin/Warren	DRC	Purchase 3 computers for GED classroom ($4,500)	$ 4,500
13	Wayne	DRC	Building renovations ($39,300); purchase equipment ($3,618)	$ 42,918
14	Yadkin	Satellite Substance Abuse Treatment	Purchase copier ($7,000) and breathalyzer ($1,400)	$ 8,400
			TOTAL	**$ 214,186**

Awarded Effective November 1, 2000			
	County	**Purpose of Grant**	**Rewarded Amount**
15 - 24	Brunswick, Caldwell, Columbus, Davie, Lee-Harnett, Montgomery, Moore, Richmond, Rockingham, Surry	Purchase/lease of replacement EHA units from new vendor	$ 99,248

Awarded Effective January 1, 2001				
25	Bertie	DRC	Replace HVAC unit	$ 4,000

Total Approved Discretionary Grant Awarded Amount FY 2000-2001	**$ 317,434**

FISCAL ACTIVITY SUMMARY	
Total Available Funds FY 2000-2001	**$10,759,972**
Total Projected FY 2000-2001 Expenditures (@ 100%):	**9,312,882**
Implementation ..... $ 8,995,448	
Discretionary 317,434	
Projected FY 2000-2001 Available Reversion	**$1,447,090**
Total amount needed to fund 8 counties currently not participating (annualized)	**580,652**

NOTE: In accordance with G.S. 143B-273.5, unspent balances must remain in the Criminal Justice Partnership Account for expenditures in the following fiscal year.

V. Information Management System (IMS) Update

The CJPP IMS is a secure, web-based electronic information system with access via the Internet. Data is entered by local CJPP staff on individual offenders and defendants and transferred to a central computer located in the Department of Correction. CJPP funded programs are required by policy and grant award contract provisions to enter program/offender data into IMS. Historically, some programs elected to refrain from using the system at all or selectively enter limited data causing incomplete records. Their reasoning revolved around their belief that the system was too cumbersome and not user friendly. This issue was addressed during FY 99-00 by redesigning the system in an effort to make it more user friendly and providing additional training for local staff. Discretionary funding was also authorized for local programs to purchase high speed fax modems and employ temporary help to eliminate the backlog of cases they had encountered. Today, all 91 counties involved with CJPP enter data into IMS. Our Division CJPP Coordinators now monitor the system on a regular basis to ensure local programs are in compliance.

VI. Summation

Significant progress has been realized with CJPP in that all 91 counties now have funded programs. Several of the remaining counties are actively involved with CJPP to develop their own programs. We expect them to apply for funding during FY 00-01. The number of offenders receiving services continues to increase as well as the maturity of the local programs themselves. While we continue to promote and enhance these programs, we are becoming a model that others may wish to replicate in the future.

In summary,

- $1,419,972 was carried over from FY99-00 to FY00-01.
- Discretionary funds in the amount of $317,434 were awarded during FY00-01.

- Tyrrell County has submitted an implementation application for funding effective January 1, 2001. Nash County and Mitchell Counties are receiving technical assistance and may submit applications during FY00-01.

- Programs covering 91 counties are submitting data via IMS.

- An analysis of offender data prepared by the DOC Office of Research and Planning in January of 2001 revealed the CJPP admissions increased by 17% during FY99-00 as compared to FY98-99. During this same time period, offender services increased by 26%. The successful completion rate for offenders increased from 30% to 36%.

- Policy and the grant award contract require a local program to enter data into IMS. The Division CJPP Coordinators monitor the system on a regular basis to ensure compliance.

Note: October 1, 1996, the National Institute of Justice awarded Pacific Institute for Research and Evaluation a grant to study offender outcomes under the North Carolina Criminal Justice Partnership Program. The study is limited to sentenced offender programs and specifically focuses on Day Reporting Centers but will include one or two satellite substance abuse programs. The study will be completed within the next few months at which time a copy will be provided to all committee members. A preliminary evaluation is contained in Appendix Four of this report.

VII. Appendix 1

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

Organization/Program Details

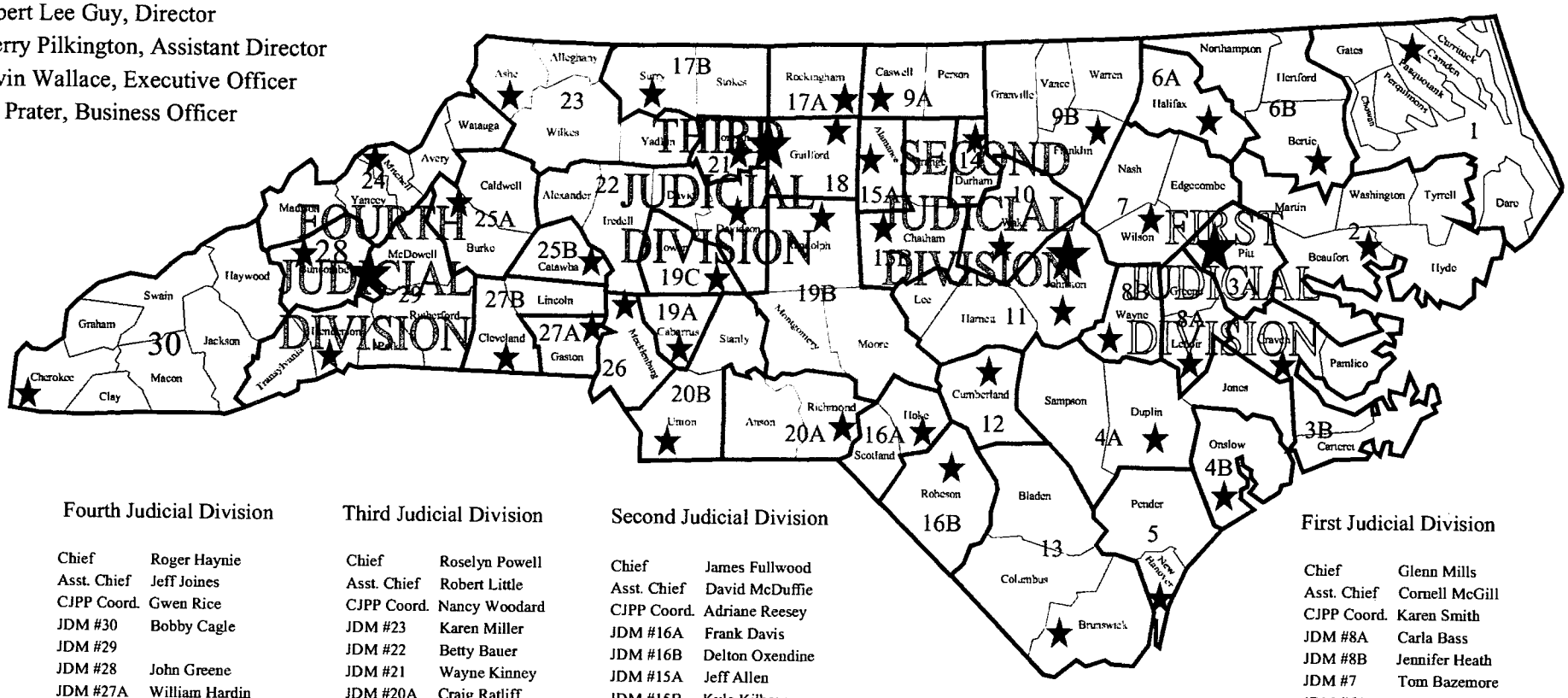
DOC Division of Community Corrections

February 2001

N.C. DEPARTMENT OF CORRECTION

DIVISION OF COMMUNITY CORRECTIONS

Robert Lee Guy, Director
Sherry Pilkington, Assistant Director
Kevin Wallace, Executive Officer
Joe Prater, Business Officer



Fourth Judicial Division

Chief	Roger Haynie
Asst. Chief	Jeff Joines
CJPP Coord.	Gwen Rice
JDM #30	Bobby Cagle
JDM #29	
JDM #28	John Greene
JDM #27A	William Hardin
JDM #27B	Mickey Bland
JDM #26	Phyllis Bridges
JDM #25A	David Throneburg
JDM #25B	Betty Echerd
JDM #24	Johnny Deyton

Third Judicial Division

Chief	Roselyn Powell
Asst. Chief	Robert Little
CJPP Coord.	Nancy Woodard
JDM #23	Karen Miller
JDM #22	Betty Bauer
JDM #21	Wayne Kinney
JDM #20A	Craig Ratliff
JDM #20B	Nebraska Massey
JDM #19A	Don Linker
JDM #19B	Timothy Poole
JDM #19C	Rose Cox
JDM #18	Yoleeta Howell
JDM #17A	Larry Pierce
JDM #17B	David Willard

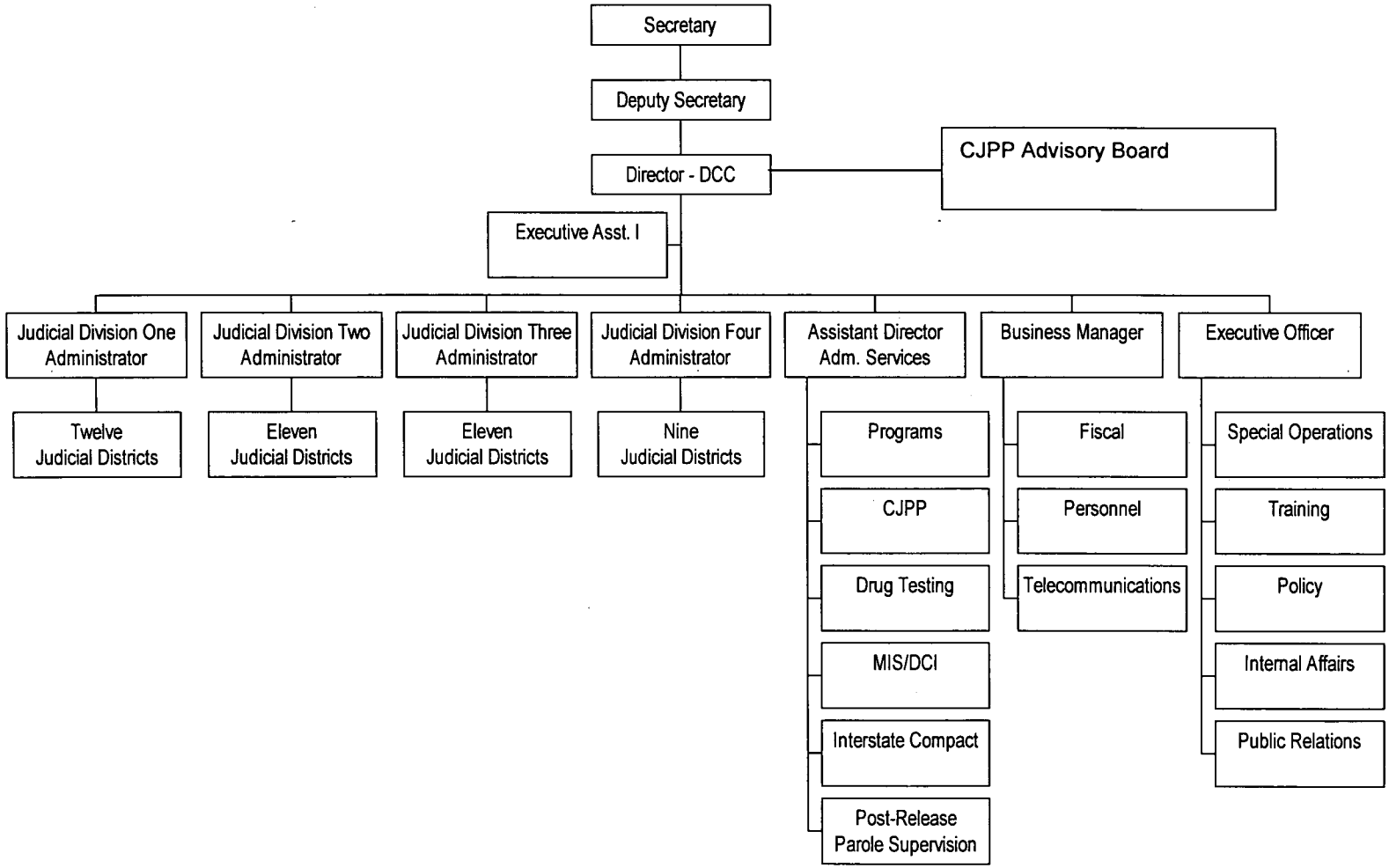
Second Judicial Division

Chief	James Fullwood
Asst. Chief	David McDuffie
CJPP Coord.	Adriane Reesey
JDM #16A	Frank Davis
JDM #16B	Delton Oxendine
JDM #15A	Jeff Allen
JDM #15B	Kyle Kilborn
JDM #14	James Ellis
JDM #13	Robert Shannon
JDM #12	Wayne Marshburn
JDM #11	Lynwood Rains
JDM #10	Doug Pardue
JDM #9A	John Lee
JDM #9B	Royster Washington

First Judicial Division

Chief	Glenn Mills
Asst. Chief	Cornell McGill
CJPP Coord.	Karen Smith
JDM #8A	Carla Bass
JDM #8B	Jennifer Heath
JDM #7	Tom Bazemore
JDM #6A	Jesse Pittard
JDM #6B	Robert Harrell
JDM #5	Terry Gootee
JDM #4A	James Thornton
JDM #4B	Mike Morton
JDM #3A	Mary Lou Sutton
JDM #3B	Gary Mann
JDM #2	Rick Moore
JDM #1	Roy Daniels

NORTH CAROLINA DEPARTMENT OF CORRECTIONS
DIVISION OF COMMUNITY CORRECTIONS



CRIMINAL JUSTICE PARTNERSHIP PROGRAM
Implementation Grant Application Summary
For Funding Period July 1, 2000 through June 30, 2001
January 23, 2001

County	Grant Amount	Start Date	Program Type				Type of Services			
			DRC	SSAT	Pre-Trial	Other	SAT	Education	Job Dev.	Other
First Division	**Coordinator: Karen Smith**									
Albemarle Region	263,107	4/95	1		1		1	1	1	2
Beaufort	75,911	1/99		1			1		1	
Bertie	59,643	7/99	1				1	1	1	1
Carteret	81,366	10/95		1		1		1	1	1
Craven	109,426	4/95	1				1	1	1	1
Duplin	75,778	1/96		1			1			
Edgecombe	82,932	4/95		1	1		1			1
Greene	56,460	7/99		1	1		1		1	
Halifax	107,932	4/95	1	1		1		1	1	
Hertford	72,523	7/95	1				1	1	1	1
Jones	46,386	10/95		1			1		1	1
Lenoir	96,100	7/99		1			1		1	
Martin	64,238	10/99		1			1	1	1	
New Hanover	155,836	4/95	1		1		1	1	1	1
Northampton	61,067	7/95	1				1	1	1	1
Onslow	159,603	4/95	1				1	1	1	1
Pamlico	46,437	7/96		1			1	1	1	1
Pender	69,001	7/98		1	1		1			
Pitt	134,117	7/95				1		1	1	1
Sampson	83,416	7/00		1		1	1			
Tyrrell	23,899	1/01		1		1	1			
Washington	49,972	7/99		1		1	1		1	
Wayne	130,148	10/95	1			1	1	1	1	1
Wilson	90,581	4/95	1	1		1		1	1	1
Second Division	**Coordinator: Adriane Reesey**									
Alamance	138,317	7/95		1			1			1
Brunswick	85,286	7/95		1	1	1	1			1
Caswell	49,675	4/95		1			1			
Columbus	82,703	1/96		1	1		1			
Cumberland	270,093	4/95	1				1	1	1	1
Durham	203,479	7/95	1				1	1	1	1
Johnston	107,081	1/99		1			1			1
Lee-Harnett	174,597	4/95	1		1		1	1	1	1
Orange-Chatham	181,941	4/95		1	1		1	1	1	1
Person	64,958	4/95	1				1	1	1	
Robeson	144,827	7/95	1				1	1	1	1
Scotland-Hoke	151,262	1/96		1			1	1 off-site	1 off-site	1 off-site
VWGF	274,413	7/97	1				1	1	1	1
Wake	431,564	4/95	1				1	1	1	1
Third Division	**Coordinator: Nancy Woodard**									
Alexander	66,428	1/96	1				1	1 off-site	1 off-site	1 off-site

DRC = Day Reporting Center
SSAT = Satellite Substance Abuse Treatment
Pre-Trial = Pre-Trial

CRIMINAL JUSTICE PARTNERSHIP PROGRAM
Implementation Grant Application Summary
For Funding Period July 1, 2000 through June 30, 2001
January 23, 2001

County	Grant Amount	Start Date	Program Type				Type of Services			
			DRC	SSAT	Pre-Trial	Other	SAT	Education	Job Dev.	Other
Alleghany	40,523	7/95		1			1	1 off-site	1 off-site	1 off-site
Anson	72,332	1/97		1	1		1			
Ashe	56,098	4/00		1			1	1	1	
Cabarrus	126,892	4/99		1			1		1 off-site	
Davidson	157,546	10/95	1				1	1 off-site	1 on and off-site	1 on and off-site
Davie	65,572	4/95	1		1		1	1 on and off-site	1 on and off-site	1 on and off-site
Forsyth	260,563	4/95	1		1		1	1	1	1
Guilford	329,714	4/95	1				1	1	1	1
Iredell	134,268	10/95	1				1	1 on and off-site	1 on and off-site	1
Montgomery	68,009	1/96	1		1		1	1		1
Moore	94,410	4/95	1		1		1	1	1	1
Randolph	131,509	4/95	1		1		1	1	1	1
Richmond	87,281	7/98		1	1	1	1			1
Rockingham	108,104	4/95	1		1		1 on and off-site	1	1	1 on and off-site
Rowan	136,630	4/00		1	1	1	1			1
Stanly	79,426	7/97		1	1		1			
Stokes	70,737	7/95	1				1	1	1	1
Surry	91,112	4/95	1		1		1	1	1	1
Wilkes	95,157	1/97	1		1		1	1	1	1
Yadkin	61,965	4/00		1	1		1	1	1	
Fourth Division	**Coordinator: Gwenn Rice**									
Avery	43,845	7/96		1			1	1	1	
Buncombe	187,283	4/95	1		1		1	1 on and off-site	1	1
Burke	100,185	4/95	1				1	1	1	1
Caldwell	96,730	4/95		1	1		1	1	1	1
Catawba	141,458	7/95				1	1	1 on and off-site	1	1
Cherokee	55,568	10/97				1	1	1	1	1
Clay	36,052	10/97				1	1	1 off-site	1 off-site	
Cleveland	100,646	7/96	1				1	1	1	1
Gaston	178,103	4/95	1		1		1	1 off-site	1	
Graham	43,934	7/95				1	1	1	1	
Haywood	77,309	7/98		1	1		1 off - site	1 off-site	1 off-site	1 off-site

DRC = Day Reporting Center
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Pre-Trial = Pre-Trial

CRIMINAL JUSTICE PARTNERSHIP PROGRAM
Implementation Grant Application Summary
For Funding Period July 1, 2000 through June 30, 2001
January 23, 2001

County	Grant Amount	Start Date	Program Type				Type of Services			
			DRC	SSAT	Pre-Trial	Other	SAT	Education	Job Dev.	Other
Henderson	92,771	7/95			1	1	1 on and off-site	1	1	1 on and off-site
Jackson	54,968	1/98		1			1			1
Macon	48,865	7/95	1				1 off-site	1 off-site	1	1 on-site
Madison	40,479	4/00		1			1			1
McDowell	63,793	7/96				1	1	1	1	1
Mecklenburg	498,414	4/95	1				1	1	1	1
Polk	41,780	7/96		1			1			
Swain	49,081	1/97				1	1	1 off-site	1 on and off-site	1 on and off-site
Transylvania	54,046	1/96		1			1			1
Watauga	61,294	7/95		1			1			
Yancey	38,493	1/98				1	1	1	1	1
TOTAL	**8,995,448**		36	38	27	19	77	56	61	58

DRC = Day Reporting Center
SSAT = Satellite Substance Abuse Treatment
Pre-Trial = Pre-Trial

VIII. Appendix 2

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

An Analysis of Offender Participation During Fiscal Year 1999-2000

As Reported in the CJPP Information Management System (CJPP IMS)

DOC Division of Community Corrections

February 2001

Appendix to CJPP Annual Report
Analysis of CJPP Offender Participation Data Received During Fiscal Year 1999-2000

Prepared For Robert L. Guy
By DOC Office of Research & Planning
January 2001

CJPP FY 1999-2000
Part I

FY 1999-2000 Introduction

The Criminal Justice Partnership Act of 1994 expands sentencing options by adding community based sanctions for offenders receiving non-prison sentences. The Act created the Criminal Justice Partnership Program (CJPP), which provides state funds to help counties create sentenced offender and pretrial release programs. A local advisory board is responsible for developing, implementing, operating, monitoring, and evaluating a local community corrections plan. The Division of Community Corrections (DCC) in the Department of Correction is the state agency responsible for implementing the Criminal Justice Partnership statewide.

The goals of the CJPP are to reduce recidivism, reduce the number of probation revocations, reduce alcoholism and other drug dependencies among offenders, and to reduce the cost of incarceration. The populations eligible for Criminal Justice Partnership Program services are pretrial detainees, intermediate punishment offenders (misdemeanor or felony and especially probation violations) and offenders serving terms of parole/post-release supervision.

The types of programs eligible for CJPP grants include, but are not limited to: day reporting centers, substance abuse services, resource centers, employment/job skills training, education services and residential facilities (for programs targeting intermediate punishment offenders); pretrial monitoring services and pretrial electronic surveillance (for pretrial release programs); and aftercare support services (for post-release and parole supervision programs).

There are two categories of CJPP local programs—sentenced offender programs and pretrial release programs. Examples of sentenced offender programs include day reporting centers, satellite substance abuse and resource centers. As of June 30, 2000, 91 of the 100 counties in North Carolina are participating in the Partnership. These counties operate thirty-five day reporting centers, thirty-three satellite substance abuse centers, six resource centers, six work/employment programs and 26 pretrial release programs.

Although the counties have wide latitude on program design, most provide some combination of substance abuse treatment, education and employment programs. In day reporting centers offenders must report as required and participate in assigned services. Satellite substance abuse centers provide a range of treatment services, on-site and off-site. Resource centers coordinate a variety of program interventions, some on-site and others off-site.

Data Sources for this Report

CJPP local programs store data in and report data from a computer system called the CJPP Information Management System (IMS). DCC redesigned the CJPP IMS midway through the period covered in this report. The new design makes the system easier to use and is more efficient. However, the CJPP IMS is not yet fully utilized by all programs. Because the data in this document represent what CJPP IMS users entered in the system, the figures may not be representative of all program activities.

CJPP Program Costs

The Department of Correction accounting office computes agency and program costs annually. According to the DOC Controller's office, the CJPP cost per offender per day for FY 1999-2000 is $10.30. This is the total grant amount to local CJPP programs divided by an estimated average daily population in CJPP programs, plus administrative costs relating to state CJPP, DCC and DOC staff.

CJPP FY 1999-2000
Part II

FY 1999-2000 Sentenced Offender Program Entries

During FY 1999-2000 there were 3,917 reported entries to CJPP sentenced offender programs. This represents an increase of 17% over FY 1998-1999, when admissions were 3,362.

Of the reported entries to local CJPP sentenced offender programs during FY 1999-2000, the state courts referred 65%. One-third (33%) of entries result from probation officers exercising delegated authority, and the Parole Commission refers just under 2% of entries.

Referral Sources for CJPP Admissions

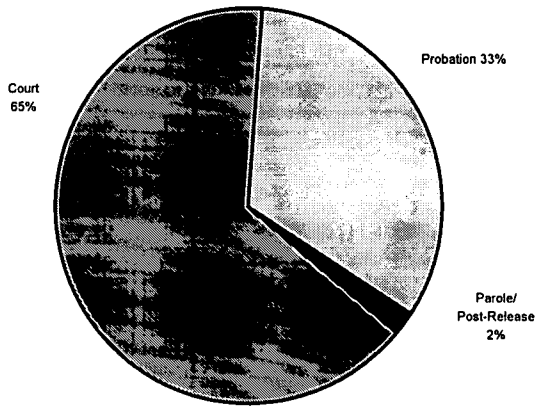


Table 1—Age/Race of CJPP Sentenced Offender Entries Fiscal Year 1999-2000

	Male				Female				
AGE	White	Black	Other	Total Male	White	Black	Other	Total Female	TOTAL
10-19 yrs	238	272	13	523	37	28	0	65	588
20-29 yrs	555	827	43	1,425	148	144	12	304	1,729
30-39 yrs	311	381	17	709	138	114	8	260	969
40-49 yrs	151	202	8	361	61	78	3	142	503
50-59 yrs	33	65	3	101	8	7	0	15	116
60-69 yrs	5	4	0	9	1	0	0	1	10
70-79 yrs	2	0	0	2	0	0	0	0	2
Total	1,295	1,751	84	3,130	393	371	23	787	3,917
% by Race	33.1%	44.7%	2.1%		10.0%	9.5%	0.6%		100.0%
% by Gender				79.9%				20.1%	100.0%

The 3,917 sentenced offender entries break down by gender as follows:

- 79.9% of entries were male
- 20.1% of entries were female

The 3,917 sentenced offender entries break down by race as follows:

- 43.1% of entries were white
- 54.2% of entries were black
- 2.7% of entries were some other race

Table 2—Misdemeanor Entries FY 1999-2000

Structured Sentencing Crime Class	Prior Record Level			Non-Structured*	Total
	I	II	III		
Class A1	58	109	64	-	231
Class 1	259	354	193	-	806
Class 2	45	102	34	-	181
Class 3	15	37	20	-	72
Other/Undefined	-	-	-	147	147
Total	377	602	311	147	1,437

*Non-structured means an entry by an offender sentenced under a law other than Structured Sentencing, such as Fair Sentencing or DWI. Although not eligible under the Criminal Justice Partnership Program legislation, such offenders are sometimes ordered to enter a CJPP program.

Of the offenders admitted to the sentenced offender component of CJPP, 38% were misdemeanants. A little more than half (56%) of all misdemeanants were convicted of Class 1 crimes. Crimes in Class 1 include non-trafficking drug offenses, larceny, assault, and breaking and entering. The next largest was Class A1. Most (93%) offenders convicted of Class A1 crimes were convicted of assault.

Table 3—Felony Entries Fiscal Year 1999-2000*

Structured Sentencing Crime Class	Prior Record Level						Non-Structured**	Total
	I 0 pts	II 1-4 pts	III 5-8 pts	IV 9-14 pts	V 15-18 pts	VI 19+ pts		
E	54	47	0	0	0	0	-	101
F	43	39	24	0	0	0	-	106
G	96	138	36	23	1	0	-	294
H	255	439	151	59	10	0	-	914
I	157	282	185	50	4	5	-	683
Other	3	2	1	1	1	0	249	257
Total	608	947	397	133	16	5	249	2,355

**Non-structured means an entry by an offender sentenced under a law other than Structured Sentencing, such as Fair Sentencing or DWI. Although not eligible under the Criminal Justice Partnership Program legislation, such offenders are sometimes ordered to enter a CJPP program.

*Note: Excludes 125 offenders with no sentencing information recorded. Thus actual total felony entries is 2,355 + 125 = 2,480.

The majority of all Criminal Justice Partnership Program entries for FY 1999-2000 were felony offenders (2,480 felony entries out of 3,917, or 63%). Two-thirds of the felony entries were convicted of Class H or I offenses. The most frequent Class H offenses were non-trafficking drug offenses, larceny, and breaking and entering. Class I offenses include non-trafficking drug offenses and forgery. There were 294 admissions for Class G offenses, which include non-trafficking drug offenses and robbery.

Part III
FY 1999-2000 SENTENCED OFFENDER PROGRAM POPULATION AND SERVICES

On June 30, 2000 there were 2,145 offenders reported in CJPP sentenced offender programs. This represents an increase of 26% over June 30, 1999, when the population was 1,702.

CJPP local programs provide a wide array of treatment, education and employment services to sentenced offenders. The most-used services reported by CJPP local programs were regular and intensive outpatient substance abuse treatment services (1,525 offenders), counseling or therapy services (814 offenders), general equivalency diploma (GED) (514 offenders), life skills training (364 offenders) and job seeking skills (270 offenders) (see Table 4).

Table 4—Offenders Served and Service Totals FY 1999-2000

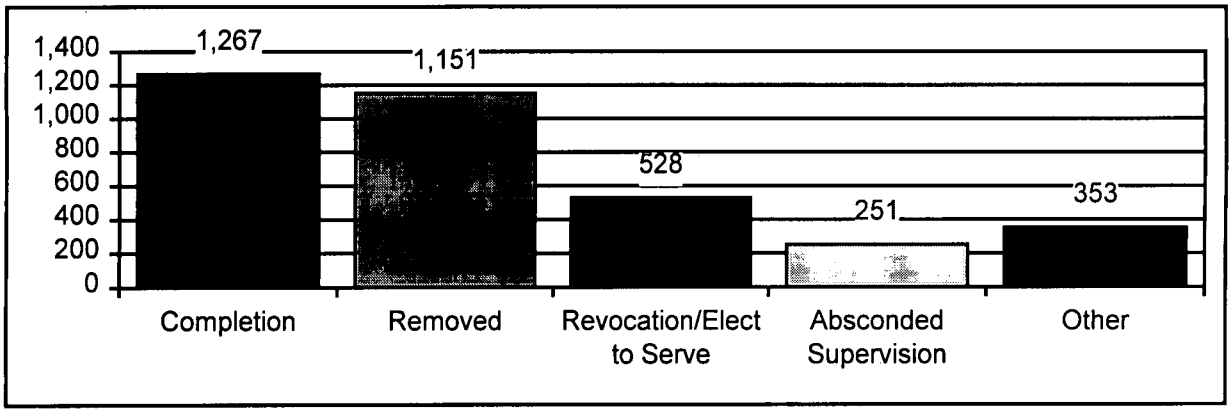
CJPP Service Description	Number of Offenders Who Received Each Service*	Total Service Count**
Counseling/Therapy Services	814	4,855
Outpatient Substance Abuse Treatment	784	7,832
Intensive Outpatient Substance Abuse Treatment	741	11,585
GED Classes/High School	514	6,176
Life Skills Training	364	1,648
Job Seeking Skills	270	832
Adult Basic Education Classes	250	4,113
Drug Education	204	776
AA/NA Support Groups	176	1,133
Cognitive Behavioral Intervention	172	1,059
Work Program	161	865
Vocational Training	160	1,734
Job Placement	134	539
Drug Aftercare	109	596
Anger Management	105	467
Other Services	385	4,066
*Offenders may receive more than one type of service		48,276
**Total Service count means the number of times an offender received a service.		

The "Other Services" category contains a wide variety of services provided to offenders. These include parenting classes, sex offender services, domestic violence services, educational counseling, residential substance abuse treatment and halfway house stays, and mentoring programs.

Part IV
FY 1999-2000 SENTENCED OFFENDER PROGRAM EXITS

During fiscal year 1999-2000 there were 3,550 reported exits from CJPP sentenced offender programs. Of these exits, 1,267 (36%) were successful completions of the program. This is an increase over the completions from FY 1998-1999, when 885 out of 2,941 exits were successful, for a successful completion rate of 30% (see Table 5).

Table 5—Exits by CJPP Exit Type FY 1999-2000



Removing the offender is the second most frequent type of reported exit from Partnership programs (32%). An offender is removed for not adequately participating in programs. The offenders who have their probation revoked for violating probation conditions or elect to serve the active sentence represent 15% of the CJPP exits and absconders from supervision contribute another 7%. The "Other" category includes offenders who transferred from the program, never reported to program, were inappropriate for the program, or were released for medical reasons.

Length of Service

- For the 3,550 reported offender exits from CJPP between July 1, 1999 and June 30, 2000, the overall average length of service was 5.6 months. This is a slight increase over the previous fiscal year, when overall length of service was 5.4 months.
- Among those 3,550 exits there were 1,267 reported completions. For those 1,267 completions, the average length of service was 7.5 months, down slightly from 7.7 months for exits during FY 1998-1999.
- For the 2,283 exits for any reason other than completion, the average length of service was 4.5 months, unchanged from FY 1998-1999.

Program Services

Additional information about programs is gathered when offenders exit the local Partnership programs. Local programs provided 4,497 services to offenders who exited CJPP programs during the 1999-2000 fiscal year. Of those, 2,084 (46%) services were completed successfully. Of offenders who exited CJPP in FY 2000, one-quarter (25%) obtained or maintained employment while in the program.

Analysis of Prior-Year (FY 98-99) Exits and Probation Status

For last year's CJPP report (FY 98-99), Research & Planning analyzed probation status data for all offenders who exited CJPP. The study included a six-month follow-up period, meaning that each offender's data was analyzed for six months after the close of FY 98-99. Research & Planning repeated the study of these FY 98-99 exits, this time with a 17-month (up to 510 days) follow-up. Table 6 below shows the outcomes for 3,077 reported offenders who exited CJPP sentenced offender programs during FY 1998-1999 using the 17-month follow-up.

Table 6—Exits From CJPP Sentenced Offender Programs FY 1998-1999

	PROBATION STATUS					
CJPP EXIT REASON	Active	Revocation	Elect Serve	Completion	Termination	Total
Completion	381	105	13	197	264	960
Inadequate Performance	291	486	52	64	91	984
Absconded	89	149	11	9	11	269
Technical Violation	52	207	33	5	15	312
Other	174	151	22	45	63	455
Elect Serve	14	40	38	3	2	97
Total	1001	1138	169	323	446	3077

Note 1: Each Offender is followed for up to 17 months (510 days) after exiting CJPP.

Probation Status After Exit from CJPP

From July 1, 1998 to June 30, 1999, 3,077 offenders exited CJPP sentenced offender programs.[1] Each offender's probation status was followed for 17 months (the maximum amount of time between the end of that fiscal year and the writing of this report).

Of the 3,077 offenders who exited the CJPP, after up to 17 months:

- 33% were still on active probation supervision
- 37% were revoked form probation supervision
- 5% elected to serve their active sentence
- 14% were terminated from probation supervision and
- 11% completed probation supervision.

Of the 3,077 exits, 1,138 offenders were revoked from probation. Of the 1,138 revocations:

- 86% were revoked for technical violations and
- 14% were revoked for a pending charge or a new crime.

These revocations were not necessarily directly related to performance in the CJPP sentenced offender program, they could represent violation of any condition of probation

[1]Note that the number of exits for this period (FY 98-99) is different from the number of exits reported for the same period in the previous annual report. This is because the CJPP Standard Operating Procedure computerized information system allows users to go back to prior years and edit or add data to these files.

CJPP Exit Reason and Probation Status

Of those 3,077 who exited CJPP sentenced offender programs between July 1, 1998 and June 30, 1999, after up to 17 months of follow-up:

- Of the 960 offenders who exited the CJPP successfully, 40% were still on active probation supervision, 12% were revoked from probation or elected to serve their sentence, 27% were terminated from probation supervision and 21% completed probation supervision.

- Of the 984 offenders who exited the CJPP because of inadequate performance, 30% were still on active probation supervision, 49% were revoked from probation supervision, 5% elected to serve their active sentence, 9% were terminated from probation supervision and 7% completed probation supervision.

- Of the 312 offenders who exited the CJPP with a technical violation, 17% were still on active probation supervision, 66% were revoked from probation, 11% elected to serve their active sentence, 4% were terminated from probation and 2% completed probation supervision.

- Of the 269 offenders who exited the CJPP by absconding, 33% were still on active probation supervision, 56% were revoked from probation supervision, 4% elected to serve their active sentence, 4% were terminated from probation supervision and 3% completed probation supervision

- Of the 106 offenders who exited the CJPP because of new charges pending, 26% were still on active probation supervision, 55% were revoked from probation supervision, 10% elected to serve their active sentence, 8% were terminated from probation supervision and 1% successfully completed supervision.

- Of the 473 offenders who exited the CJPP with other termination reasons, 35% were still on active probation supervision, 29% were revoked from probation supervision, 10% elected to serve their sentence, 14% were terminated from probation supervision and 12% completed their supervision.

Part V

FY 1999-2000 Sentenced Offender Program Entries and Exits

Table 7—CJPP Sentenced Offender Program 7/1/1999--6/30/2000

Observation	County	Facility Name	Entries	Exits
1	Alamance	Alamance SSA	166	64
2	Alexander	Alexander DRC	28	21
3	Alleghany	New River Beh. Care	20	17
4	Anson	Anson SSA	30	17
5	Ashe	New River Beh. Care	9	0
6	Avery	Avery CJPP	5	9
7	Beaufort	Beaufort SSA	33	9
8	Bertie	Bertie DRC	21	15
9	Brunswick	Brunswick SSA	54	43
10	Buncombe	Buncombe DRC	44	35
11	Burke	Burke DRC	34	53
12	Cabarrus	Cabarrus SSA	88	77
13	Carteret	Carteret Work Pgm	23	38
14	Catawba	Catawba Repay, Inc	54	33
15	Cherokee	Cherokee DRC	15	7
16	Chowan	Chowan Work Pgm	18	11
17	Clay	Clay DRC	9	6
18	Cleveland	Cleveland DRC	34	28
19	Columbus	Columbus SSA	14	8
20	Craven	Craven DRC	84	89
21	Cumberland	Cumberland DRC	131	140
22	Currituck	Currituck Work Pgm	4	4
23	Davidson	Davidson DRC	62	62
24	Davie	Davie DRC	57	62
25	Duplin	Duplin CJPP SATx	47	53
26	Durham	Durham DRC	114	108
27	Edgecombe	Edgecombe DRC	14	29
28	Forsyth	Forsyth DRC	207	191
29	Gaston	Gaston DRC	218	227
30	Graham	Graham DRC	7	10
31	Greene	Greene SSA	5	0
32	Guilford	Guilford DRC	99	47
33	Halifax	Halifax DRC	47	58
34	Harnett	Lee-Harnett DRC #2	65	47
35	Haywood	Haywood DRC	19	8
36	Henderson	Resource Center	22	26
37	Hertford	Hertford DRC	79	56
38	Iredell	Iredell DRC	238	215
39	Jackson	Jackson SSA	8	0

Observation	County	Facility Name	Entries	Exits
40	Jones	Jones SSA	15	4
41	Lee	Lee-Harnett DRC #1	64	65
42	Lenoir	Lenoir SSA	43	40
43	Macon	Macon DRC	18	24
44	Martin	Martin SSA	3	0
45	McDowell	McDowell CJPP	10	11
46	Mecklenburg	Mecklenburg DRC	121	132
47	Montgomery	Montgomery DRC	27	47
48	Moore	Moore DRC	76	63
49	New Hanover	New Hanover	58	58
50	Northampton	Northampton DRC	45	48
51	Onslow	Onslow DRC	63	77
52	Orange	First Step Sanctions	35	31
53	Pamlico	Pamlico SSA	39	54
54	Pasquotank	Albemarle DRC	113	61
55	Pender	Pender CJPP	20	21
56	Person	Person DRC	26	43
57	Pitt	Pitt Work Pgm	29	35
58	Polk	Polk SSA	10	11
59	Randolph	Randolph DRC	89	107
60	Richmond	Richmond SSA	23	21
61	Robeson	Robeson DRC	93	69
62	Rockingham	Rockingham DRC	92	66
63	Rowan	Rowan SSA	9	3
64	Sampson	Sampson SSA	1	0
65	Scotland	Amethyst	55	60
66	Stanly	Stanly SSA	25	23
67	Stokes	Stokes DRC	53	33
68	Surry	Surry DRC	106	73
69	Swain	Swain Resource	11	14
70	Transylvania	Transylvania SSA	32	30
71	Vance	V/G/F/W	78	93
72	Wake	Wake DRC	67	66
73	Washington	Washington SA	16	0
74	Watauga	Watauga CJPP	19	22
75	Wayne	Wayne DRC	100	107
76	Wilkes	Wilkes DRC	51	57
77	Wilson	Wilson SSA	27	28
78	Yadkin	Yadkin SA	4	0
79	Yancey	Yancey Resource	8	14

Part VI
FY 1999-2000 CJPP PRETRIAL OFFENDER PROGRAM SUMMARY

Table 1 describes client entries and exits to CJPP Pretrial Release Programs during FY 1999-2000. During this period CJPP Staff recommended Pretrial Release Programs for 2,802 clients. Judges ordered participation in a Pretrial Release Program for 84% (2,363) of clients recommended. Of the 2,223 exits from Pretrial Release programs during the period, 68% were successful completions.

Table 1-Client Entry and Exit Total FY 1999-2000

Summary	Number (#)	Percent (%)
Total Number of Clients Interviewed	3,348	
Total Number Presented to Judge	2,802	84%
Total Number of Admissions During Period	2,363	
Total Number of Clients Enrolled on 1st Day of Period	446	
Total Number Served During the Period	2,809	
Total Number of Terminations During Period	2,223	
a. Number of Successful Program Completions	1,519	68%
b.Total Number Terminated from Program Prior to Completion	704	32%

Table 2 describes the type of successful and unsuccessful exits from CJPP Pretrial Release Programs in FY 1999-2000. During the period 88% of successful completions were normal, the remainder was expedited. Fifty-six percent of clients who exited Pretrial Release Programs unsuccessfully were due to violations of pretrial release conditions.

Table 2-Pretrial Exit Status for FY 1999-2000

Pretrial Exit Sta	Number (#)	Percent (%)
Total Successful Completions	1,519	
a. Normal Completions	1,342	88%
b. Expedited Completions	177	12%
Total Terminated Prior to Completion	704	
a. Violation of pretrial release	397	56%
b. Re-Arrest for New Charges	117	17%
c. Others	190	27%

Clients may be required to adhere to multiple conditions of release while in CJPP Pretrial Release Programs. The most frequent conditions of release are reporting to the Programs by telephone and not having contacting with victims/co-defendants.

Table 3-Conditions of Pretrial Release

Condition of Pretrial Release	Number (#)
No Conditions	192
Telephone Contacts	2,082
Report in Person to Case Mgr.	395
Daily Curfew	354
House Arrest w/ Electronic Monitoring	129
Remain Employed until Court Date	342
Remain in School Until Court Date	64
Gain Employment	267
No Alcohol-Illegal Substances	535
Receive Counseling – Substance Abuse	2
Receive Counseling – Mental Health	76
Receive Counseling - Other	60
Drug Screening	241
No Contact with Victim/ Prosecuting Witness	1,023
No Contact with Co-Defendants	322
Other	448

IX. Appendix 3

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

Fiscal Year 1999-00 Grant Funding Summary

Prepared by DOC Division of Community Corrections Fiscal Section

February 2001

Criminal Justice Partnership Program
GRANT FUNDING SUMMARY
FISCAL YEAR 1999-00

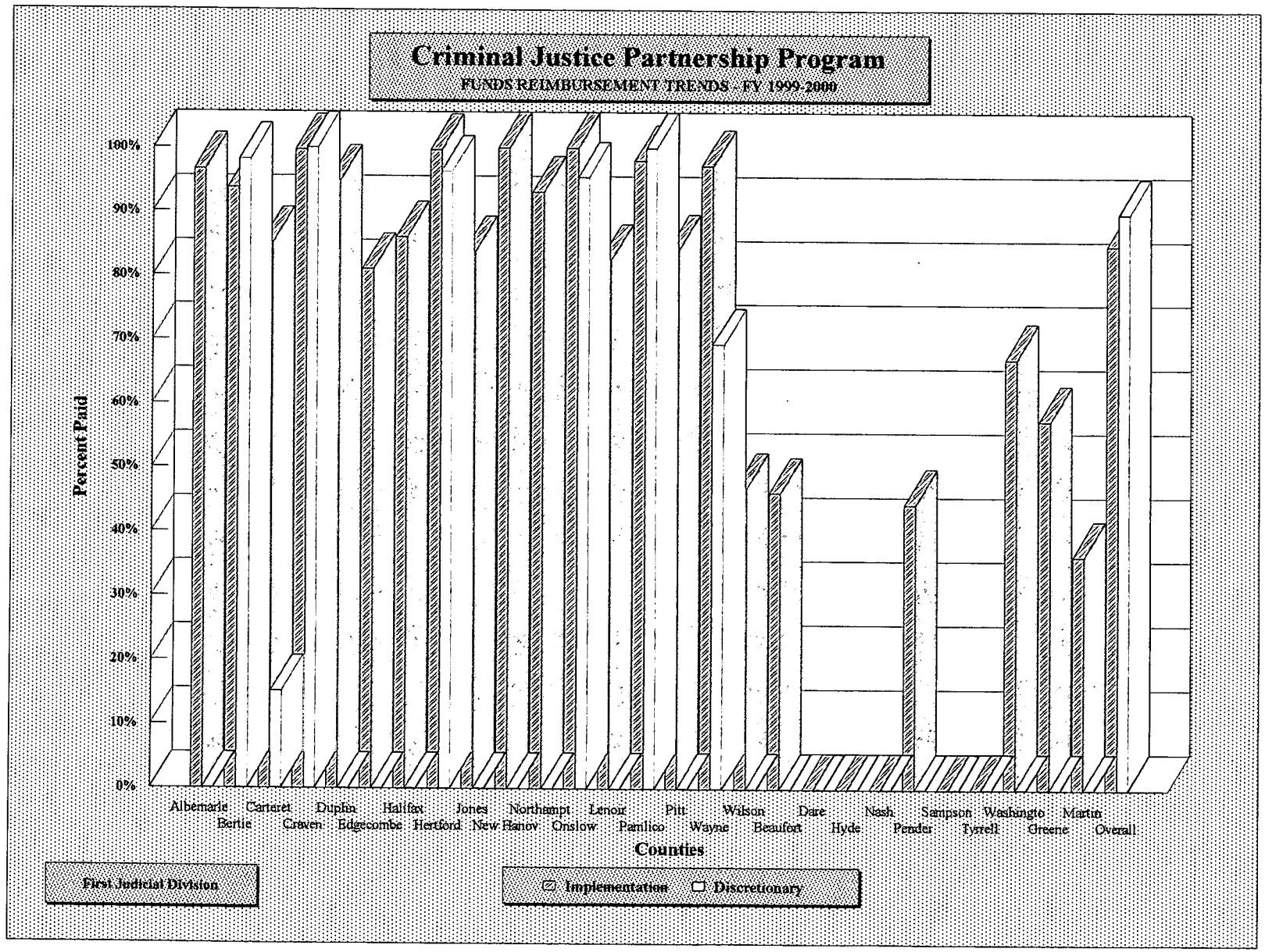
As of August 15, 2000

FINAL

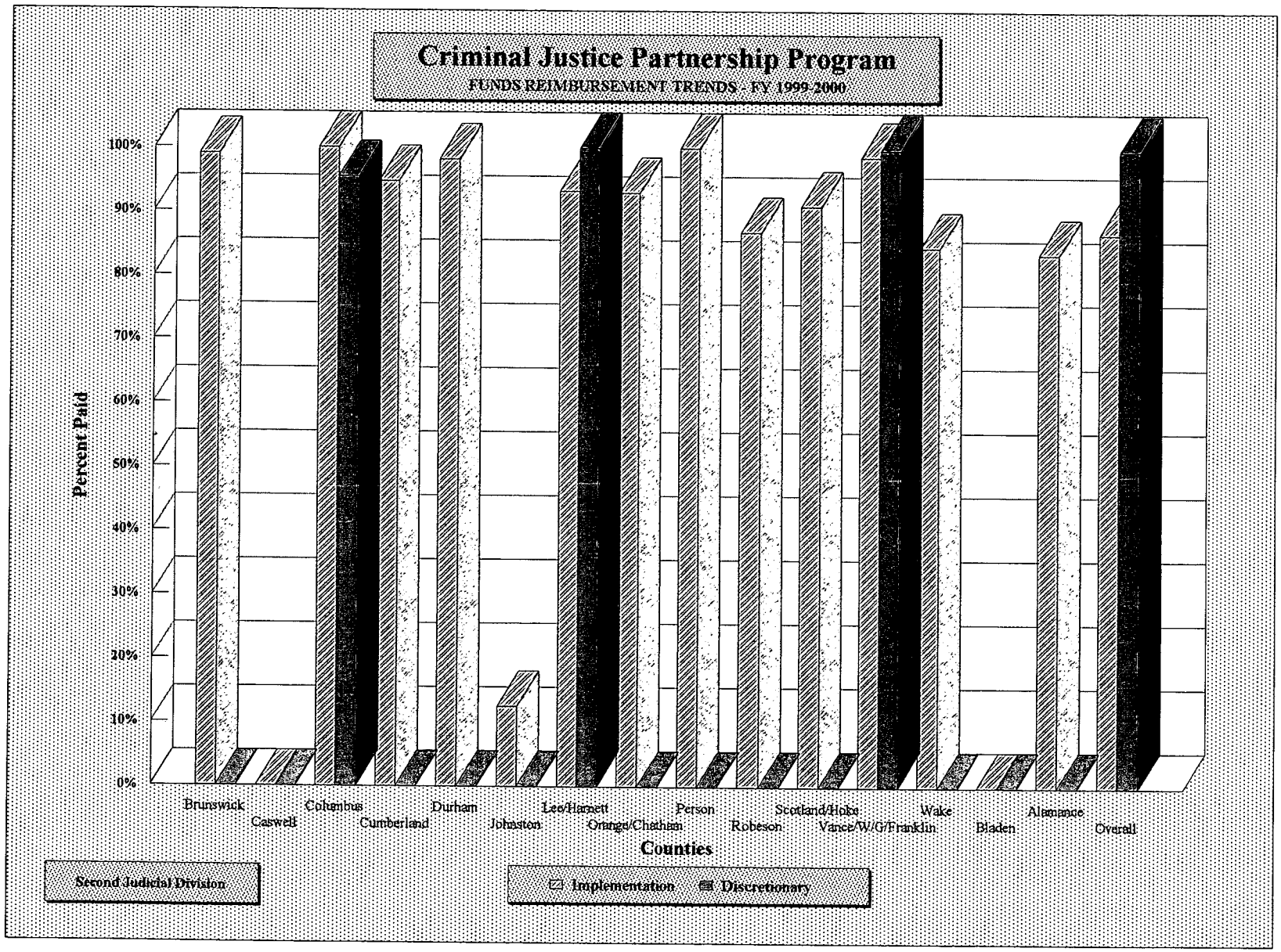
County	Implementation			Discretionary			Total Grant Expenditures
	Awarded	Actual	Percent Spent	Awarded	Actual	Percent Spent	
Alamance	138,317.00	115,490.16	83%	0.00	0.00	0%	115,490.16
Albemarle Region	263,107.00	254,142.45	97%	0.00	0.00	0%	254,142.45
Alexander	66,428.00	66,418.10	100%	650.00	633.20	97%	67,051.30
Alleghany	40,523.00	40,522.00	100%	11,119.00	11,119.00	100%	51,641.00
Anson	72,332.00	32,783.94	45%	0.00	0.00	0%	32,783.94
Ashe	14,024.00	4,958.33	35%	0.00	0.00	0%	4,958.33
Avery	43,845.00	43,845.00	100%	127.00	0.00	0%	43,845.00
Beaufort	75,911.00	35,056.00	46%	0.00	0.00	0%	35,056.00
Bertie	59,643.00	55,895.93	94%	177,412.00	174,194.00	98%	230,089.93
Bladen	0.00	0.00	0%	0.00	0.00	0%	0.00
Brunswick	85,286.00	84,394.00	99%	0.00	0.00	0%	84,394.00
Buncombe	187,283.00	174,001.05	93%	0.00	0.00	0%	174,001.05
Burke	100,185.00	80,630.00	80%	0.00	0.00	0%	80,630.00
Cabarrus	126,892.00	72,540.38	57%	0.00	0.00	0%	72,540.38
Caldwell	96,730.00	71,243.50	74%	0.00	0.00	0%	71,243.50
Carteret	81,366.00	69,208.66	85%	18,880.00	2,858.98	15%	72,067.64
Caswell	49,675.00	0.00	0%	0.00	0.00	0%	0.00
Catawba	141,458.00	141,401.40	100%	0.00	0.00	0%	141,401.40
Cherokee	55,568.00	46,917.99	84%	0.00	0.00	0%	46,917.99
Clay	36,052.00	29,607.22	82%	0.00	0.00	0%	29,607.22
Cleveland	100,646.00	82,961.13	82%	0.00	0.00	0%	82,961.13
Columbus	82,703.00	82,702.38	100%	110.00	104.95	95%	82,807.33
Craven	109,426.00	109,027.63	100%	120.00	119.94	100%	109,147.57
Cumberland	270,093.00	255,816.31	95%	0.00	0.00	0%	255,816.31
Dare	0.00	0.00	0%	0.00	0.00	0%	0.00
Davidson	157,546.00	147,161.20	93%	4,908.00	4,157.41	85%	151,318.61
Davie	65,572.00	65,342.18	100%	54,876.00	44,938.30	82%	110,280.48
Duplin	75,778.00	71,822.86	95%	0.00	0.00	0%	71,822.86
Durham	203,479.00	199,757.62	98%	0.00	0.00	0%	199,757.62
Edgecombe	82,932.00	67,171.55	81%	0.00	0.00	0%	67,171.55
Forsyth	260,563.00	224,795.56	86%	0.00	0.00	0%	224,795.56
Gaston	178,103.00	177,816.09	100%	0.00	0.00	0%	177,816.09
Graham	43,934.00	40,435.20	92%	0.00	0.00	0%	40,435.20
Greene	56,460.00	32,431.16	57%	0.00	0.00	0%	32,431.16
Guilford	329,714.00	307,519.48	93%	5,155.00	0.00	0%	307,519.48
Halifax	107,932.00	92,842.66	86%	0.00	0.00	0%	92,842.66
Haywood	77,309.00	47,824.64	62%	0.00	0.00	0%	47,824.64
Henderson	92,771.00	79,213.92	85%	0.00	0.00	0%	79,213.92
Hertford	72,523.00	72,279.15	100%	440.00	423.75	96%	72,702.90
Hyde	0.00	0.00	0%	0.00	0.00	0%	0.00
Iredell	134,268.00	129,861.00	97%	0.00	0.00	0%	129,861.00
Jackson	54,968.00	2,695.00	5%	0.00	0.00	0%	2,695.00
Johnston	107,081.00	13,445.00	13%	0.00	0.00	0%	13,445.00
Jones	46,386.00	38,844.54	84%	0.00	0.00	0%	38,844.54
Lee/Harnett	174,597.00	162,837.18	93%	6,500.00	6,500.00	100%	169,337.18
Lenoir	96,100.00	79,277.20	82%	0.00	0.00	0%	79,277.20
Lincoln	0.00	0.00	0%	0.00	0.00	0%	0.00

Macon	48,865.00	47,151.17	96%	2,240.00	2,155.91	96%	49,307.08
Madison	10,119.00	0.00	0%	0.00	0.00	0%	0.00
Martin	48,178.00	17,484.73	36%	0.00	0.00	0%	17,484.73
McDowell	63,793.00	49,019.89	77%	0.00	0.00	0%	49,019.89
Mecklenburg	498,414.00	427,250.52	86%	0.00	0.00	0%	427,250.52
Mitchell	0.00	0.00	0%	0.00	0.00	0%	0.00
Montgomery	68,009.00	67,806.12	100%	0.00	0.00	0%	67,806.12
Moore	94,410.00	83,419.25	88%	0.00	0.00	0%	83,419.25
Nash	0.00	0.00	0%	0.00	0.00	0%	0.00
New Hanover	155,836.00	155,836.00	100%	0.00	0.00	0%	155,836.00
Northampton	61,067.00	56,837.35	93%	0.00	0.00	0%	56,837.35
Onslow	159,603.00	159,603.00	100%	124.00	118.30	95%	159,721.30
Orange/Chatham	181,941.00	169,269.70	93%	0.00	0.00	0%	169,269.70
Pamlico	46,437.00	45,483.00	98%	648.00	648.00	100%	46,131.00
Pender	69,001.00	30,637.21	44%	0.00	0.00	0%	30,637.21
Person	64,958.00	64,958.00	100%	0.00	0.00	0%	64,958.00
Pitt	134,117.00	112,724.50	84%	0.00	0.00	0%	112,724.50
Polk	41,780.00	37,671.69	90%	875.00	0.00	0%	37,671.69
Randolph	131,509.00	121,533.88	92%	0.00	0.00	0%	121,533.88
Richmond	87,281.00	59,615.48	68%	0.00	0.00	0%	59,615.48
Robeson	144,827.00	125,832.56	87%	0.00	0.00	0%	125,832.56
Rockingham	108,104.00	105,067.96	97%	275.00	238.00	87%	105,305.96
Rowan	34,157.00	19,706.43	58%	0.00	0.00	0%	19,706.43
Rutherford	0.00	0.00	0%	0.00	0.00	0%	0.00
Sampson	0.00	0.00	0%	0.00	0.00	0%	0.00
Scotland/Hoke	151,262.00	137,643.86	91%	0.00	0.00	0%	137,643.86
Stanly	79,426.00	67,972.65	86%	0.00	0.00	0%	67,972.65
Stokes	70,737.00	70,737.00	100%	13,000.00	12,965.92	100%	83,702.92
Surry	91,112.00	89,519.08	98%	27,793.00	27,713.07	100%	117,232.15
Swain	49,081.00	43,013.04	88%	0.00	0.00	0%	43,013.04
Transylvania	54,046.00	42,509.43	79%	0.00	0.00	0%	42,509.43
Tyrrell	0.00	0.00	0%	0.00	0.00	0%	0.00
Union	0.00	0.00	0%	0.00	0.00	0%	0.00
Vance/W/G/Franklin	274,413.00	270,793.43	99%	22,755.00	22,698.55	100%	293,491.98
Wake	431,564.00	364,806.30	85%	0.00	0.00	0%	364,806.30
Washington	49,972.00	33,547.00	67%	0.00	0.00	0%	33,547.00
Watauga	61,294.00	61,240.17	100%	0.00	0.00	0%	61,240.17
Wayne	130,148.00	126,551.85	97%	3,790.00	2,630.20	69%	129,182.05
Wilkes	95,157.00	95,083.74	100%	130.00	78.97	61%	95,162.71
Wilson	90,581.00	42,489.26	47%	0.00	0.00	0%	42,489.26
Yadkin	15,491.00	15,401.06	99%	0.00	0.00	0%	15,401.06
Yancey	38,493.00	30,490.28	79%	0.00	0.00	0%	30,490.28
Total	**$8,650,692.00**	**$7,451,643.34**	**86%**	**$351,927.00**	**$314,296.45**	**89%**	**$7,765,939.79**

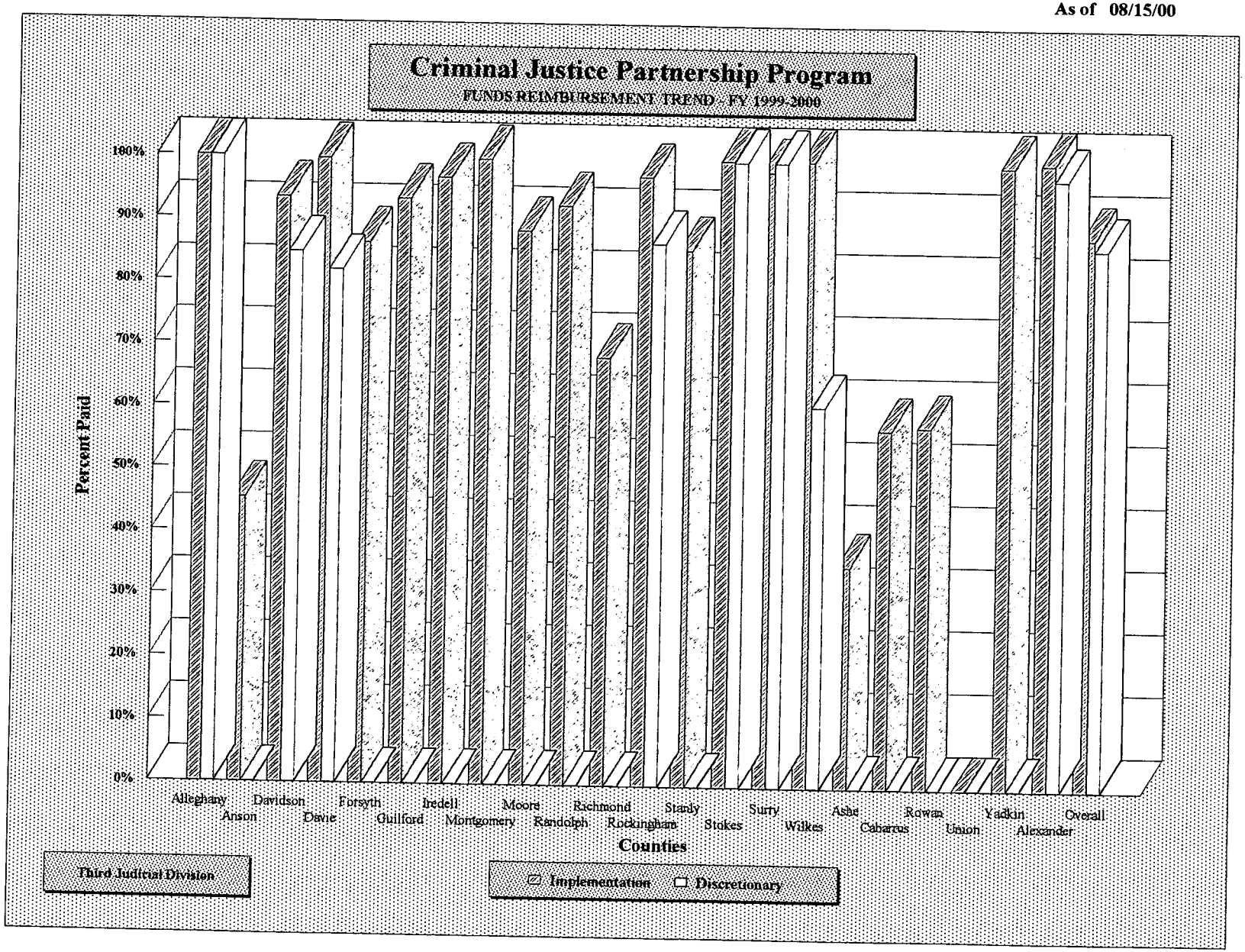
As of 08/15/00


Criminal Justice Partnership Program
FUNDS REIMBURSEMENT TRENDS - FY 1999-2000
Percent Paid
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Albemarle
Bertie
Carteret
Craven
Duplin
Edgecombe
Halifax
Hertford
Jones
New Hanov
Northampt
Onslow
Lenoir
Pamlico
Pitt
Wayne
Wilson
Beaufort
Dare
Hyde
Nash
Pender
Sampson
Tyrrell
Washingto
Greene
Martin
Overall
Counties
First Judicial Division
Implementation
Discretionary

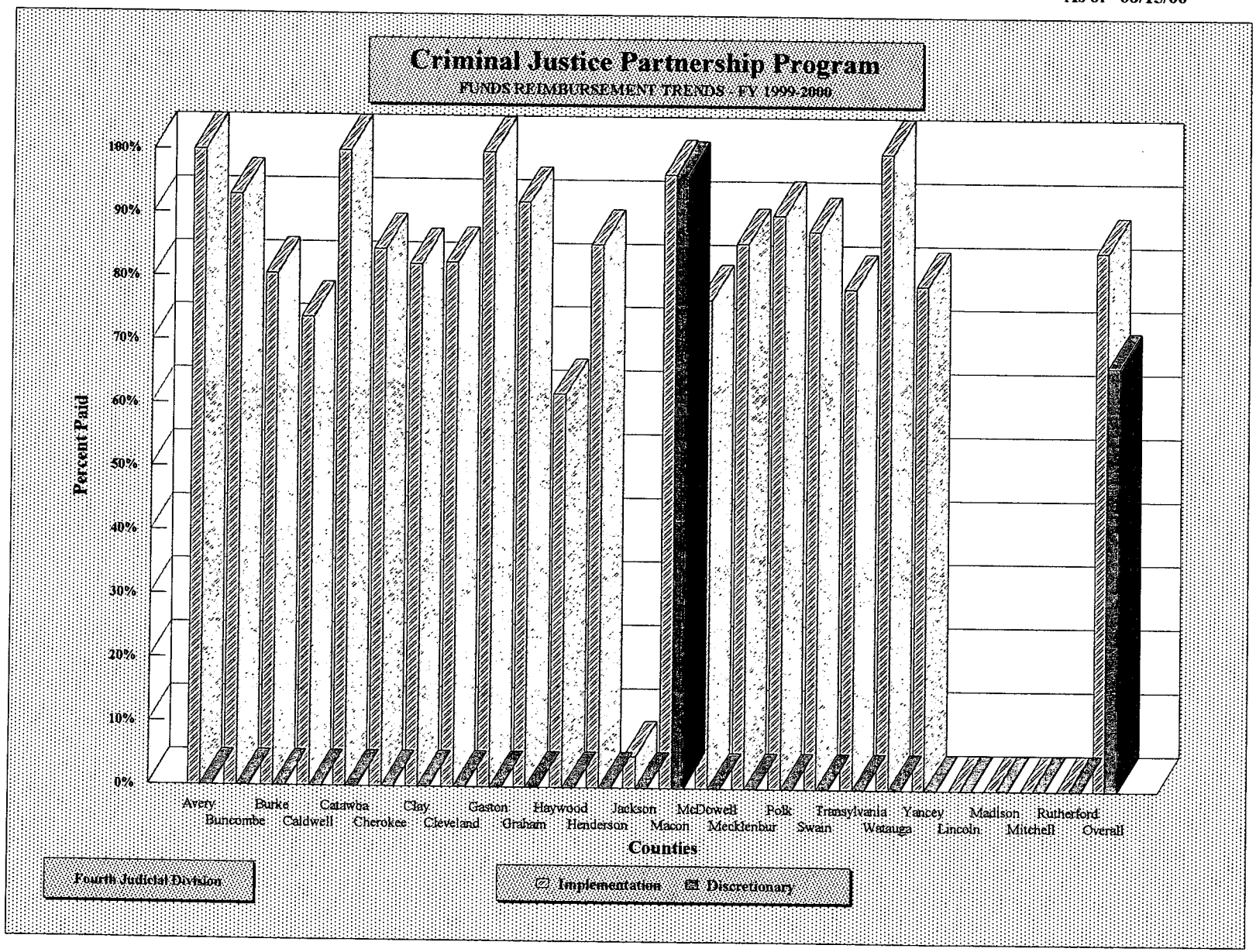
As of 08/15/00


Criminal Justice Partnership Program
FUNDS REIMBURSEMENT TRENDS - FY 1999-2000
Percent Paid
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Brunswick
Caswell
Columbus
Cumberland
Durham
Johnston
Lee/Harnett
Orange/Chatham
Person
Robeson
Scotland/Hoke
Vance/W/G/Franklin
Wake
Bladen
Alamance
Overall
Counties
Second Judicial Division
Implementation
Discretionary

As of 08/15/00


Criminal Justice Partnership Program
FUNDS REIMBURSEMENT TREND - FY 1999-2000
Percent Paid
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Alleghany
Anson
Davidson
Davie
Forsyth
Guilford
Iredell
Montgomery
Moore
Randolph
Richmond
Rockingham
Stanly
Stokes
Surry
Wilkes
Ashe
Cabarrus
Rowan
Union
Yadkin
Alexander
Overall
Counties
Third Judicial Division
Implementation
Discretionary

As of 08/15/00


Criminal Justice Partnership Program
FUNDS REIMBURSEMENT TRENDS - FY 1999-2000
Percent Paid
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Avery
Buncombe
Burke
Caldwell
Catawba
Cherokee
Clay
Cleveland
Gaston
Graham
Haywood
Henderson
Jackson
Macon
McDowell
Mecklenbur
Polk
Swain
Transylvania
Watauga
Yancey
Lincoln
Madison
Mitchell
Rutherford
Overall
Counties
Fourth Judicial Division
Implementation
Discretionary

X. Appendix 4

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

Offender Outcomes Under North Carolina's Criminal Justice Partnership Act

Summary of Preliminary Results

Prepared by Amy Craddock, Ph. D.
Department of Criminology
Indiana State University

February 2001

Indiana State University

OFFENDER OUTCOMES UNDER NORTH CAROLINA'S CRIMINAL JUSTICE PARTNERSHIP ACT

Summary of Preliminary Results

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January 2001

This research was partially supported by grant 96-CE-CX-0006 from the National Institute of Justice to Pacific Institute for Research and Evaluation (where Dr. Craddock was previously employed as a Senior Research Scientist). Points of view are those of the author and do not necessarily represent the position of the U.S. Department of Justice. The author gratefully acknowledges the cooperation of the NC Dept. of Correction, the CJPP programs in the study, NC Administrative Office of the Courts, and the NC Sentencing and Policy Advisory Commission.

OFFENDER OUTCOMES UNDER NORTH CAROLINA'S CRIMINAL JUSTICE PARTNERSHIP ACT

Summary of Preliminary Results

The U.S. Department of Justice, National Institute of Justice, funded Pacific Institute for Research and Evaluation (PIRE) in Chapel Hill to conduct the above-referenced study, with Dr. Amy Craddock as Principal Investigator. When she left PIRE and began employment with Indiana State University (ISU), the remainder of the work was subcontracted to ISU. The total grant amount was $307,984, which consisted of $225,265 in Federal funds to PIRE/ISU and $82,719 in state matching funds. About 75% of the state matching funds were in-kind, and the remainder was cash expenditures used primarily for contract research assistants.

This document is a summary of preliminary results prepared at the request of the Department of Correction. Not all analyses have been completed. A final technical report will be forthcoming in Summer 2001.

1.0 Project Description

1.1 Overview

This study examines outcomes for clients in sentenced offender programs - primarily day reporting centers; it includes one satellite substance abuse treatment program. The primary aim of the project is to determine the extent to which interventions meet the four goals set forth by the Criminal Justice Partnership Program (CJPP) to reflect the purposes of the Criminal Justice Partnership Act. The CJPP goals are to:

1. reduce recidivism,
2. reduce probation revocations,
3. reduce alcohol and other drug dependencies among offenders, and
4. reduce overall cost of incarceration to the State and counties

Because the funding focused on offender outcomes, this study is not an examination of costs and benefits of CJPP programs specifically (CJPP goal 4), nor of Structured Sentencing generally.

1.2 Study Design

The project has been organized along several research questions:

1. Do CJPP programs reach the offenders they are designed to serve?

2. What is the completion rate of CJPP programs and what factors are associated with successful completion?

3. Are CJPP program clients less likely than other probationers to have further criminal activity and what are the factors associated with subsequent criminal activity?

4. Are CJPP program clients less likely to have their probation revoked compared to other probationers and what are the factors associated with revocation?

5. Are CJPP program clients less likely than other probationers to relapse to substance abuse?

6. Are county-level recidivism, revocation, and relapse rates lower than before implementation of CJPP programs?

Ideally in such a program evaluation, we would have conducted a randomized experiment. Because the flow of clients into the CJPP programs was not sufficient to support such an approach, we did not attempt to obtain permission to conduct an experiment. In addition, due to NIJ policy on project length, we were able to follow study participants for only one year to examine the outcomes of interest.

To address these research questions, we collected data from three study groups and examined the following areas:

1.2.1 Interim Outcomes

We identified an approximately 6-month admission cohort of CJPP program clients (June - December 1997). Using this sample, we examined interim client outcomes in light of individual and program characteristics. This approach allows us to address the major purpose of the CJPP: to establish programs that can reduce recidivism and relapse to substance abuse.

1.2.2 Comparison between CJPP Clients and the Contemporaneous Comparison Group

The quasi-experimental design allowed for comparison of outcomes between program participants and other probationers, based on assessed risk and need. To do so we selected a comparison group of similarly situated probationers not admitted to CJPP

programs but placed on probation during the period ("Contemporaneous Comparison Group" or CCG). We used a prospective design to assess the risk and need because NC does not use standardized probation classification instruments that can yield detailed measures.

1.2.3 Comparison between CJPP Clients and the Baseline Comparison Group

Because the goals of the CJPA are discussed in terms of *reductions* in recidivism, revocations, and relapse to substance abuse, it is important to obtain baseline measures of these phenomena. To accomplish this, we examined a baseline group of probationers in each county in the study convicted under Structured Sentencing before the implementation of CJPP programs ("Baseline Comparison Group" or BCG).

1.3 Data Collection and Analysis

CJPP program clients and newly admitted probationers were administered the Level of Service Inventory-Revised (LSI-R) and the Substance Abuse Subtle Screening Inventory (SASSI). The LSI-R is a quantitative survey of offender attributes used to make decisions about risk and treatment needs. Research on a variety of offender populations has shown it to be a valid predictor of various types of recidivism (see review in Multi-Health Systems, 1995). The SASSI is a self-administered instrument designed to identify specific areas of substance abuse. Because a substantial percentage of CJPP program clients were believed to be substance abusers, we decided to use this additional instrument to obtain more detail than the LSI-R regarding addiction.

CJPP program participation information came from the CJPP's Offender Tracking system. This system consists of hard copy forms completed on each program participant upon discharge. They include information on contact hours, types of services received, and results of urine tests. Data on probation supervision came from the DOC's Offender Profile Unified System (OPUS).

Recidivism data was obtained from the Administrative Office of the Courts (AOC) Criminal Information System (CIS). This data source was selected because it includes the broadest range of offenses for which the individual may have been arrested.

The Sentencing and Policy Advisory Commission provided data for the Baseline Comparison Group. This group consisted of probationers receiving Intermediate punishment under Structured Sentencing in the counties in the study from October 1 through June 30, 1996. We followed them for 12 months after being placed on probation.

We used both descriptive statistics and multivariate models to address the research questions and meet the objectives of the study. Statistical modeling was used to model outcomes and examine rearrest over time.

2.0 People and Programs in the Study

2.1 Programs Studied

Seventeen programs were included in the outcome analysis (see Figure a). All programs were relatively new, but we generally selected ones that had been operating the longest and which had a consistent flow of admissions. Sixteen of the 17 programs served probationers in a single county; the Albemarle region program covered six counties. We also were careful to select programs that spanned the regions of the state and served counties of varying population size.

The programs varied by size and types of services offered. Some programs had as few as 5-10 clients at any one time, while a few had more than 80. Table 1 summarizes the types of programming options available in the 15 programs in which we conducted detailed observations. The counties are not identified, because this report does not present evaluative information on individual programs. It is important to understand that these components change over time, so the services indicated here may not reflect current program offerings.

Most programs were designed to last about six months, but some could last a year or more. In general, programs were flexible enough to retain a client until certain conditions had be met (e.g., compliance with all terms of a treatment contract), rather than graduating clients after some arbitrary time regardless of their behavior.

In the analysis, we examined the number of contact hours each client received in the four general programming areas offered (substance abuse treatment, personal growth, employment, and education).

Figure a. Counties in the Study

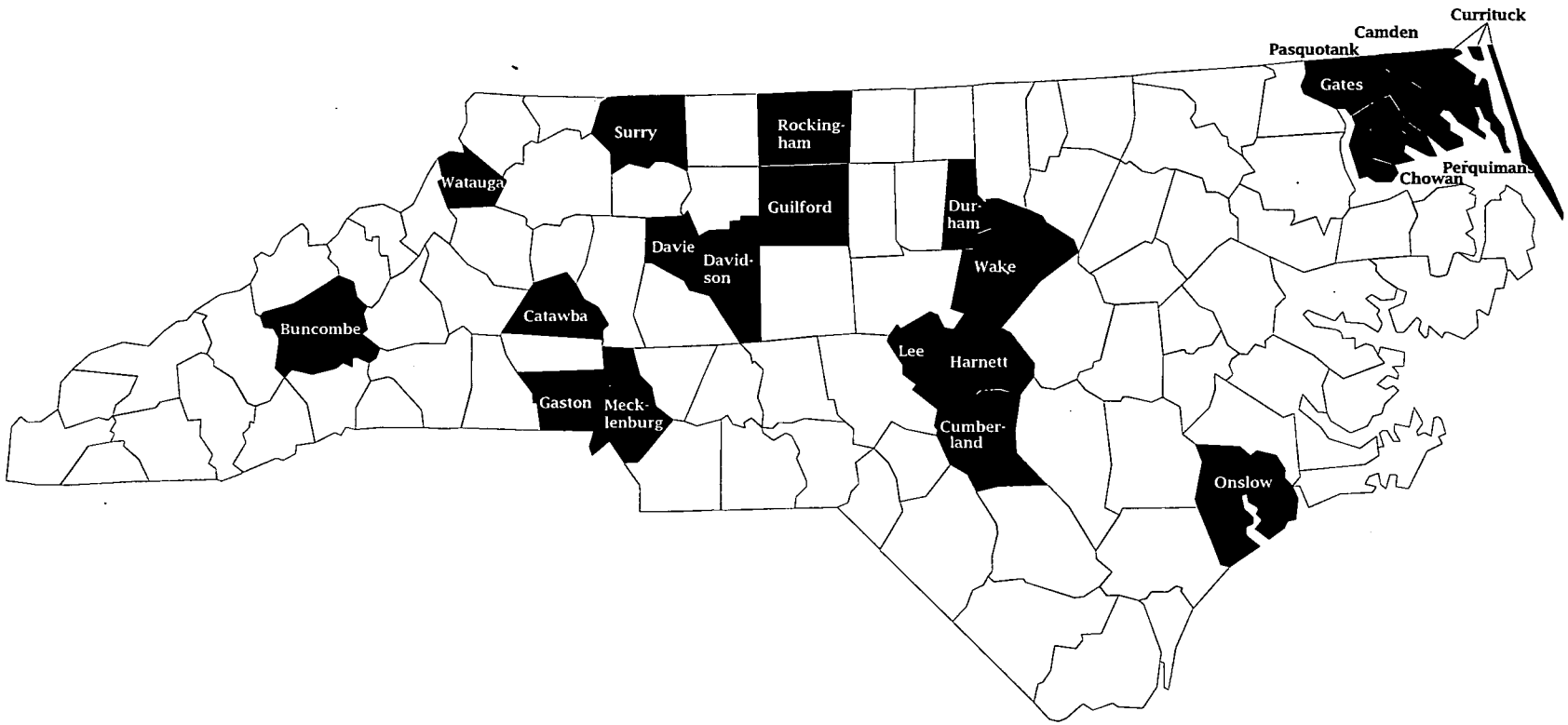


Table 1. Program Components

Components	Program														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Substance Abuse Treatment															
Regular Outpatient		■		■			■	■			■		■	■	
Adult Intensive Outpatient		■	■		■	■	■	■	■	■		■	■		■
Youth Intensive Outpatient					■					■					
Women's Intensive Outpatient	■			■		■									
Men's Intensive Outpatient	■			■											
TASC/E-TASC						■							■		
Drug Education	■	■	■			■									
Individual Counseling	■	■		■		■	■	■							■
Personal Growth															
Life Skills		■	■	■	■		■	■	■		■	■		■	
Anger Management		■	■	■	■		■		■	■					
Cognitive Behavioral Training	■		■		■	■	■	■							
Human Resource Development	■	■			■	■				■			■	■	
Parenting	■	■	■	■	■			■	■			■			
Education															
GED / ABE	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Health Education	■	■	■	■		■		■	■		■	■		■	
Employment															
Employment Security Commission	■		■			■						■	■		■
Job Placement		■			■		■	■	■	■	■	■			
Vocational Training									■	■		■			
Vocational Rehabilitation	■	■	■								■				
Other															
Urine Tests		■	■	■	■	■	■	■			■				■
Transportation	■			■			■				■				
Other	■		■						■	■					
Total Programming Offerings	14	13	12	11	11	11	11	10	10	9	8	8	6	6	5

2.2 Characteristics of People in the Study

We obtained information about clients and the CCG from the LSI-R interview, court judgments, CJPP program files, and OPUS. We excluded individuals from the analysis who did not stay at least four weeks in the program. Approximately 7% of those admitted to CJPP programs dropped out in the first four weeks. We chose the four-week time frame because when examining outcomes, it is crucial that the clients received services. In all likelihood, those who dropped out early did not receive sufficient services to be deemed to have been treated. We also dropped from the analysis an additional 6% of clients who left the program due to circumstances external to their behavior in the program or criminal activity, such as individuals who moved to another county or those who developed severe health problems that prevented them from continuing in the program.

Table 2 presents the demographic, offense, and criminal history characteristics of CJPP program clients and the CCG members. It shows that CJPP clients have characteristics often associated with poor performance on probation. Contrasted with similarly situated probationers (the CCG), they tend to be younger, single, unemployed, and lacking a high school education. Program clients are also are slightly less likely to be convicted of a felony. Likewise, the seriousness of current offense is also lower than the comparison group, even though a larger percentage of CJPP clients have been convicted of crimes against the person. Offense seriousness is a scale that corresponds to the Felony and Misdemeanor offense classes, with Misdemeanor Class 3 as the least serious and Felony Class A as the most serious. No one in the study had an offense more serious than Felony Class D.

Table 2. Characteristics of People in the Study

Characteristic	Program Clients (n=419)	Contemporaneous Comparison Group (n=440)
Demographics		
Mean age (in years)	27.0**	30.3
% Minority (Black or Hispanic)	60.3	51.4
% Female	24.3**	16.0
% High School Graduates (or GED)	36.1**	48.3
% Unemployed [a]	58.7**	24.1
% Married [a]	9.7**	20.2
Current Offense and Prior Record		
% with Current Felony Offense	65.6	70.8
Mean Offense Seriousness	5.0*	5.4
Current Offense Category		
% Person	23.5*	16.8
% Property	29.9	33.6
% Drug/Alcohol	27.9**	39.2
% DWI	5.1	2.5
% Public Order	10.7*	6.7
% Other	2.9*	1.1
Mean Prior Record Level [b]	1.8	1.9

** $p < .01$, difference between Program Clients and Comparison Group
* $p < .05$, difference between Program Clients and Comparison Group

a The measures of education, marital status, and employment status for the Comparison Group are problematic, and comparisons should be made with extreme caution.

b The prior record level is artificially skewed toward the low end of the range because it includes prior conviction level for misdemeanants; interpretations should be made with extreme caution.

3.0 Preliminary Results

The discussion of preliminary results is organized by the research questions.

3.1 Do CJPP programs reach the population they are designed to serve?

CJPP programs are supposed to target probationers who need more services and intervention than probation supervision alone can provide. Therefore, we would expect that clients would have a higher risk of reoffending and need for services than the comparison group. To examine this issue, we administered the LSI-R. The LSI-R examines 10 areas that research has demonstrated to be associated with recidivism: prior convictions, education/employment, financial situation, family, living situation, use of leisure time, companions, alcohol/drug problems, emotional problems, and attitude toward crime and sentence. Scores range from 0 (very low risk and need) to 54. The comparison group had a mean LSI-R score of 16.7. CJPP program clients had a mean score of 22.7 (difference between groups is significant at $p < .01$). This finding indicates that the programs do indeed admit offenders with higher risks and need than other similarly situated probationers (i.e., those legally eligible for the program in the same county, but who were not referred or refused admission).

3.2 What is the completion rate of CJPP programs and what factors are associated with successful completion?

Overall, 45% of CJPP clients (who stayed at least 4 weeks) completed the program. This compares favorably with a national average of roughly 50% for day reporting centers, especially considering that the programs studied were fairly new (Parent, Byrne, Tsarfaty, & Esselman, 1995).

To examine the second part of this research question, we conducted a logistic regression analysis to model program completion. Table 3 shows the reduced model (i.e., contains significant variables only). The modeling process considered all of the variables listed in Table 2 as well as each client's number of contact hours in each of the areas presented in Table 1. We also examined two-way interactions. From Table 3, we see that age and sex are the demographic characteristics important in predicting program completion. Young clients and those who are Black or Hispanic are significantly less likely to complete the program, net of the effect of all other factors.

In terms of risk and need characteristics assessed by the LSI-R, those with more severe alcohol and/or drug problems and those with an unstable or problematic living situation (e.g., high crime neighborhood, people with criminal records in household) are significantly less likely to complete the program. While these findings are not

surprising, it is important to note that programs need to concentrate on providing services, etc. geared to increasing the retention of young and minority offenders. This finding may indicate a lack of relevant programming or perhaps a lack of other services that these groups need to increase their participation.

To examine the possible effect of current offense on program completion, we categorized this variable as violent, property, DWI, other drug/alcohol, public order, and other. Public order offenses comprise the reference category. That is, the effect of any offense category is understood in reference to how it compares to a public order offense. Table 3 indicates that those convicted of either violent or property offenses - compared to those convicted of public order offenses - are less likely to complete the program.

In terms of how program participation may influence completion, the only statistically significant components are the number of substance abuse treatment contact hours and the number of case management contact hours. The more time spent on case management and substance abuse treatment, the more likely clients are to complete the program. Analysis of two-way interactions (not presented here) indicate that higher more case management contact hours may actually be associated with a lower rate of completion for property offenders. More analysis is required to further examine this issue.

Again, all of the significant variables have an independent influence on program completion. For example, young male clients convicted of a violent or property crime are less likely to complete the program regardless of their risk/need and the number of contact hours in the program.

At this point, it appears that program completion is not merely a function of the characteristics of the individuals involved. It is also a function of the number of hours spent in certain types of program offerings. The predictive ability of the model is relatively weak, though, indicating that other factors not included in the present study are also important to program completion.

Table 3. Logistic Regression Analysis, Program Completion

	Parameter Estimate	Standard Error	t	Odds Ratio
Demographic Characteristics				
Age	0.0463**	.017	2.72	1.047
Majority (White=1)	0.9409**	.281	3.35	2.562
Alcohol/Drug Problems (LSI-R)	-0.1869**	.056	3.34	0.830
Living Situation (LSI-R)	-0.3590**	.140	2.56	0.698
Violent Offense[a]	-1.7247**	.568	3.04	0.178
Property Offense	-1.3041**	.505	2.58	0.271
Drug/Alcohol Offense	-0.8320	.509	1.63	0.435
DWI Offense	-1.033	.930	1.11	0.356
Other Offense	-0.897	1.112	0.81	0.408
Case Management Contact Hours	0.0120**	.003	4.00	1.012
Substance Abuse Contact Hours	0.0070**	.002	3.50	1.007

** $p < .01$

* $p < .05$

a Public Order offense is reference category

Hosmer-Lemeshow Goodness of Fit $X^2 = 3.757$ p=.87
Max. Rescaled $R^2 = .28$
Tau-a =.27

3.3 *Are CJPP program clients less likely than other probationers to have further criminal activity and what are the factors associated with subsequent criminal activity?*

For the present analysis, the only measure of recidivism is rearrest for a misdemeanor, felony, or DWI offense, as indicated by AOC/CIS records. Overall, 20.1% of CJPP clients were rearrested within the first 12 months after leaving the program. Just over 25% of those who failed to complete the CJPP program were rearrested. In comparison, 24.5% of the comparison group members were rearrested in the first 12 months after being placed on probation. The difference between either group of clients and the comparison group is not statistically significant. That is, the difference could have occurred by chance. On the other hand, clients who completed the program had a rearrest rate of 13.0%. This rate is significantly different ($p < .01$) from the rearrest rate of the comparison group. It indicates that a much lower proportion of those who complete the CJPP programs are rearrested than one would expect to be rearrested in the absence of the program.

To address the second part of the research question, we modeled rearrest to ascertain predictors of recidivism. Table 4 presents the reduced logistic regression model of rearrest for program completers and the comparison group. From this analysis, we can see that the strongest predictor of rearrest is whether the probationer was in the group of CJPP program completers. Those clients who did complete had a significantly lower probability of rearrest in 12 months, net of the effect of any other characteristic. Age was also significant. This is a consistent finding in almost all recidivism studies: the older the offender, the less likely he or she is to reoffend. Finally, those convicted of a violent offense, compared to a public order offense, were more likely to be rearrested than individuals with any other type of offense. It would have been preferable to conduct more sophisticated survival models of rearrest, but the actual number of program completers rearrested (n=23) made such modeling inappropriate.

I conducted a preliminary analysis of the timing of rearrest of program completers and the comparison group CCG). Figure b shows that of those CJPP clients who were rearrested in the 12 months following program completion (representing 13% of those who completed the program), they tend to be rearrested within the first 13 weeks after leaving the program. Those in the CCG, on the other hand, who were rearrested within 12 months after being placed on probation tended to be rearrested 23 weeks after being placed on probation. This figure is presented as a description only. It is not based on modeling of the timing of rearrest, because the number of CJPP completers who were rearrested was too small to support the analysis. The message from this descriptive analysis may be that even program completers may require an elevated level of supervision to keep them from being rearrested. More analysis is forthcoming on this issue to determine the level of probation supervision that CJPP program completers typically receive upon program discharge.

Table 4. Logistic Regression, Recidivism of Program Completers and Comparison Group

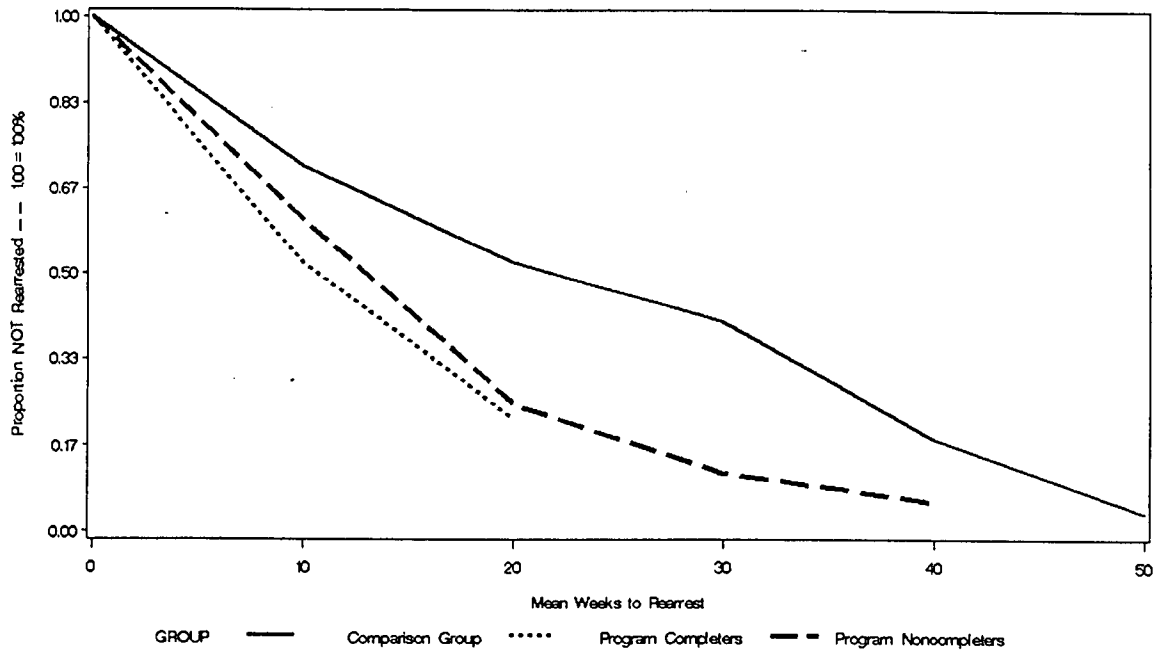
	Parameter Estimate	Standard Error	t	Odds Ratio
Study Group (CJPP=1)	-0.6036**	.140	4.31	0.518
Age	-0.0320**	.012	2.69	0.969
Violent Offense[a]	-1.5460**	.434	3.56	0.213
Property Offense	-0.3300	.360	0.92	0.719
Drug/Alcohol Offense	-0.3802	.354	1.07	0.684
DWI	-0.4108	.673	0.61	0.663
Other Offense	0.3584	.673	0.53	1.431

** $p < .01$
* $p < .05$

Hosmer-Lemeshow Goodness of Fit $X^2 = 7.81$, $p=.45$
Max. Rescaled $R^2 = .15$
Tau-a = .15

a Reference category is Public Order

Figure c. Timing of Rearrest, for Those Rearrested in 12-Month Follow-up Period



3.4 Are CJPP program clients less likely to have their probation revoked compared to other probationers and what are the factors associated with revocation?

This research question has not yet been examined, but we have looked at probation violations during the first year on probation. The probation violation rate in the comparison group is 14.2%. For those who completed the CJPP program, the rate is 11.2%, while for noncompleters it is 34.2%. Some of these violations undoubtedly occurred while the probationer was in the CJPP program. We know this because one of the major reasons for failure to complete the program is removal by the probation officer for excessive probation violations. Again, these program serve probationers who need more intervention than typically available through probation supervision alone, so it is not a surprising to find a higher degree of violations in this population.

3.5 Are CJPP program clients less likely than other probationers to relapse to substance abuse?

Project resources prohibited conducting follow-up interviews with study subject to assess substance abuse. The Division of Community Corrections (DCC) does not conduct widespread random drug testing of probationers. It is, therefore, not possible to obtain a reasonable measure of drug use from DCC. We had intended to obtain data on substance abuse treatment admissions, but various problems prevented us from gaining access to this information. Therefore, this research question cannot be addressed.

3.6 Are recidivism, revocation, and relapse rates lower than before implementation of CJPP programs?

The purpose of conducting this analysis is to determine whether the existence of CJPP programs made a difference in recidivism in each county. We used the data for the Baseline Comparison Group and compared it to the Contemporaneous Comparison Group to address this question. The rates of recidivism were almost identical, about 25% for each group. It is important to do this to ascertain whether the mere presence of a CJPP program in a community has an effect on the recidivism (rearrest) rate, regardless of the performance of the clients who go through the program. Based on this analysis, we can safely conclude that the recidivism rates, for all counties in the study combined, did not differ before and after the CJPP programs were implemented. Therefore, this potential threat to the validity of the current study results is eliminated. In other words, the recidivism differences observed are not simply artifacts of an overall change in recidivism in the county. We must still examine each county separately to determine whether this conclusion holds true in all locations.

References

Multi-Health Systems, Inc. (1995). *Level of Service Inventory-Revised: Manual.* Tonawanda, NY: Multi-Health Systems, Inc.

Parent, D., Byrne, J. Tsarfaty, V., Valade, L., & Esselman, J. 1995 *Day Reporting Centers, Vols. 1 and 2.* Washington, DC: U.S. Department of Justice.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 3/22/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sam Boyd	DCC/CSPP
Tim Moose	DCC Admin.
Joe Prater	DCC Admin.
Sandy Pearce	DOC
Karen Jones	N.C. Sentencing Commission
Patricia Rogers	NCACC
Greg Ward	DOC
NELS ROSECAND	OSBPM
Richard Brunstetter	DOC
Barbara Baker	DOC
Greg McLeod	CCPS

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APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

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NAME	FIRM OR AGENCY AND ADDRESS
Theodis Beck	DOC
Lou Rubert	CYA
Will Polk	Gov. Office
[signature]	FOP
DAVID BARNES	Poyner + Spruill

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday, March 27, 2001
8:30 a.m. and 1:30 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: ~~Senator Luther Jordan~~ Rep. Phil Haire — Representative R. Phillip Haire, Presiding
Representative Bill Culpepper

II. PRESENTATIONS

- Parole Commission Budget Overview

  Kelly Little, Fiscal Research Staff

- Study of Parole-Eligible Inmate Pool

  Gregg Stahl, Department of Correction

  Comments from Parole Commission

- Probation and Parole Budget Overview

  Kelly Little, Fiscal Research Staff

- Adult Offender Substance Abuse Programs – DHHS

  Sonja Brown, TASC Coordinator
  Substance Abuse Services Section, DHHS

- Prison Reserves

  Jim Mills, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Wednesday, March 28 – Department of Justice
  Thursday, March 29 – Department of Justice

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **March 27, 2001,** at 8:30 a.m. in Room 415 of the Legislative Building. Three (3) Senators were present. The following members of the House were present:

Rep. Phillip Haire	Rep. Bill Culpepper
Rep. John Hall	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Goodwin
Rep. Wayne Sexton	

A visitors registration is attached and made part of these minutes.

Rep. Phil Haire called the meeting to order and introduced the Pages.

Kelly Little gave an overview (**Handout #1**) on the Parole Commission Budget.

Rep. Kiser asked how often an inmate be reviewed for parole? Melita Grooms of the Parole Commission responded that the number of times may vary, as little as once or many times - whatever the commission decides. Kelly Little verified affirmatively to Rep.Kiser's question as to whether 33 was the number of case analysts. Rep. Kiser asked for further clarification as to whether 3,321 was the total number of people incarcerated or parolees. Ms. Little stated that this was the number of parolees.
Rep. Kiser asked if he understood that there were 33 employees to review 8,303 paroles? Ms. Grooms answered yes, plus the number of people eligible for post release supervision.

Sen. Ballance asked if the Parole Commission set the conditions for post release or don't we have standard conditions? Ms. Grooms stated that supervision is for 9 months. The Commission sets up each case and looks at what occurred with the individual - they pay attention to release availability plans, mental health and medical plans and treatment plans.

Rep. Haire asked about areas of responsibility - how the Commission decides on parole. Ms. Little responded that prisioners must pass a review analysis which is then passed on to the Commission who decide on parole. Rep. Haire asked if 31,00

was the number of all incarcerated. Ms. Grooms responded that it was not 31,000 individuals, but 31,000 occurrence.

Rep. Kiser if one member of the Commission could keep a person from being paroled. Ms. Grooms said that it took a majority or 2 people to make a decision.

Rep. Haire then introduced Greg Stahl, Department of Corrections, to make a presentation of a further analysis to provide some comparison data (**Handout #2**) in response to questions asked during the prison review.

Rep. Kiser asked for an explanation of the 867 inmates with old law/new law sentences. Mr. Stahl said an example of this might be someone who is on probation for an old crime and commits a new crime, thus becoming a mixed law inmate. Rep. Kiser further asked if you have a life sentence, work everyday, do you get credit? Mr. Stahl replied that it was gain time. Everyone gets day to day good time which is behaviorally based. Rep. Kiser what happens if an inmate refuses to work?. Mr. Stahl that this would be an infraction and the prisoner would lose gain time.

After a discussion by Mr. Stahl regarding stacked sentences, Sen. Ballance asked if the Parole Commission takes this into account? Ms. Grooms said that they definitely would consider that.

Rep. Kiser asked if a person who has stacked sentencing takes longer to be eligible for parole. Ms. Grooms said yes.

Rep. Culpepper asked about the 3,583 prisoners sentenced under the fair sentencing act or under the pre-fair sentencing act and whether it is possible to analyze each case and to be able to say that if they had been (but were not) sentenced under structured sentencing - is this what they would have gotten? Or is it just so different that you can't compare apples to grapefruit? Mr. Stahl agreed it would be hard to compare.
He further stated that you have to consider what the judge did - he had a reason and to second guess a judge doesn't give credence to that case. Everything is done by the Parole Commission on a case by case basis and reviewed on an individual basis. Rep. Culpepper voiced concern about the case of two inmates committing the same crime and under different sentencing structures, one is out and one is still in. Mr. Stahl explained that there were several factors that were not shown. One being how many have been paroled once and revoked - over 600-700 or 20% and most are at the lower end of the grid - not lifers - they were paroled and failed. The other factor

would be the number of infractions - they are still in prison because they do not have a stellar record.

Ms. Grooms passed out **Handout #3** which contains some sample data which she says shows that generally they are keeping the violent offenders.

Rep. Kiser asked how many were sentenced under the 3 strikes? Mr. Stahl replied that there were not many. Rep. Kiser then asked if this took the place of habitual felony. Mr. Stahl replied that no - 3 strikes is a violent felony - habitual felon is still on the books. Also this is what is driving bed space needs - several hundred habitual felons per year and a handful of 3 strikers over time.

Rep. Haire asked how many people were incarcerated for a drug related offense. Sandy Pearce, Dept. of Corrections will add up some data and get back to him.

Kelly Little gave a brief overview of Probation and Parole Data (**Handout #4**).

Rep. Kiser asked about the staffing number of 363 - employed or just funded? Ms. Little responded that was the number employed even though she couldn't account of the vacancy rate as of today.

Rep. Sexton referred to page 17 and the 73% who went back to prison and 56% committing new crimes. Stated that this category needs to be looked at.

The meeting was adjourned until 1:00 p.m.

Rep. Phil Haire, Presiding Committee Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 3/27/01

Name of Committee **Date**

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Sandy Pearce	DOC
Cor. N. Trotman	Right Turn NC
Joseph D. Blackburn	Right Turn of NC
Denise Truman	Right Turn of N.C.
NELS ROSELAND	STATE BUDGET
NELITA GROOMES.	PAROLE COMMISSION
Juanita H. Baker	" "
Sherry Pilkington	Div. of Comm. Corrections/DOC
Robert Lee Coy	DCC/DOC

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 3/07/01

Name of Committee **Date**

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NAME	FIRM OR AGENCY AND ADDRESS
Barbara Baber	DOC
John Madden	Sentencing Commission
Jim Johnson	FRD
Lattie Baker, Jr.	DOC
Gerald Garnett	DOC
Lee Rubert	CYPC
Cam Cova	BPM HL

Post-Release Supervision and Parole Commission

Joint Appropriations Subcommittee
On Justice and Public Safety
March 2001

Handout #1 March 27, 01 8:34

Post Release Supervision and Parole Commission

- An independent authority appointed by the Governor, administratively housed in DOC.
- 3 Commissioners appointed to 4-year terms.
- Commission has authority to grant, revoke, and terminate parole and to approve work release for those with life sentences. Commission sets conditions of parole and post-release supervision-(gets input from victims) and has the authority to revoke PRS.
- Assist Governor by gathering information for clemency issues.

Areas of Responsibility

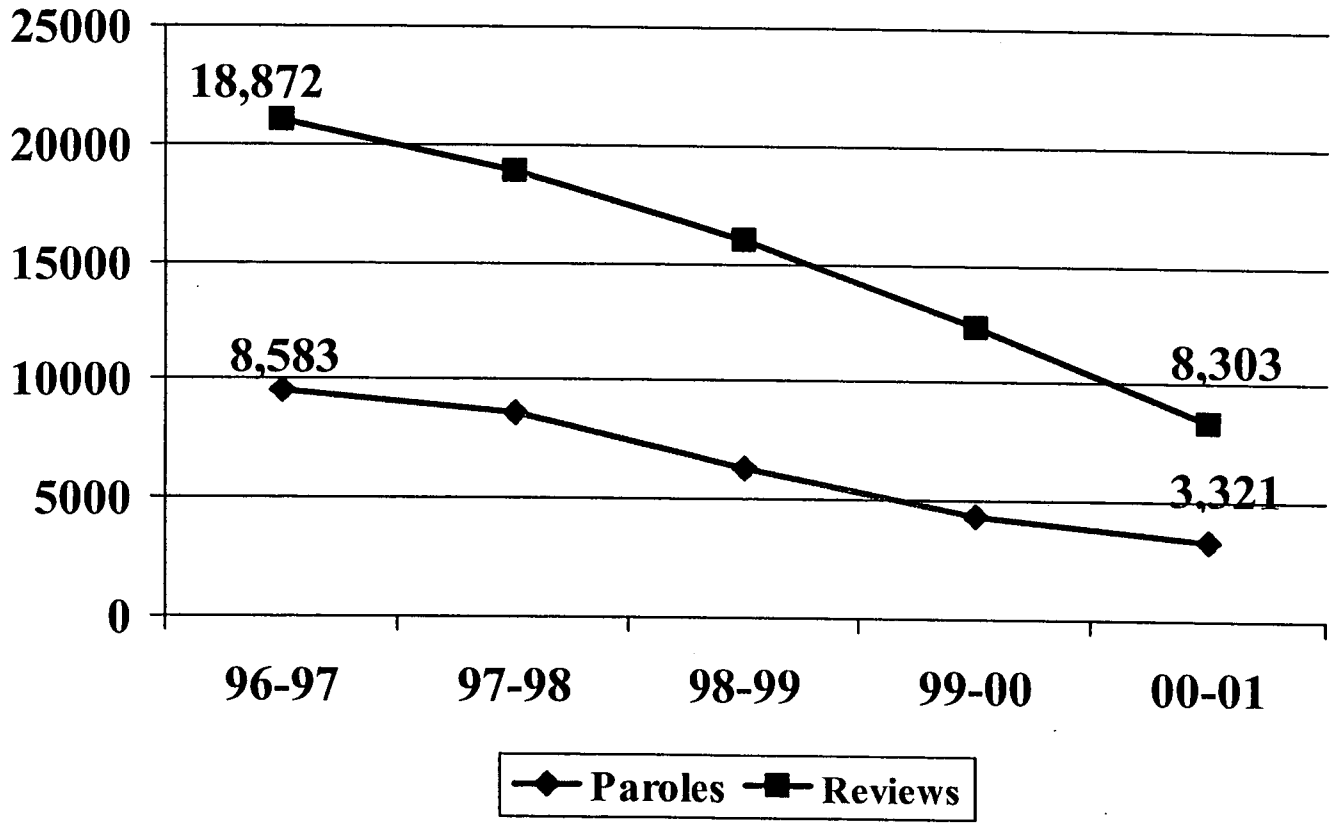
Commissioners

- Decide parole (12,352 cases)
- Decide DWI-Cherry placements (1,163 cases)
- Decide work release for lifers (57 reviews)
- Hearings with Public (516)
- Review files on parolees with violations (2,904) and hold final revocation hearings

Analysts

- Review parole eligible cases (12,352)
- Review status of other cases (19,958)
- Review DWI-Cherry considerations(1,163)
- Process notifications (12,352)
- Other actions (certifying dates, requesting crime versions, monitoring changes)

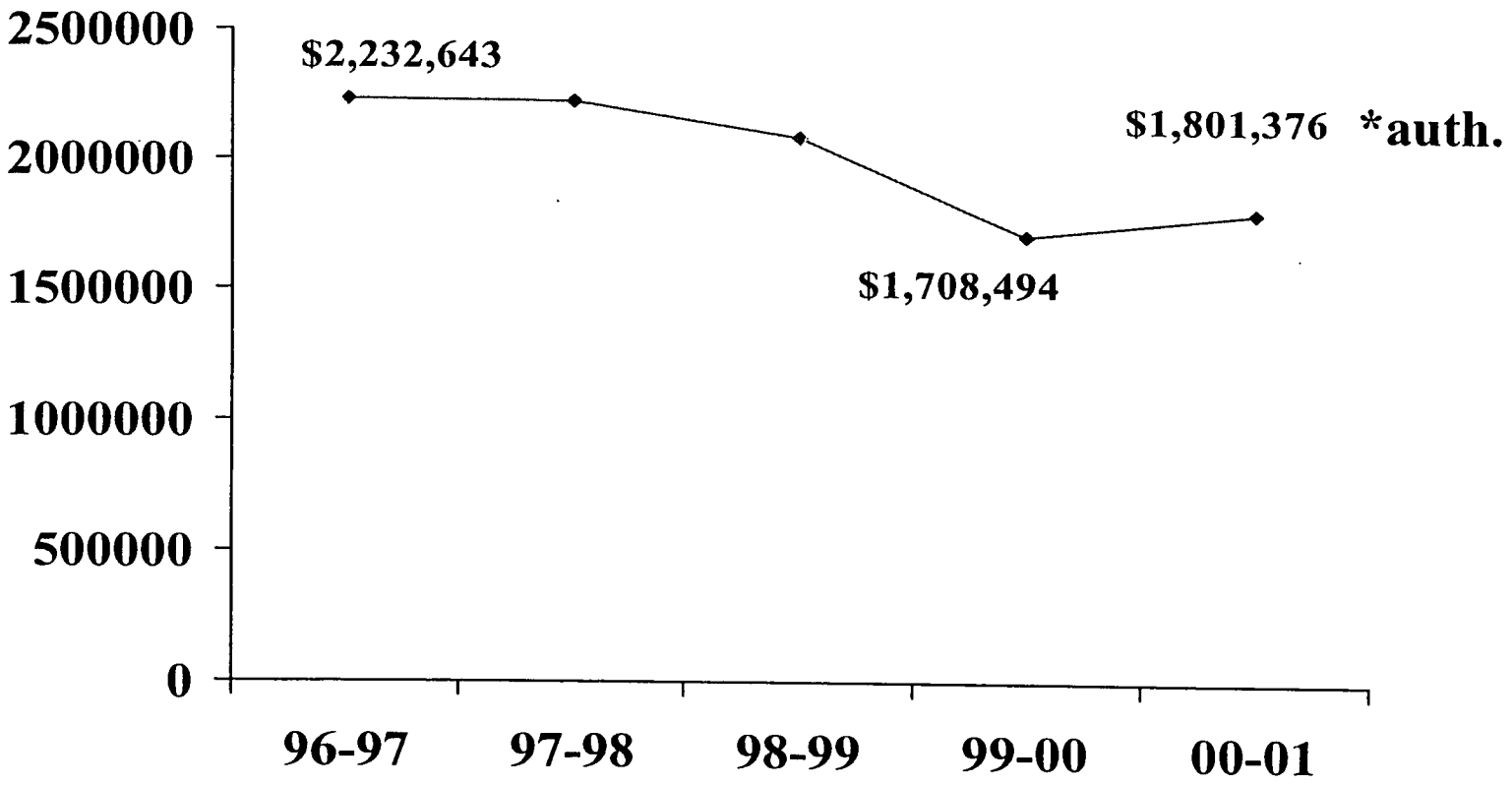
Parole Trends



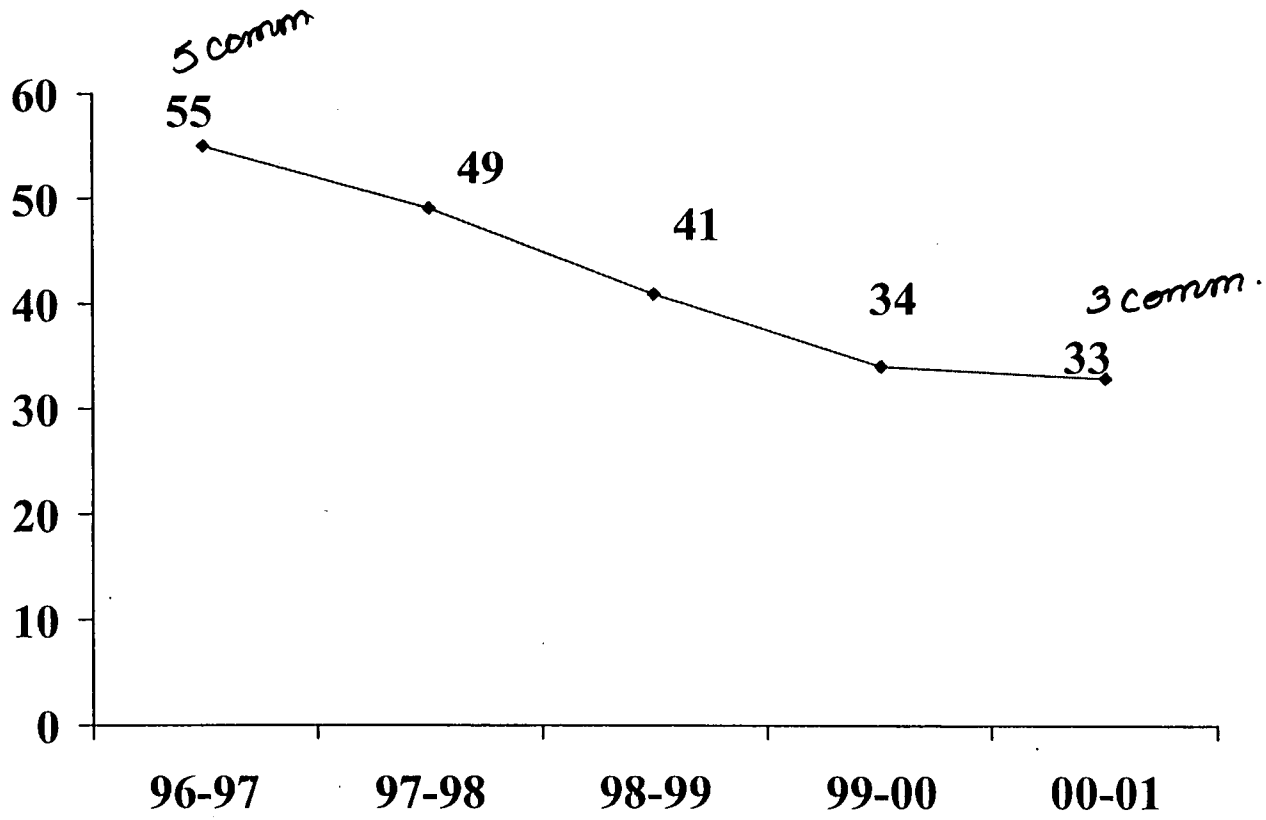
Projected Paroles

Fiscal Year	Projected # Paroles	Actual # Paroles
1997-98	7,637	8,583
1998-99	6,234	6,274
1999-00	4,296	4,298
2000-01	3,321	-
2001-02	2,532	-
2001-03	1,931	-

Budget Trends



Staffing Levels 1997-2001



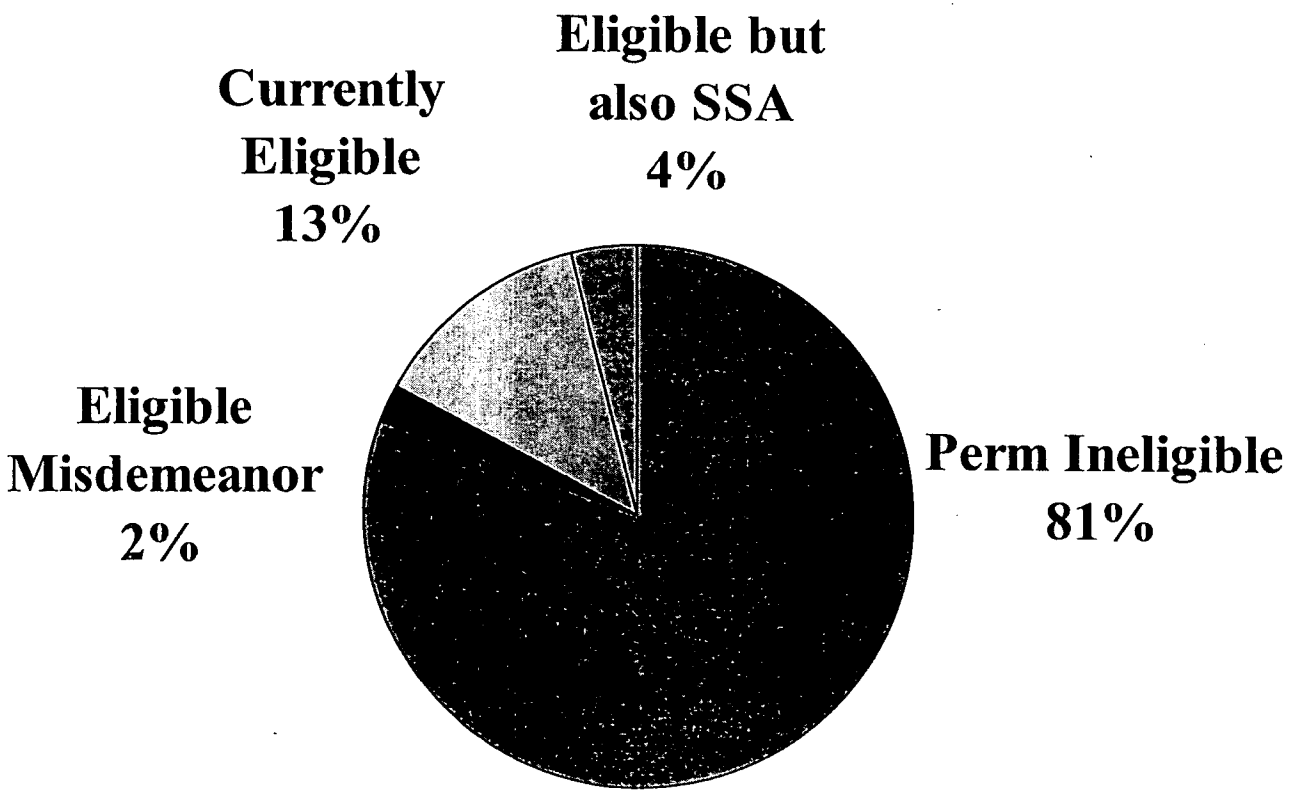
Workload Projections

FY	Paroles	Parole Reviews	Post Release	Total Cases
1997-98	7,637	19,092	305	19,397
1998-99	6,234	15,585	506	16,091
1999-00	4,296	10,740	955	15,036
2000-01	3,321	8,303	1,037	11,624
2001-02	2,532	6,330	1,083	8,862
2002-02	1,931	4,828	1,122	6,758

Highlights of 1999-2001 Session

- 1999 Reduced the Parole Commissioners from 5 to 3 ($161,766)R
- 1999 Eliminated 2 staff positions ($101,000)R
- 2000 Eliminated 1 staff position ($45,587)R

Current Prison Population Who is Parole Eligible?



Governor's Recommendations

- Abolish Vacant Parole Commission Positions **($78,000)**
  - Salaries and Benefits **($64,751)**
  - Operating Expenses: office supplies and computer equipment **($13,249)**

Summary of Issues

- Number of paroles has declined 50% since 1996 and is projected to decline an additional 55% by 2003
- Number of post release supervision will grow by 20%, estimated to reach 1,122 by 2003- what should Commission's role be?
- Total staff has been cut by 40% since 1997- directed to 10% each year through 2002-03.

Handout # 2
March 27, 01
8:30

NORTH CAROLINA DEPARTMENT OF CORRECTION
Office of Research and Planning

Pre-Structured Sentencing Act Prison Inmates Eligible for Parole

In response to an inquiry by legislators, staff from the Office of Research and Planning analyzed data from the Department of Correction's automated information system (OPUS) in order to describe Pre-Structured Sentencing Act prison inmates eligible for discretionary release from prison on parole (as of March 3, 2001). The analysis shows there are 3,581 inmates in this category. Inmates with a mixed law (Pre-Structured Sentencing and Structured Sentencing) sentence are not included in this analysis.

Of the 3,581 parole-eligible inmates, 71% are in prison for felony Class A-E crimes; 24% are in prison for felony Class F-I crimes; 3% are in prison for misdemeanors. Data on the crime class of 2% of the inmates was not available. The crime class is based on most serious crime committed, and the crimes are categorized by the Structured Sentencing crime classes for purposes of comparison.

The average sentence for all inmates in this group is 36 years, ranging from an average sentence of 2 years for misdemeanants up to an average sentence of 51 years for Class A felons. The average number of years served for all inmates in this group is 11, with a range of 5 months (average served) by misdemeanants to 25 years (average served) by Class A felons.

On average, all of the inmates in the parole-eligible group have served 31% of their sentence, ranging from 21% for misdemeanants up to 48% for Class A felons. On average, the parole-eligible group has 3 sentences for the current period of incarceration, with a range of 2 sentences for Class B2 felons up to 5 sentences for Class H felons.

Seventeen percent of the parole-eligible group are currently close custody inmates, 46% are medium custody inmates and 36% are minimum custody inmates. The analysis also showed that about 20% of these inmates had previously been paroled and had been returned to prison after parole revocation.

The second table presents, for comparative purposes, average time served (or expected to be served) for Pre-Structured Sentencing and Structured Sentencing prison inmates, by offense class. Statistics for Structured Sentencing offenders were provided by the NC Sentencing and Policy Advisory Commission, based on their Fiscal Year 1999/2000 data base.

Pre-Structured Parole Eligible Inmates as of 3-3-2001

Class of offense	Custody	N	Average (Years) Served		Average (Years) Sentence		Percent Served	Average Number of Sentences
A	CLOSE	20	273.3	22.8	594.3	49.5	46.0%	2.6
A	MEDIUM	104	294.9	24.6	618.8	51.6	47.7%	2.9
A	MINIMUM	67	302.6	25.2	618.4	51.5	48.9%	2.4
All A		191	295.4	24.6	616.1	51.3	47.9%	2.7
B1	CLOSE	19	289.0	24.1	601.9	50.2	48.0%	2.3
B1	MEDIUM	78	288.1	24.0	638.8	53.2	45.1%	2.8
B1	MINIMUM	50	302.7	25.2	608.6	50.7	49.7%	3.2
All B1		147	293.2	24.4	623.7	52.0	47.0%	2.9
B2	CLOSE	136	144.2	12.0	523.3	43.6	27.6%	2.0
B2	MEDIUM	468	145.2	12.1	553.1	46.1	26.3%	1.7
B2	MINIMUM	361	148.9	12.4	512.4	42.7	29.1%	1.6
All B2		965	146.5	12.2	533.7	44.5	27.4%	1.7
C	CLOSE	94	144.4	12.0	482.0	40.2	30.0%	3.3
C	MEDIUM	234	148.8	12.4	511.6	42.6	29.1%	3.2
C	MINIMUM	133	141.2	11.8	477.1	39.8	29.6%	2.9
All C		461	145.7	12.1	495.6	41.3	29.4%	3.1
D	CLOSE	150	137.1	11.4	417.7	34.8	32.8%	2.5
D	MEDIUM	311	145.2	12.1	476.1	39.7	30.5%	2.6
D	MINIMUM	169	143.9	12.0	487.2	40.6	29.5%	2.5
All D		630	142.9	11.9	465.2	38.8	30.7%	2.6
E	CLOSE	31	98.4	8.2	267.7	22.3	36.8%	3.0
E	MEDIUM	72	119.0	9.9	326.7	27.2	36.4%	3.1
E	MINIMUM	50	102.8	8.6	298.6	24.9	34.4%	3.0
All E		153	109.5	9.1	305.6	25.5	35.8%	3.0
F	CLOSE	17	101.5	8.5	306.2	25.5	33.2%	4.1
F	MEDIUM	89	54.9	4.6	243.2	20.3	22.6%	2.9
F	MINIMUM	65	74.2	6.2	302.0	25.2	24.6%	3.1
All F		171	66.9	5.6	271.8	22.6	24.6%	3.1
G	CLOSE	53	105.2	8.8	303.8	25.3	34.6%	3.4
G	MEDIUM	98	108.4	9.0	350.6	29.2	30.9%	3.7
G	MINIMUM	83	78.6	6.5	311.5	26.0	25.2%	3.3
All G		234	97.1	8.1	326.1	27.2	29.8%	3.5
H	CLOSE	70	91.6	7.6	275.6	23.0	33.3%	5.1
H	MEDIUM	159	84.2	7.0	321.2	26.8	26.2%	5.5
H	MINIMUM	153	67.6	5.6	276.8	23.1	24.4%	5.6
All H		382	78.9	6.6	295.1	24.6	26.7%	5.4
I	CLOSE	15	75.8	6.3	234.9	19.6	32.3%	3.9
I	MEDIUM	32	67.1	5.6	240.1	20.0	28.0%	4.2
I	MINIMUM	32	64.5	5.4	258.1	21.5	25.0%	3.9
All I		79	67.7	5.6	246.4	20.5	27.5%	4.0
M	MINIMUM	94	4.7	0.4	22.4	1.9	21.2%	1.5
All M		94	4.7	0.4	22.4	1.9	21.2%	1.5
UNK	CLOSE	6	96.6	8.0	344.7	28.7	28.0%	3.5
UNK	MEDIUM	19	90.5	7.5	263.2	21.9	34.4%	2.7
UNK	MINIMUM	49	27.4	2.3	92.9	7.7	29.5%	2.3
All UNK		74	49.2	4.1	157.0	13.1	31.4%	2.5
All Classes	Close	611	136.2	11.3	420.5	35.0	32.4%	3.0
	Medium	1664	145.7	12.1	471.2	39.3	30.9%	2.9
	Minimum	1306	124.8	10.4	398.4	33.2	31.3%	2.7
All		3581	136.4	11.4	436.0	36.3	31.3%	2.8

DOC Office of Research and Planning 3-9-2001

Today

Offense Class	Non-Structured Sentencing Act Offenders Eligible for Parole as of March 2001[1]							
	Average Sentence (Months)[2]	Number Eligible	Average Time Served (months)	Percent of Sentence Served	Average Number of Convictions	Average Min Sent. Imposed (months)[2]	Average Estimated Time Served (months)[3]	Average Number of Convictions
A	616	191	295	48%	2.7	600	600	2.7
3 Strikes	N/A	N/A	N/A	N/A	N/A	600	600	5.7
B1	624	147	293	47%	2.9	261	292	4.0
B2	534	965	146	27%	1.7	179	193	2.5
C	496	461	146	29%	3.1	93	103	3.8
D	465	630	143	31%	2.6	72	77	2.6
E	306	153	109	36%	3.0	30	32	2.0
F	272	171	67	25%	3.1	19	24	2.0
G	326	234	97	30%	3.5	15	19	2.5
H	295	382	79	27%	5.4	9	10	2.9
I	246	79	68	27%	4.0	7	7	2.3
Misdemeanor	22	94	5	21%	1.5	N/A	N/A	N/A
Unknown	157	74	49	31%	2.5	N/A	N/A	N/A

Source: NC Department of Correction and NC Sentencing and Policy Advisory Commission

[1] This analysis is based on 3,581 offenders eligible for parole and serving only "old law" sentences. Of the 8,084 offenders with an "old law" sentence in the prison system on March 3, 2001, 3,636 offenders who have not yet reached their parole eligibility date were excluded from the analysis. The analysis also excluded an additional 867 offenders with mixed "old law/ new law" sentences.

[2] For analysis purposes, the sentence length imposed for convictions resulting in life or death sentences is estimated at 600 months.

[3] Estimated time served takes into account consecutive sentences, credit for time served, and percentages of sentence served using FY 1999/2000 data.

Resident Population Eligible for Parole as of 3/3/01

Class "F" Felonies (Sample)
175 Eligible Offenders

Offenders	Crime/Sentence/Class[1]	Multiple Sents	Sentence Began	Release Date	Parole Eligibility	Victim Notif	Prior # of Sents[2]	Custody	Prior # of Paroles[3]	Other
1	Indecent Lib/20yrs/H	N/A	7/28/94	8/10/01	4/13/96 (1/8)	Yes	None	Min1	None	Sex off.
2	Indecent Lib/30 yrs/H	3**	9/21/92	11/15/03	6/8/95 (1/8)	Yes	None	Min2	None	Sex off; 14 Rule Violations
3*	Damage w/Exp/62 yrs/E	11	8/2/91	6/3/14	10/18/96 (1/8)	No	1 - A 3 – P	Min1	None	3 Rule Violations
4	Invol.Man/10 yrs/H	None	4/24/97	12/29/01	7/10/98 (1/8)	Yes	1 – A	Min1	None	
5	Indecent Lib/40 yrs/H	4**	2/21/94	8/10/08	3/5/97 (1/8)	None Active	1 – A	Med	None	Sex off.
6	AWDW fire/law/20/I	4**	3/13/95	7/2/02	9/17/96 (1/8)	Yes	1 – A	Min2	None	
7	Indecent Lib/20 yrs/H	2**	4/22/96	6/2/04	5/2/98 (1/8)	Yes	1 – P	Min2	None	Sex off.
8	Indecent Lib/10/H	None	6/12/97	6/5/01	5/13/98 (1/8)	No	2 – A 2 – P	Med	None	Sex off. Prob. Viol.
9	Indecent Lib/20/H	2**	8/19/96	5/12/04	1/26/98 (1/8)	No	1 – A 1 – P	Min1	None	Sex off. Prob. Viol. 4 Rule Viol

[1] Represents most serious offense.
[2] A = Active Term; P = Probation Term
[3] Current term only.

* Has at least one commitment with multiple crimes (consolidated for judgment).
** Has multiple offenses of same offense listed as most serious offense.

Handout #3
Lucero
March 27, 01

Resident Population Eligible for Parole as of 3/3/01

Class "G" Felonies (Sample)
239 Offenders Eligible Offenders

Offenders	Crime/Sentence/Class[1]	Multiple Sents.	Sentence Began	Release Date	Parole Eligibility	Victim Notif.	Prior # of Sents.[2]	Custody	Prior # of Paroles[3]	Other
1	2nd D. Burg/35yrs/D	None	5/23/94	4/21/07	1/9/01 - Mandatory requirement	None Active	None	Medium	None	Req. to Serve 7 yrs.
2*	Com.Law Rob/11 yrs/H	2	8/28/95	6/19/04	11/4/96 (1/8)	No	1 - A 3 - P	Close	None	210 rule violations; 1 prob. rev – no active sent
3	Com.Law Rob/25 yrs/H	5**	12/19/94	11/6/04	3/1/397 (1/8)	Yes	10 – A. 14 – P	Medium	None	16 rule violations
4	2nd D. Burg/Life/N/A	None	6/1/72	Life	6/9/79 (1/4) (10 yr. req.)	Yes	None	Close	None	44 rule violations
5*	Com.Law Rob/40 yrs./H	20	2/9/94	2/27/10	12/20/97 (1/8)	No	3 – A 6 – P	Medium	None	20 rule violations
6	Com.Law Rob/25 yrs./H	3	1/27/94	9/28/03	8/16/96 (1/8)	None Active	4 – A 4 – P	Medium	None	17 rule violations
7*	Com.Law Rob/28yrs. 5 mos.25 days/H	5	11/21/91	8/16/03	12/14/95 (1/8)	Yes	3 – A	Min1	2	20 rule violations
8	Sell Sched.II/10 yrs/	2	6/23/97	11/10/01	8/3/00 (1/8)	No	1 – A	Min1	2	Revoked 8/17/00

[1] Represents most serious offense.
[2] A = Active Term; P = Probation Term
[3] Current term only.

* Has at least one commitment with multiple crimes (consolidated for judgment)
** Has multiple offenses of same offense listed as most serious offense.

Resident Population Eligible for Parole as of 3/3/01

Class "H" Felonies (Sample)
393 Eligible Offenders

Offenders	Crime/Sentence/Class[1]	Multiple Sents.	Sentence Began	Release Date	Parole Eligibility	Victim Notif.	Prior # of Sents.[2]	"Max" Custody	Prior # of Paroles[3]	Other
1*	B&E/43 yrs.9 mos.15 days/H	3**	8/11/88	6/7/09	11/25/95 (1/8)	No	2 – A 4 – P	Medium	1	43 rule violations
2*	Poss.w/i/s/Sched/20 yrs/	4**	7/17/91	8/2/01	7/27/94 (1/8)	No	1 – A 1 – P	Medium	3	21 rule violations
3*	Conversion by Bailee/21 Yrs.3 mos.8 days/H	7	2/7/94	8/31/03	5/29/97 (1/8)	No	2 – A 8 - P	Min1	1	15 rule violations
4*	Cheat Prop.Ser/20 yrs/	6**	3/3/93	6/2/02	10/22/94 (1/8)	No	1 – A 3 - P	Medium	1	Revoked 5/23/00
5*	B&E/10 yrs/H	None	4/20/99	2/25/03	4/4/00 (1/8)	None Active	2 – A 4 – P	Medium	None	Prior A/R conviction
6	Manuf.Schedule/20yrs/H	5	12/13/93	6/27/03	3/13/96 (1/8)	No	1 – A 4 – P	Close	None	17 rule violations
7*	Larceny/18 yrs.1 mo.19 days/H	9**	2/21/89	pending	9/21/96 (1/8)	Yes	5 - P	Medium	4	Parole rev. hearing pending
8*	B&E&L/25 yrs./	5**	5/13/88	11/17/01	2/17/93 (1/8)	No	4 – P	Min1	3	30 rule violations
9	Poss/w/i/s/Sched./41 yrs. 3 mos. 29 days/H	6**	10/26/92	10/24/10	4/29/98 (1/8)	None Active	2 – A 2 – P	Medium	1	25 rule violations

[1] Represents most serious offense.
[2] A = Active Term, P = Probation Terrm
[3] Current term only.

* Has at least one commitment with multiple crimes (consolidated for judgment).
** Has multiple offenses of same offense listed for most serious offense.

Resident Population Eligible for Parole as of 3/3/01

Class "I" Felonies (Sample)
82 Eligible Offenders

Offenders	Crime/Sentence/Class[1]	Multiple Sents.	Sentence Began	Release Date	Parole Eligibility	Victim Notif.	Prior # of Sents.[2]	Custody	Prior # of Paroles[3]	Other
1*	B&E Veh/20 yrs. 6 mos. 10 days/I	5**	11/29/93	9/7/02	6/29/96 (1/8)	No	3 – A 6 – P	Min3	1	21 rule violations
2*	Forgery/40yrs/no class	4	12/5/78	2/16/02	11/20/79 (1/5)	No	3 – A	Medium	N/A	71 rule violations; mental health
3*	B&E&L/10 yrs./H	2	12/14/92	7/11/03	11/22/93 (1/8)	No	1 – A 2 - P	Medium	2	Parole Revoked 2/9/01
4*	B&E Veh/5 yrs/	None	9/11/00	8/23/02	2/20/01(1/8)	No	3 – A 7 - P	Min1	None	Case was invest. And denied
5	Forgery/30 yrs/I	6**	10/5/92	1/6/07	12/16/95 (1/8)	Yes	2 – A 7 – P	Close	None	28 rule violations
6	Crime Against Nature/20 Yrs/H	2**	11/4/91	6/12/01	11/19/94 (1/8)	Yes	1 - A	Medium	1	44 rule violations
7*	Forgery/4 yrs./	None	8/28/00	4/11/02	1/19/01	No	2 - P	Min1	None	Mental health
8	B&E/10yrs/H	3	7/22/99	7/26/03	7/20/00 (1/8)	Yes	1 – A 3 – P	Min1	None	Prob. Rev.; 1 rule violation

[1] Represents most serious offense.
[2] A = Active Term; P = Probation Term
[3] Current term only.
* Has at least one commitment with multiple crimes (consolidated for judgment).
** Has multiple offenses of same offense as most serious crime.

Resident Population Eligible for Parole as of 3/3/01

Misdemeanor Offenders – Class "M"
95 Eligible Offenders

Names	Crime/Sentence/Class[1]	Multiple Sents.	Sentence Began	Release Date	Parole Eligibility	Prior # of Sents:[2]	Prior # of Paroles[3]	Other
1	DWI – level 1//2 yrs.	N/A	1/16/01	11/1/01	2/9/01 (1/5)	1 – A 4 – P	N/A	Prob. Viol; being considered for parole-to-treatment.
2	DWI – level 1//3 yrs.6 mos.	3	7/19/00	10/13/01	10/6/00 (1/5)	1 – A 2 – P	N/A	Prob. Viol; being considered for parole-to-treatment
3	DWI – level 1//2 yrs. 6 mos.	2	2/25/00	3/8/01	3/21/00 (1/5)	10 – A 3 –P	1	18 DWI convictions; cannot be paroled to treatment - medical problems
4	DWI – level 1//1 yr.	N/A	10/23/00	Complete on 3/3/01	11/17/00 (1/5)	1 – A 1 – P	1	Refused parole to treatment
5	DWI – level 1//2 yrs.	3	12/26/00	10/19/01	1/25/01 (1/5)	4 – P	N/A	Must have assessment/treatment prior to parole; has not rec'd treatment.
6	DWI – level 1//2 yrs.	2	11/16/00	9/10/01	3/2/01 (1/5)	2 – A 3 – P	1	Paroled to treatment 3/8/01
7	DWI –level1//2 yrs.	N/A	1/29/01	11/20/01	2/25/01 (1/5)	3 – A 7 – P	N/A	Prob. Viol; being considered for Parole to treatment.
8	DWI – level1//2 yrs.9 days	2	1/6/00	4/4/01	3/15/00 (1/5)	6 – A 7 – P	3	Paroled-to-treatment 5/25/00; parole revoked 11/1/00
9	DWI – level 1//2 yrs.	N/A	1/3/01	10/18/01	1/28/01 (1/5)	2 – A 3 –P	N/A	Approved for parole-to-treatment
10	DWI – level 1//9 mos.	2	1/2/01	5/17/01	2/1/02 (1/5)	5 - P	N/A	Prob.viol; being considered for parole-to-treatment

[1] Represents most serious offense.
[2] A = Active; P = Probation
[3] Parole to Treatment while serving current or past terms.

Resident Population Eligible for Parole as of 3/3/01

Class Unknown (Sample)
79 Eligible Offenders

Offenders	Crime/Sentence/Class[1]	Multiple Sents	Sentence Began	Release Date	Parole Eligibility	Victim Notif.	Prior # of Sents;[2]	Custody	Prior # of Paroles	Other
1	DWI – level 2//1 yr	N/A	1/17/01	6/15/01	1/24/01 (1/5)		2- P		N/A	Approved for parole to tx.
2	Burglary/25 yrs. 3 mos. 24 days/C	4	9/21/92	10/14/04	12/25/00 (1/8)	Yes	1 – A 2 – P	Medium	1	7 yr. PE require;Sex off; 10 rule violations
3	Rec.Stolen Goods/19 yrs. 3 mos. 1 day/H	5	7/12/93	11/6/02	9/12/96 (1/8)	No	4 – A 3 – P	Min1	2	19 rule violations since last revocation
4	DWI level // 4 mos.	N/A	2/15/01	4/8/01	2/18/01 (1/5)	None Active	3 – P	Min1	N/A	Must have assess/tx prior to parole; has assess; no tx.
5	False Pretense& Cheats/15 yrs. 5 mos. 10 days/H	4	2/8/93	6/12/02	8/14/99 (1/8)	No	8 – P	Min2	1	6 rule violations; mental health
6	Auto Larceny/20 yrs/H	2	3/12/93	12/22/02	3/13/95 (1/8)	No	N/A	Close	N/A	45 rule violations

[1] Represents most serious offense.
[2] A = Active Term; P = Probation term
[3] Current term only.

Department of Corrections
Probation and Parole

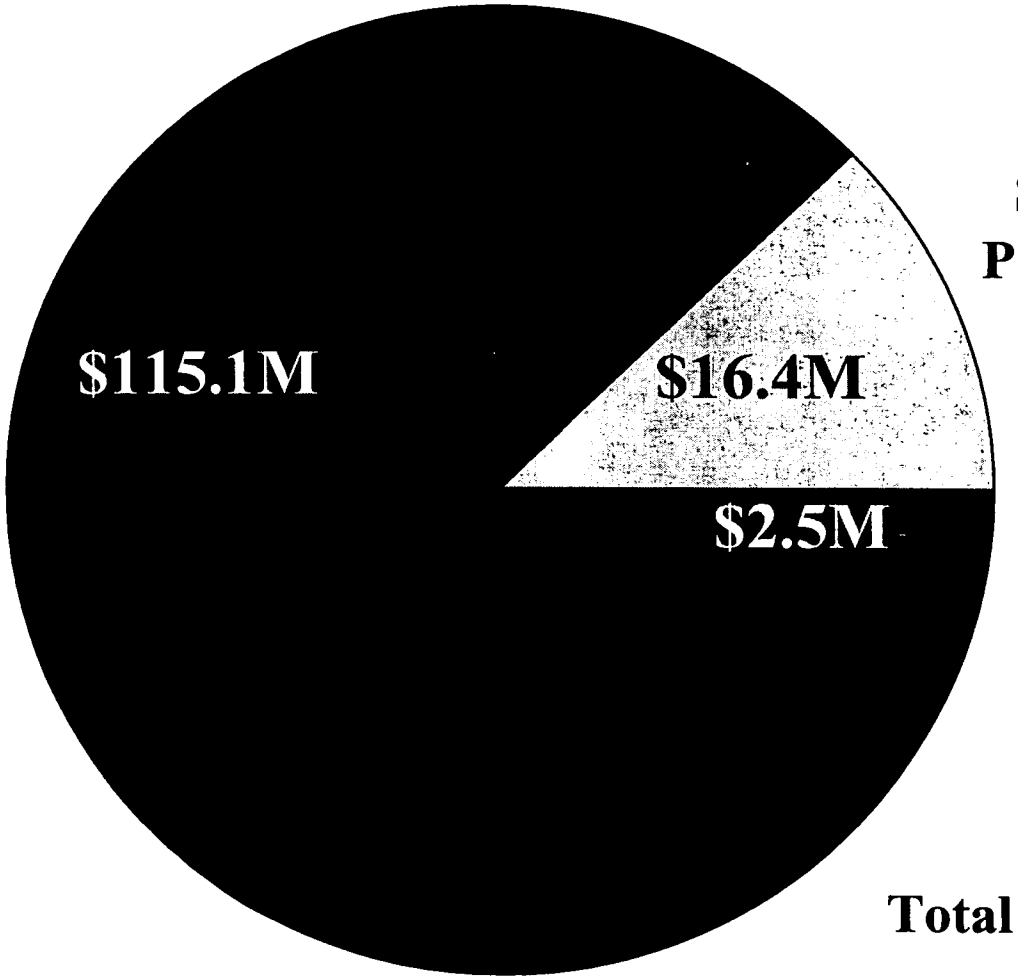
Joint Appropriations Subcommittee On Justice and Public Safety

March 2001

Handout # 4
March 27, 01

Division of Community Corrections

Authorized Budget 12/31/00



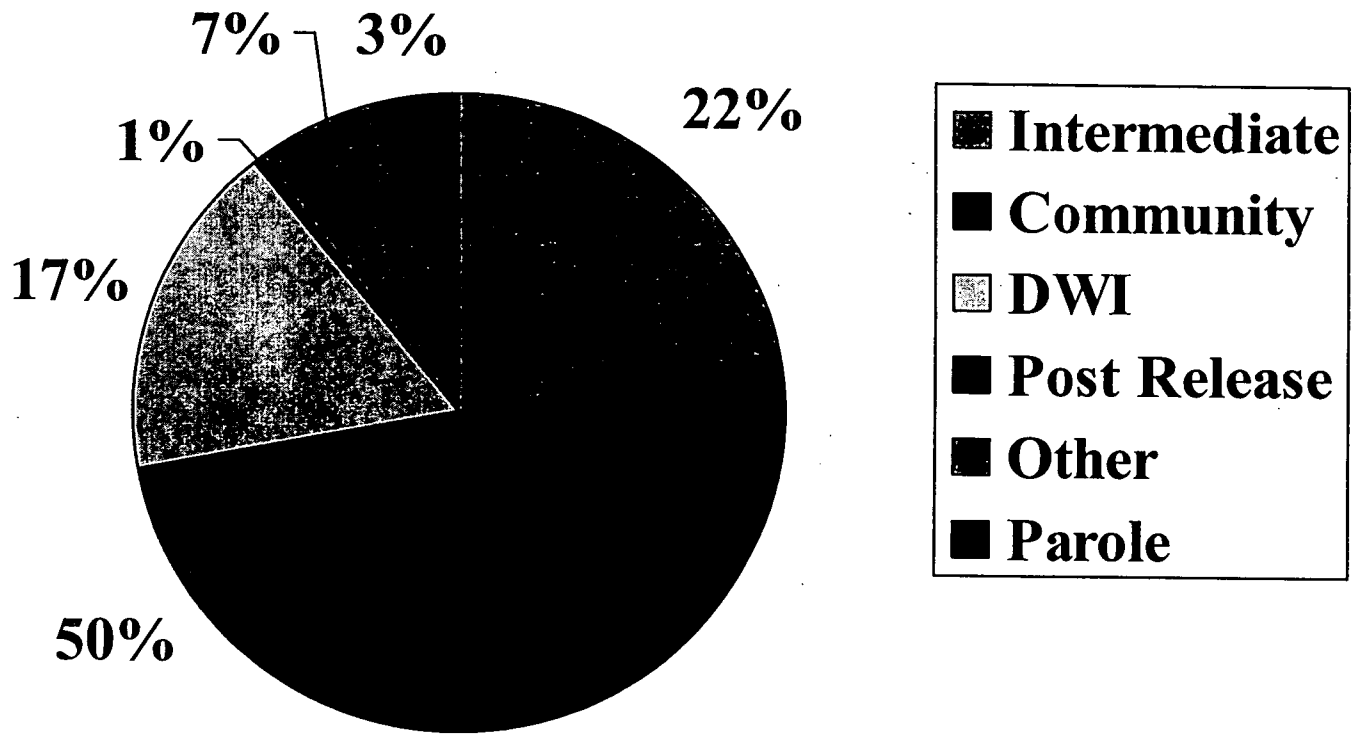
Special Programs 12%

Management 2%

Field 86%

Total 12/31/00: $134 M

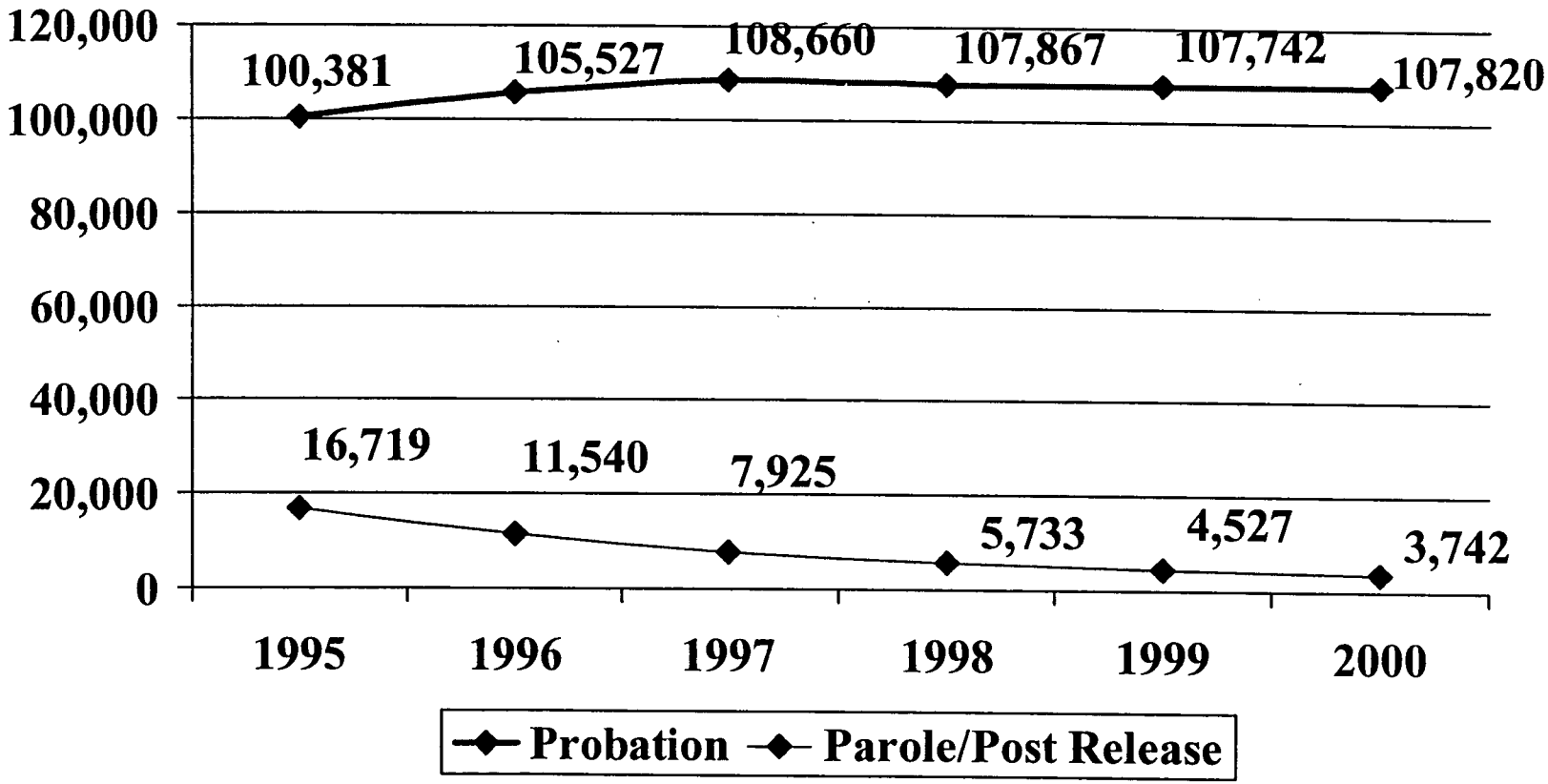
Offenders on Dec. 31, 2000 by Punishment Type



Total Population 111,996

Source: DCC

Population Trends



Source: DCC annual report

Cost of Sanctions

Per offender per day:

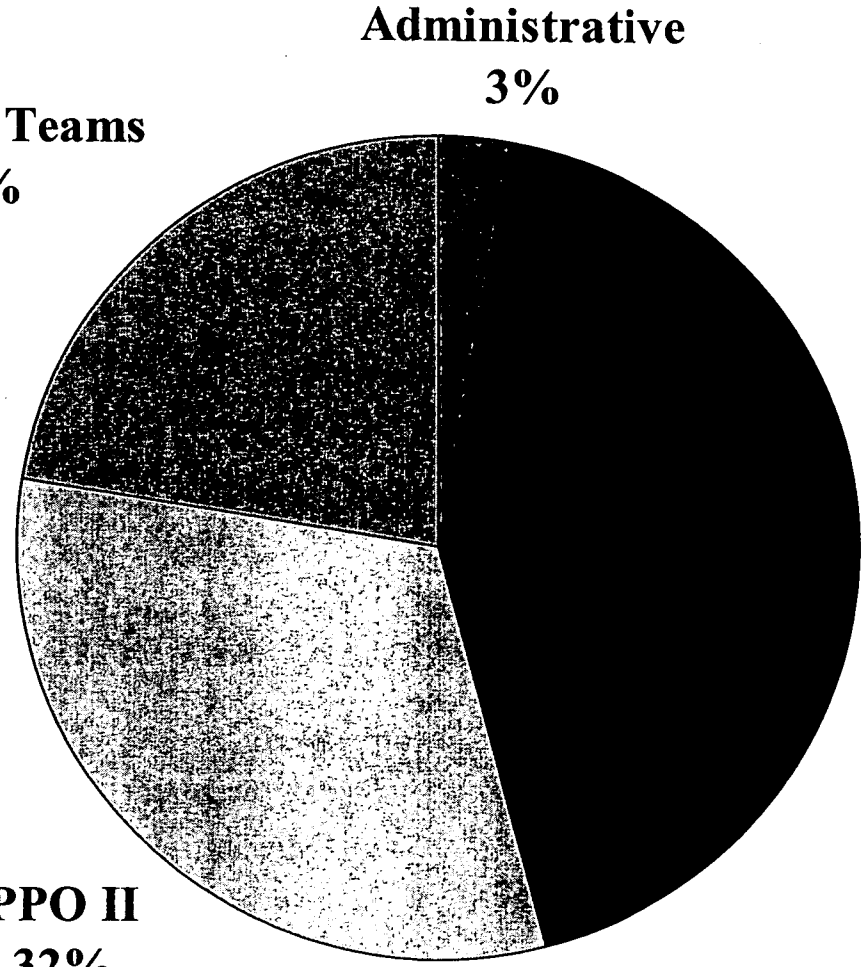
- Regular Probation/Parole $1.89
- Electronic House Arrest $6.41
- Intensive Probation/Parole $12.23

Source: DOC Annual Statistics Report

Electronic House Arrest

- 1,400 total capacity
- 685 population on June 30, 2000
- 2,786 entries in FY 99-00
- 58% average utilization in FY 99-00
- Improved technology reduced staff workload (eliminated 6 positions) and will likely improve utilization.

Probation and Parole Staffing



Admin: 43

PPOI: 697

PPOII: 515

Intensive: 363

Teams

Source: DCC

Probation/Post-Release/Parole Population Projections

- The model used to estimate probation/post-release/parole populations integrates information prepared by the North Carolina Sentencing and Policy Commission and DOC.
- The Sentencing Commission provides projections for probation entries for 5 years.
- DOC's Office of Research and Planning provides data on exits from supervision based on length of stay and information on entries to probation for DWI, post-release supervision and parole.
- This gives projected numbers of offenders by supervision level (community, intermediate, intensive) as well as by type (probation, parole, post-release).

TOTAL Supervision Projections

Fiscal Year	Previous Projection on June 30	Revised Projection on June 30
2000-01	111,500	110,435
2001-02	112,507	110,718
2002-03	113,771	111,250
2003-04	115,254	111,944
2004-05	---------	112,767

Intensive Supervision Projections

Fiscal Year	Projected Supervision Population on June 30	Required Officer Resources (25 to 1 ratio)	Current Officer Resources
2000-01	8,799	352	363
2001-02	8,769	351	363
2002-03	8,777	351	363
2003-04	8,815	353	363
2004-05	8,876	355	363

Intermediate Supervision Projections

Fiscal Year	Projected Supervision Population on June 30	Required Officer Resources (60 to 1 ratio)	Current Officer Resources
2000-01	31,080	518	515
2001-02	31,343	522	515
2002-03	31,654	528	515
2003-04	31,994	533	515
2004-05	32,358	539	515

Community Supervision Projections

Fiscal Year	Projected Supervision Population on June 30	Required Officer Resources (90 to 1 ratio)	Current Officer Resources
2000-01	70,556	784	740
2001-02	70,606	785	740
2002-03	70,819	787	740
2003-04	71,135	790	740
2004-05	71,533	795	740

Statute on Caseloads

- GS 15A-1343.1: 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 by July 1, 1998

Are Staffing Levels Appropriate?

- Absconders are included in population numbers but are not being supervised.
- High turnover and vacancies require Chief Probation/Parole Officers to take on caseloads- leaving less time for administrative duties such as monitoring probation revocation recommendations.
- Can extra intensive teams cover intermediate and community caseloads?
- Governor's Budget made no recommendations for funding additional PPOs.

Probation Revocation Rates FY 99-00

- 59,860 total exits from probation
- 19,527 offenders were revoked- 33%
  - 54% revoked to prison
  - 46% revoked to jail
- Reasons for revocations
  - 39% technical violation only
  - 15% absconding with warrant
  - 45% new crime

Source: Office of Research and Planning

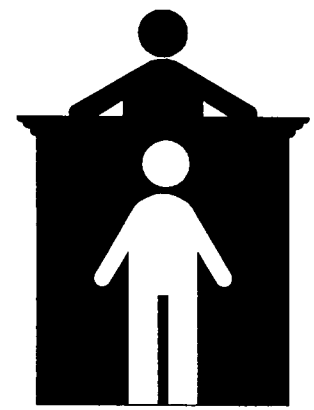
Trends in Revocation Rates

Fiscal Year	95-96	96-97	97-98	98-99	99-00
Revocation	23%	25%	28%	29%	29%
Elect to Serve	9%	9%	6%	5%	4%
Total Rate	**32%**	**34%**	**34%**	**34%**	**33%**

Source: Office of Research and Planning

Non-Intensive Probation Revocations

- 7,727 (73%) non-intensive probationers were revoked to prison in FY 99-00
  - 2,206 (28%) revoked technical violation only
  - 1,222 (16%) absconded
  - 4,299 (56%) new crime



Source: Office of Research and Planning

Punishment Options for Probationers Revoked to Prison for New Crime

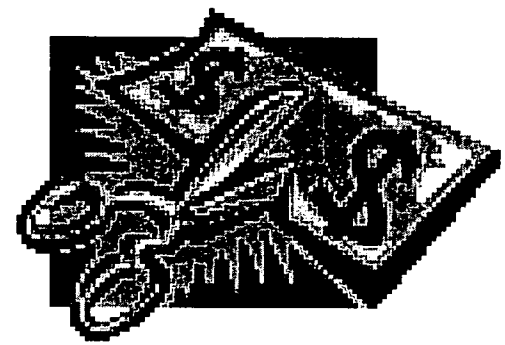
- 5,788 probationers were revoked to prison for a new crime in FY 99-00
  - 181 committed crimes for which an active sentence was required
  - 5,607 (97%) committed crimes for which they could have received a community or intermediate punishment

Source: Office of Research and Planning

Governor's Recommendations

Pub. + Parole

- Reduce travel budget ($130,000)NR
  - ($65,000) lodging
  - ($65,000) meals
- Reduce office and data processing equipment ($50,000)NR



JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday, March 27, 2001
8:30 a.m. and 1:30 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: ~~Senator Luther Jordan~~ Rep. Phil Haire — Representative R. Phillip Haire, Presiding
Representative Bill Culpepper

II. PRESENTATIONS

- Parole Commission Budget Overview

  Kelly Little, Fiscal Research Staff

- Study of Parole-Eligible Inmate Pool

  Gregg Stahl, Department of Correction

  Comments from Parole Commission

- Probation and Parole Budget Overview

  Kelly Little, Fiscal Research Staff

- Adult Offender Substance Abuse Programs – DHHS

  Sonja Brown, TASC Coordinator
  Substance Abuse Services Section, DHHS

- Prison Reserves

  Jim Mills, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Wednesday, March 28 – Department of Justice
  Thursday, March 29 – Department of Justice

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on March 27, 2001, at 1:00 p.m. in Room 415 of the Legislative Building. Three (3) Senators were present. The following members of the House were present:

Rep. Bill Culpepper
Rep. Phil Haire
Rep. Larry Justus
Rep. Joe Kiser
Rep. Wayne Sexton

A visitors registration list is attached and made part of these minutes.

Rep. Haire introduced Sonja Brown, TASC Coordinator, Substance Abuse Services Section, DHHS who gave a presentation. (**Handout #1**). Ms. Brown explained that TASC seeks to link justice clients with treatment alternatives, in other words, to link the Justice System and treatments - keep clients out of prison.

Sen Bingham asked if he could see a list of the counties now being served. Ms. Brown said that she had such a list and would get it to Ms. Little.

Kelly Little said that one of the questions that the committee had was if they can incorporate DART aftercare to serve offenders who are now being served by private services - how that can be managed and take on additional clients? Ms. Brown answered that TASK will advocate with area programs and get the person into whatever level of care that they need.

Sen Jordan asked if they were prepared to handle that? Ms. Brown replied that while the overburdened system is certainly a concern, they first define who needs treatment the most - that is how they have systematically addressed the program.

Rep. Haire asked about screening in a DWI case - who decides on whether or not they need an assessment? Do you contract with mental health? Ms. Brown said, no, that this is what happens in the courtroom - they are sentenced to have an assessment, then a DWI License provider does this. Rep. Haire asked if this was something that TASK was involved in? Ms. Brown replied no, not DWI. The clients that need continuing after care, wrap around care are the ones that they target. Not necessarily first offenders, although they could be, but the repeat offenders -

problematic prisoners - are the ones they want to get their hands on and get them through the system.

Rep. Haire introduced Jim Mills who did a presentation on Prison Budget Reserves (**Handout #2**), a major piece left in the Department of Correction. Reserves are utilized for big projections.

Rep. Kiser asked what figures were removed from the total amount? Mr. Mills gave him a total of $15.5 million - not all in the prison reserves. With all the cuts, the $15.3 million has only been reduced to $15.2 million and the $24 million to $21 million.

Sen. Ballance stated that he was under the impression that we were not going to do that kind of budget funding this year - that we were going to put it all up front. Mr. Mills said that was correct but those were the current instructions.

Rep. Sexton commented on road squads and the amount of equipment that they carried with them - seemed very expensive. Gregg Stahl stated that they are statutorily required to work inmates on the road - they need program assignments for the inmates. Because of a difference of opinion, DOT has not paid for this out of highway funds - about $100,000 per year to run 12 inmate crews.

Rep. Kiser asked if Pamlico and Mountain View were medium or minimum security? Mr. Stahl said that they are doing a review to see if they need to be converted to close. Rep. Kiser stated that he assumed that if they were converted to close that they wouldn't be on the road? Mr. Stahl said that was correct unless some mediums were housed there and it would become a mixed use facility. Rep. Kiser asked who determined whether a prisoner is minimum or medium security? Mr. Stahl said that they used an objective system based on total points (given for misbehavior). Crimes with a prior record and crimes plus behavior. Rep. Kiser asked if there is ever consideration given to changing from one class to another because of needed space? Mr. Stahl said that they run projects and review classification over time to see if an inmate meets classification on one level. There might be a manual override - when the program person doesn't recommended demotion or promotion. They occasionally run projects to determine why a prisoner hasn't moved - why there are so many mediums that could qualify for minimum. There are 300 lifers in minimum - do they need to be moved back to medium since they don;'t have the opportunity to be paroled? Of the 200 escapees last year, 95% walked off from minimum security.

Sen. Ballance asked if can convert a facility from minimum to medium? Mr. Stahl explained that the difference between the two was in the external perimeter of fencing and that in medium you have towers and someone to staff those towers. Sen Ballance asked if you need authority from us? Mr. Stahl said that there were different staffing needs.

Sen. Bingham asked if the inmates working on the roads volunteer to do so? Mr. Stahl responded that inmates like something to do.

Due to time restraints, Rep. Haire adjourned the meeting.

Rep. Phil Haire, Presiding Committee Chair

Sara Jane Lennard, House Committee Clerk

Handout # 1
March 27, 1:00 p.m.

Treatment Alternatives to Street Crime

Division of Mental Health Developmental Disabilities and Substance Abuse Services
Department of Health and Human Services

- TASC serves as a bridge between criminal justice & treatment systems
- TASC screens & assesses offenders, determines level & intensity of care, makes appropriate referrals & provides care management services
- TASC utilizes the influence of legal sanctions to motivate & keep offenders in treatment

TASC Core Services

- Clinical Assessment
- Treatment Matching
- Referral
- Care Management
- Reporting to Referral Source

Standard Operating Procedures

- Standard Eligibility Criteria
- Established Priority Populations
- Standard Clinical Assessment Instrument
- Treatment Matching Standards
- Care Management Standards
- Standard Discharge Criteria

TASC Eligibilty

- involved in the Adult Criminal Justice System; *and*
- "voluntarily" consents to participate; *and*
- indicates evidence of history or potential substance abuse or mental health problem; *or*
- is charged with a drug-related offense

State Priority Populations

- Intermediate Punishment Offenders
- DOC releasees who have completed a prison treatment program
- Community Punishment Violators at-risk for revocation
- Other Division of Community Corrections Offenders
- Other CJS/Judicial Referrals

TASC Expansion & Regionalization

- Currently, 23 Programs serve 46 counties (approx. 6500 indiv/year) ... all 100 counties will have access to TASC services
- Corresponds to Statewide Probation Services
- Ensures TASC Service Availability across Judicial Districts to all Offenders, Courts & Probation Officers

NC Offender Management Model

- To increase community safety & offender accountability;
- To create a seamless system of care for the provision of services to offenders;
- To clarify roles in providing control and treatment;
- To reduce the rate of revocation for technical and drug violations;
- To combine efforts to combat limited resources and eliminate duplication;
- To provide cognitive behavioral interventions;
- To develop an integrated information system; and
- To ensure Probation Services, CJPP, DACDP, DOP and TASC staff are prepared to implement the OMM.

NC DHHS-DOC MOU

- State Guidelines for Developing Local Agreements
- Defines Roles & Responsibilities
- Describes Balanced Provision of Mandated Treatment & Control
- A Systemic Approach for Managing Offenders

1999 ESTIMATES of SUBSTANCE ABUSE SERVICE NEEDS in NC

- 784,000 people aged 18 & above who need services
- 24,010 residents without phones
- 2,600 homeless
- 2,700 psychiatric patients
- 47,555 in public high schools
- 666 private school students

How many Substance Abusers are there in North Carolina?

- 1999 NC population - 7,658,145
- 12.4% North Carolinians need some type of substance abuse intervention service
- That means 949,609 are in need of services

FY00 AREA PROGRAM SERVICES & JUSTICE CLIENTS

- For Substance Abuse Services:
  Number of Clients referred from Courts & Corrections to
  - Area Programs - 22,570
  - Hospitals - 281
- For All Diagnoses:
  Number of Clients referred from Courts & Corrections to
  - Area Programs - 34,299
  - Hospitals - 1,659

Department of Correction

Prison Budget Reserves

Joint Appropriations Subcommittee on Justice and Public Safety

March 27, 2001

FRD

Handout # 2
March 27 1:00 p.m.

OVERVIEW OF BUDGET RESERVES

- **Purpose of Budget Operating Reserves**
  - Setting aside large amount of funds dedicated to one project or program allows State Budget and General Assembly to identify and track budget more closely than if in program fund.
  - Allows for budget planning by setting aside estimated program budget amount until final budget can be determined and funds are actually needed.

- **DOC Prison Operating Reserves**
  - Prison Reserves are normally funded in the continuation budget since funds are to staff and operate prisons or building additions *already fully funded for construction and coming on line during a specific fiscal year*
  - Reserves are tied to stages of construction (Prison may have partial reserve to start hiring staff in one year and then funded for full operation the next)
  - Final recommended reserve may be greater or less than original estimated budget -- budget is estimated one to three years before a prison or building is designed and construction begins; final budget is result of changes in programs and design.
  - **Key is estimated completion date** -- In 1998 General Assembly took one-time reduction of $16 million dollars due to changes in original estimated construction completion dates for several prisons.

Prison Reserves -- Budget Issues

- Overall
  - Prison reserves are not included in Governor's final budget for 2001-03. Normal process is to include in continuation budget. All prison reserves were in Governor's original budget recommendation (Vol. 4 JPS)
  - DOC likely to fund from use of vacant positions and lapsed salaries for staffing and from non-salary line items for other operating costs if authorized by State Budget and if no direction from General Assembly
  - Process for General Assembly to reduce, increase, or authorize budget items in reserves that are technically "off-budget" for 2001-03 is not clear

Section 18.8.(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 Health and Human Services 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.

Section 18.8.(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 Health and Human Services 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.

Section 18.8.(c) This section applies to existing facilities, as well as future facilities contracting with the Department of Correction.

Requested by: Representatives Culpepper, Kinney, McCrary, Easterling, Hardaway, Redwine, Senators Jordan, Plyler, Perdue, Odom

LIMIT USE OF OPERATIONAL FUNDS

Section 18.9. 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 shall not be expended for any other purpose, except as provided for in this act, and shall 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.

Requested by: Representatives Culpepper, Kinney, McCrary, Easterling, Hardaway, Redwine, Senators Jordan, Plyler, Perdue, Odom

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM

Section 18.10.(a) The Department of Correction may use funds appropriated to the Department for the 1999-2000 fiscal year to pay the sum of forty dollars ($40.00) per day as reimbursement to counties for the cost of housing convicted inmates and parolees and post-release supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The Department shall report quarterly to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections and Crime Control Oversight Committee, 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 expenditure of funds to reimburse counties for prisoners awaiting transfer and on its progress in reducing the jail backlog.

Section 18.10.(b) G.S. 148-29 reads as rewritten:

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

(a) 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,

DOC PRISON RESERVES *

		Projected Completion Date	Inmate Occupancy Date	Staff Hiring Dates	
				Admin.	C.O's
1.	Road Squads - 5 at Mt. View and 4 at Pamlico	***8/1/2001***	NA	NA	8/1/2001
2.	Enterprise Custody Staff - NCCIW and Nash	***8/1/2001***	9/1/2001	NA	8/1/2001
3.	Enterprise Custody Staff - Warren	***9/1/2003***	10/1/2003	NA	9/1/2003
4	Convert Warren 168 cell block to Segregation Unit (completion dates are estimates)	***Operating***	NA	9/1/2001	9/01 to 11/01
5	New Warren Close Custody 168 beds	***9/1/2003***	12/1/2003	5/1/03 to 8/03	8/1/03 to 12/03
6	NCCIW Dorm and Kitchen	***9/1/2001***	11/1/2001	9/1/01 to 10/01	9/1/01 to 5/1/02
7	Central Prison 192 Beds/Diagnostic Center	***8/1/2001***	12/1/2001	9/1/2001	10/1/01 to 12/01
8	Fountain Correctional Center	***5/1/2001***	6/1/2001	NA	**6/1/2001**

*Originally recommended for funding in Governor's budget (Vol. 4 JPS) for 2001-03. Not included in current recommended budget by Governor. *Projected dates are as of 3/26/01 per DOC*

Prison Reserves for FY 2002 and 2003

Item Description	2001-02			2002-03		
	Original Request*	Current Request**	Difference	Original Request*	Current Request**	Difference
1. 5 Road Squads at Mt. View and 4 at Pamlico	1,228,058 (27)	1,228,058 (27)	0	874,353 (27)	874,353 (27)	0
2. Enterprise Plant Staff at Nash (2), NCCIW (8); Warren (8 moved to 9/1/03)	481,190 (18)	285,387 (10)	195,803 (8)	549,732 (18)	310,664 (10)	239,068 (8)
3. Warren 168 Cell for ICON	1,859,113 (74)	1,203,227 (52)	685,886 (22)	2,224,402 (74)	1,561,239 (52)	663,163 (22)
4. New Warren Close Custody 168 Cell (moved to 2003-04)	0	0	0	3,452,239 (124)	17,296 (3)	3,434,943 (121)
5. NCCIW Dorm (208/272 Beds) and Kitchen	1,615,454 (36)	1,279,011 (41)	336,443 +5	1,250,692 (36)	1,381,252 (41)	130,560 +5
6. Central Prison 192 Cellblock/Diag. Center	2,544,237 (78)	2,091,910 (79)	452,327 +1	2,799,854 (78)	2,785,545 (79)	144,869 +1
7. Fountain Seg. Unit (16 seg beds/new control center)	441,762 (16)	441,762 (16)	0	477,361 (16)	477,361 (16)	0
Total	8,169,814 (249)	6,529,355 (215)	(1,670,459) (24)	11,628,633 (373)	7,407,710 (228)	(4,220,923) (145)

* Original Governor's Budget Recommendation (Volume 4 JPS); figures from DOC worksheets dated 10/07/01

** Requested figures are from DOC budget worksheets dated 3/26/01. These items are not in Governor's final recommended budget

Prison Reserves - Notes on Budget Changes

#2 Enterprises - - adjusted starting dates in year one

Warren janitorial supplies plant will not start until FY 2003-04 so not included in chart

#3 Warren 168 Cell for Segregation - Minus 22 positions from original request

3 sgts
19 correctional officers
NOTE: Total staffing will be 110 for 168 segregation inmates (add 52 positions to current 58 positions - -building is now staffed for high level medium custody but has been converted to seg.

#4 Warren New 168 cell close custody

Date changed from 1/1/03 to 9/1/03; funding unnecessary until 2003-04 except start hiring administrative and management staff 5/1/03

Staffing in 2003 will be 120; reduced from original request of 124

#5 NCCIW -- Date change from July 1 to September 1, 2001, plus 5 positions

Added 5 correctional officers - original staffing inadvertently omitted 24 hour post for one side of new dorm

#6 Central Prison - Date change April 1 to August 1 2001, plus one position

1 Correctional Officer - -added one extra day post
Diagnostic staffing (five) will be handled by in-house transfers instead of new positions
DOC will use 5 positions for a 24 hour post in unsecured area of new building.

#7 Fountain Segregation Building

Anticipated opening in May - - DOC will use available funds in 2000-01

Prison Reserves Budget Issues

- *Road Squads -- Should all nine squads be funded?*
  - In past years road squads are normally considered expansion although some squads have been authorized in continuation budget.
  - 9 Road squads requested (27 staff or 3 staff per 12 inmates); unit cost approximately $139,247 ($42,000 non recurring).
  - DOT requested five squads at Mt View and four at Pamlico
- *Project Completion Dates -- Impact on Budget*
  - Delays in construction create possibility of **non-recurring** reductions
  - Completion date for Central Prison Diagnostic Center was changed from April 1 to August 2001 and NCCIW from July 1 to September 1, 2001. **The completion dates for all buildings in reserves should be reviewed again before completing the 2001-03 Budget**
- *Staffing in Reserves*
  - DOC has reduced staff from original request at both Warren buildings. *Are further reductions possible at other prisons?*

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday March 28, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen:

Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Department of Justice -- Opening Remarks

  Attorney General Roy Cooper

- Department of Justice -- Departmental Overview

  Denise Thomas, Fiscal Research Staff

- Department of Justice -- Budget Overview

  Denise Thomas, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Thursday, March 29 – Department of Justice Budget Issues; DOJ Non-Profit Funding (NC Leaf) Begin Judicial Department, if time available

  Tuesday, April 2 – Review of Judicial Department

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
March 28, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on March 28, 2001 at 8:30AM in room 415 LOB. Four senate members were present. The following House members attended:

Rep. Bill Culpepper	Rep. Phillip Haire
Rep. Wayne Goodwin	Rep. John Hall
Rep. Larry Justus	Rep. Joe Kiser
Rep. Wayne Sexton	

Senator Luther Jordan presided over the meeting. Senator Jordan introduced Attorney General Roy Cooper to give an overview of the Department of Justice budget. He said they are setting up to quantify work done at DOJ. There have been 620 lawsuits filed to collect debt to the state and about $6 million has been collected. There have been 700 briefs in appeals, and 14,000 consumer complaints. There have been some high profile cases such as trying to keep the congressional seat. His office also assists law enforcement throughout the state. More resources are needed to do a better job and there is a rise in computer crime. We have one of the best crime labs in the nation.

Senator Ballance commented that he hopes attorneys will make a special effort in civil cases to not "just put people through hoops". Mr. Cooper said that first the attorneys' job is to represent the people of this state. In response to a question by Rep. Kiser, the attorneys in the environmental division mostly advise EPA regarding laws. An important issue during this time is the phase out of hog lagoons. His office will provide the numbers. In response to Senator Jordan, they are losing staff and although they are recruiting through law schools, it is not easy due to the budget. In response to Rep. Justus, salary levels at entry are $30 to $35,000. Private law firms are offering $70 to $75,000.

Ms. Denise Thomas, staff, was introduced. Ms. Thomas distributed a handout titled, *Department of Justice – Departmental Overview* from which she spoke. See attached. DOJ is not requesting any expansion items, or any new staffing. After that presentation, Ms. Thomas distributed two more handouts, the first titled *Department of Justice Legal Services*, describes Legal Services. The second, titled *North Carolina State Bureau of Investigation* describes that agency. Both handouts are attached.

$38 is the amount charged for fingerprint checks. Of that $22 goes to the FBI. $38 is also the amount charged for a concealed handgun application.

Senator Ballance commented that we need a handle on all of the state airplanes and how they are being used. In response to Rep. Goodwin, the highest amount of marijuana grown is now in the western part of the state but has marijuana has been grown in each

county. Rep. Kiser stated that many agencies fly for marijuana eradication. There is a statewide coordination through the SBI. They have one aircraft with infrared. They use that plane also to find fugitives, Alzheimer patients and others. In response to Rep. Sexton, National Guard pilots cannot be used for the SBI because SBI pilots must be agents with the ability to perform criminal investigations.

North Carolina has two Justice Academies, one in the eastern part of the state and one in the western part. Attached is a handout, *About The North Carolina Justice Academy* which describes the academies.

In response to Rep. Justus, the Department of Justice is looking at social service issues such as food stamp fraud in the event that social service staff is implicated. It was thought that DOJ could remain impartial.

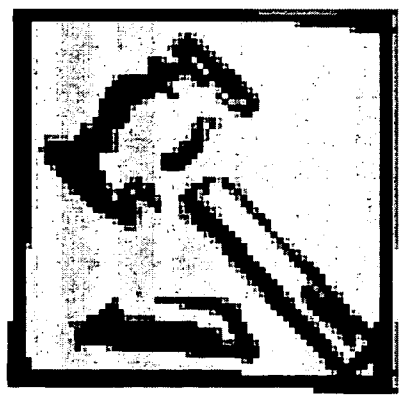
Senator Jordan adjourned the meeting at 10AM.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Senate Committee Assistant

Department of Justice

Departmental Overview



DOJ Mission

- **Legal Services**

  - Represents all state agencies
  - Consults with and advises judges, DA's, magistrates, etc upon request
  - Institute proceedings before court on behalf of the state, agencies, or its citizens

- **Law Enforcement**

  - Assist law enforcement agencies in criminal identification, analysis of crime scene evidence, and investigation/preparation of evidence to be used in court
  - Provide professional education and training to law enforcement and criminal justice officers
  - Establish and enforce minimum employment, training and certification standards for law enforcement and jail personnel

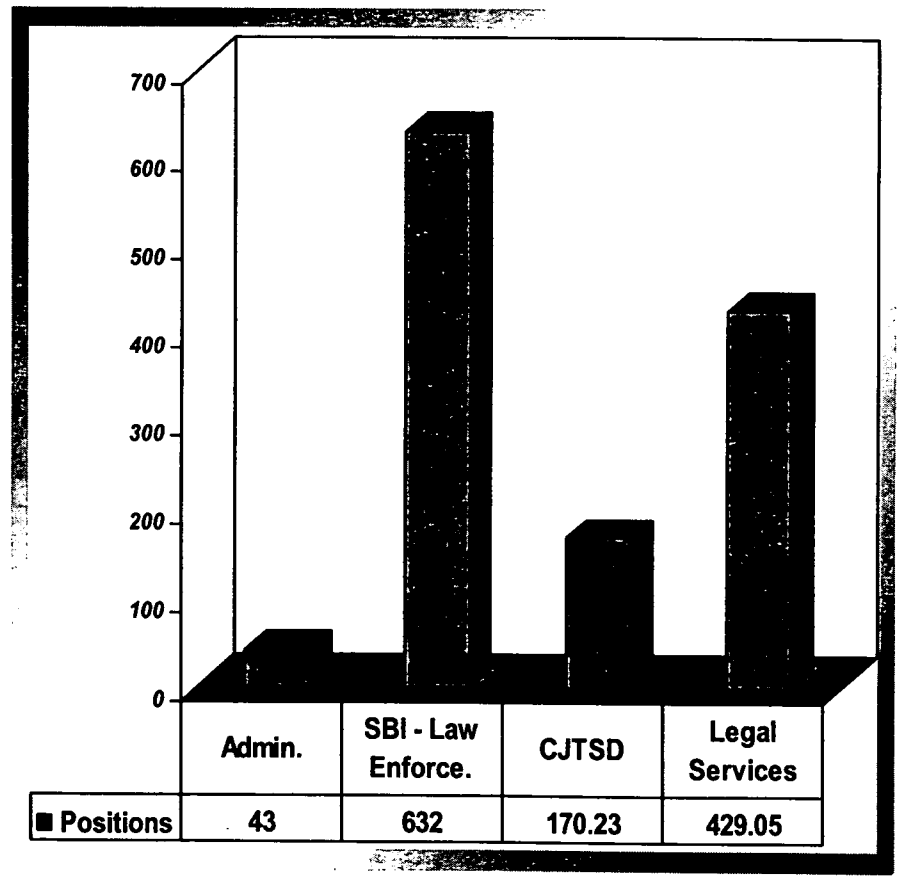
FY00-01Budget by Division

(Source: Authorized Budget 12/31/00)

Division	2000-01 Requirements	2000-01 Receipts	2000-01 G.F. Appropriation	# Positions (2/1/01)
Admin./CJIN	$2,834,005	-0-	$2,834,005	43
SBI – Law Enforcement	$ 48,629,717	$ 4,663,226	$ 43,966,491	632
Legal Services	$ 32,732,429	$ 11,090,593	$ 21,641,836	429.05
CJTSD	$ 8,677,633	$ 172,141	$ 8,505,492	170.23
Total	$ 92,873,784	$ 15,925,960	$ 76,947,824	1274.28

DOJ Staffing

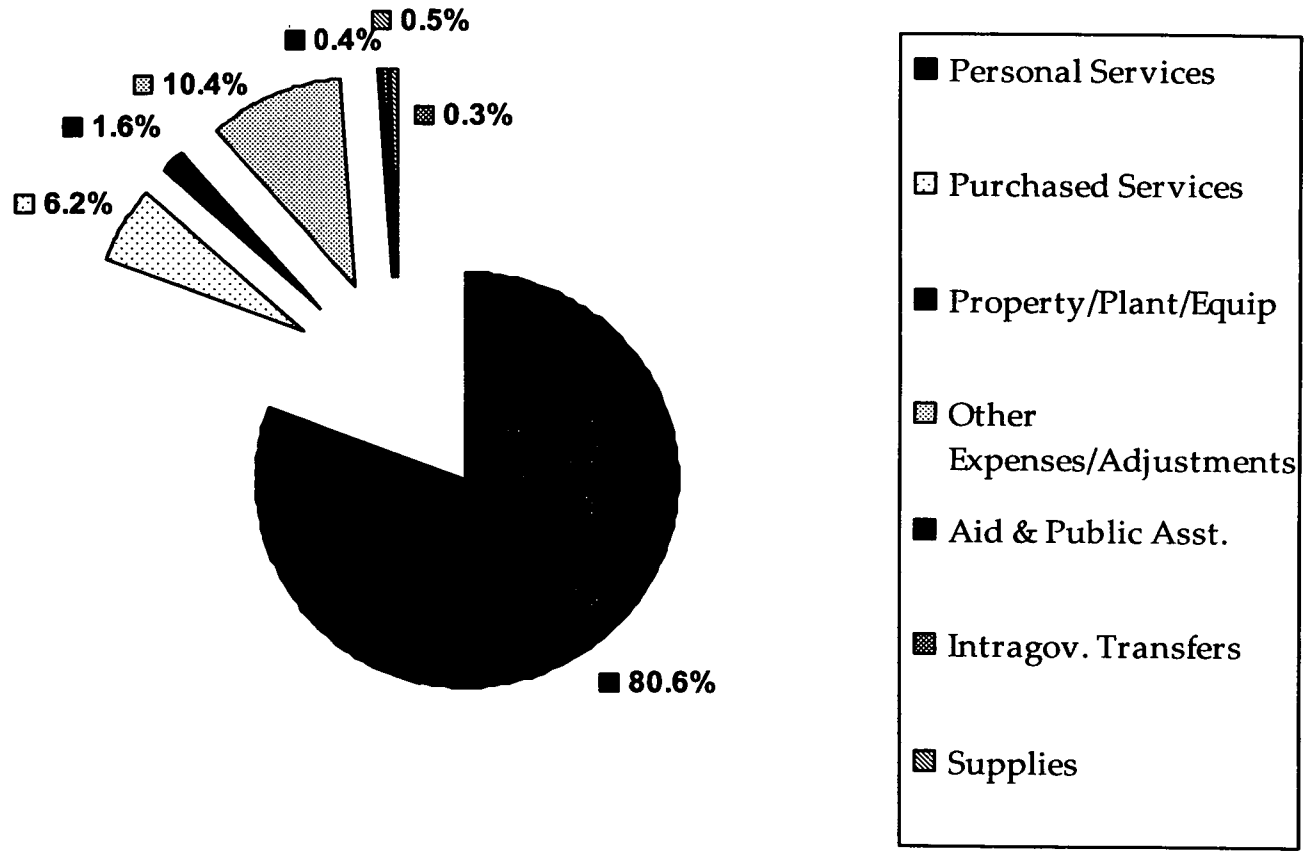
- 1274 Total Positions
- Nearly half of DOJ positions are SBI-Law Enforcement
  - 341 Sworn SBI Agents
- Legal Services, the next largest division has 1/3 of total positions
  - 272 attorneys



Legal Services

- 429 Positions
  - 272 attorneys
- Divisions:
  - Administrative
  - Civil
  - Criminal
  - Environmental
  - Law Enforcement and Prosecutions
  - Special Litigation and Education
- Additional legal services provided by the Citizen's Rights Section

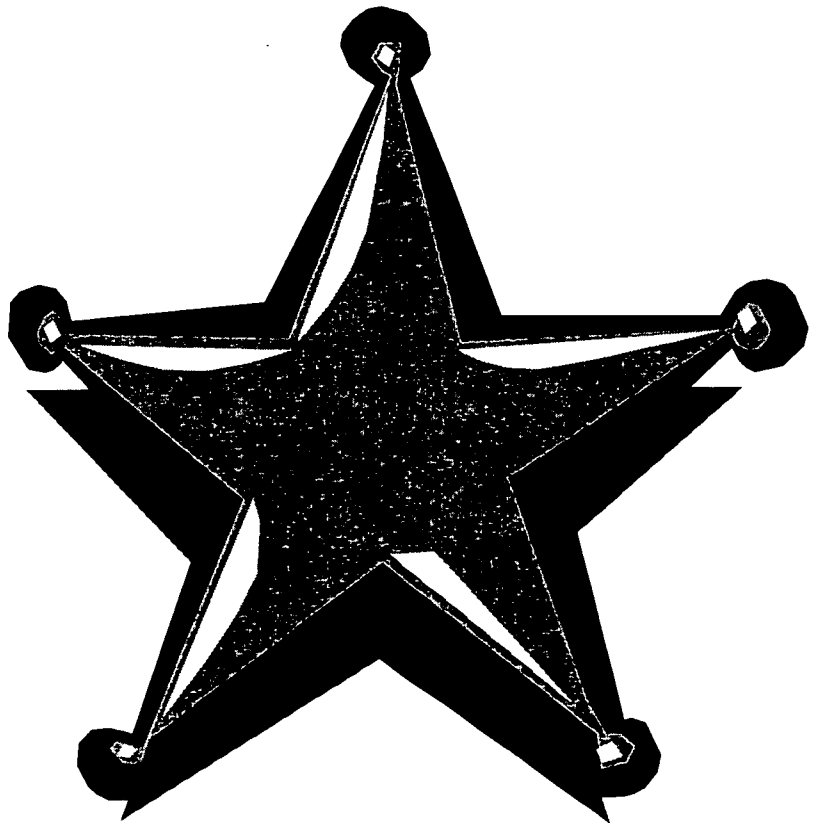
Legal Services FY00-01 Budgeted Requirements (12/31/00 Authorized)



Settlement Agreements

- 1998 - legislation required AG to report on settlement agreements and court judgments which exceed $75,000 and are entered into as of 11/15/1998
- 1999 - amended to require AG to report to NCGA 30 days prior to disbursing funds
- DOJ has reported on 9 settlements and court orders

Law Enforcement

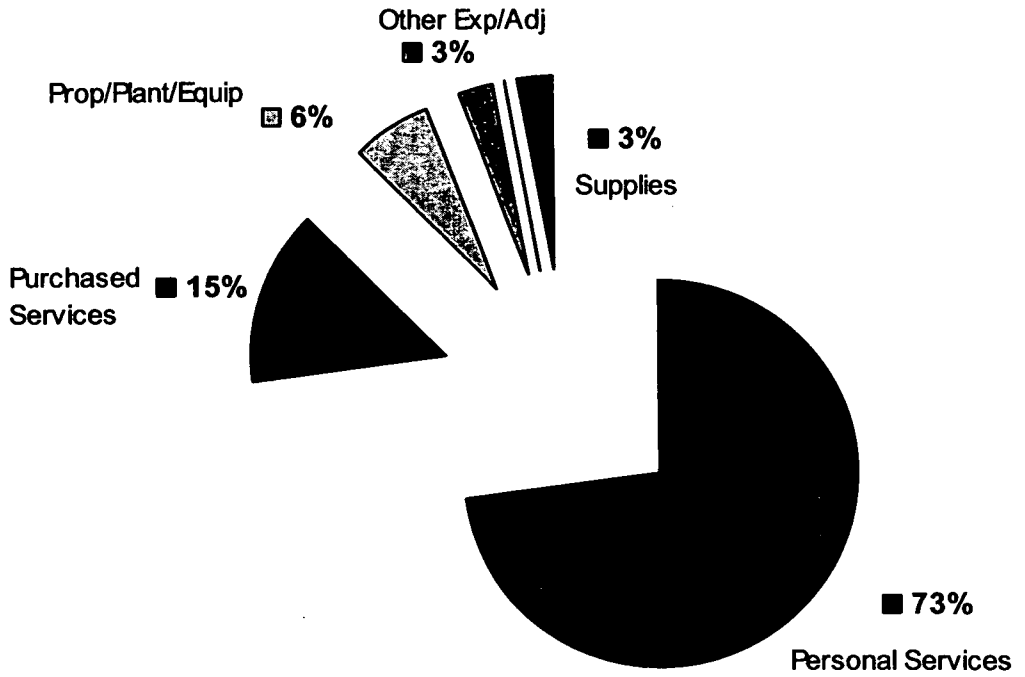


- State Bureau of Investigation
- Training and Standards Division
- Office of the Inspector General

State Bureau of Investigation

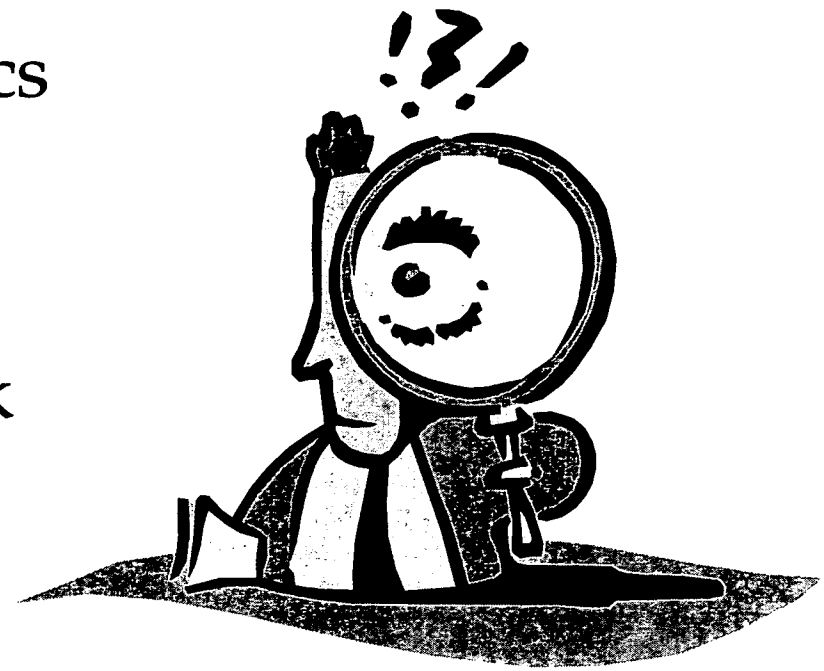
- 632 Positions
  - 341 Sworn agents (54%)
- Divisions
  - Administrative & Technical Services
  - Crime Lab
  - Field Operations
  - Field Support/Criminal Information
  - Human Resources
  - Special Investigations

SBI FY00-01 Budgeted Requirements (12/31/00 Authorized)



Crime Lab Submissions FY 99-00

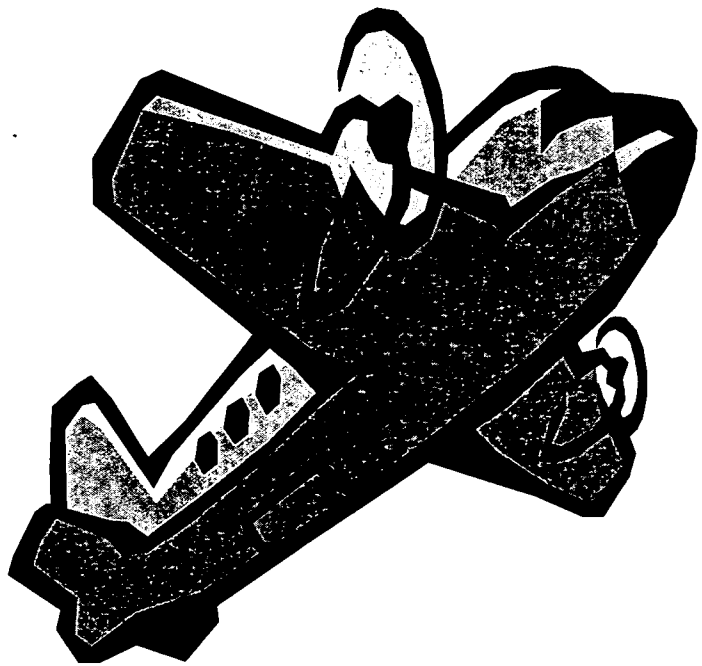
- 29,419 drug chemistries
- 1,692 Molecular genetics
- 2,702 Latent Evidence
- 310 Documents
- 1,372 Firearm/toolmark
- 1,638 Trace evidence



DCI Submissions FY99-00

- Background checks:
  - ➢ 65,370 non-criminal name check
  - ➢ 107,843 non-criminal fingerprints
    - ✓ Non-criminal fingerprints increased nine-fold between 1992 and 2000
  - ➢ 167,027 criminal fingerprints
  - ➢ 20,330 concealed handgun permit applications
- 82 criminal justice agencies submit fingerprints via AFIS
- Identification Section is a 24-hour operation

Airwing Missions FY 99-00

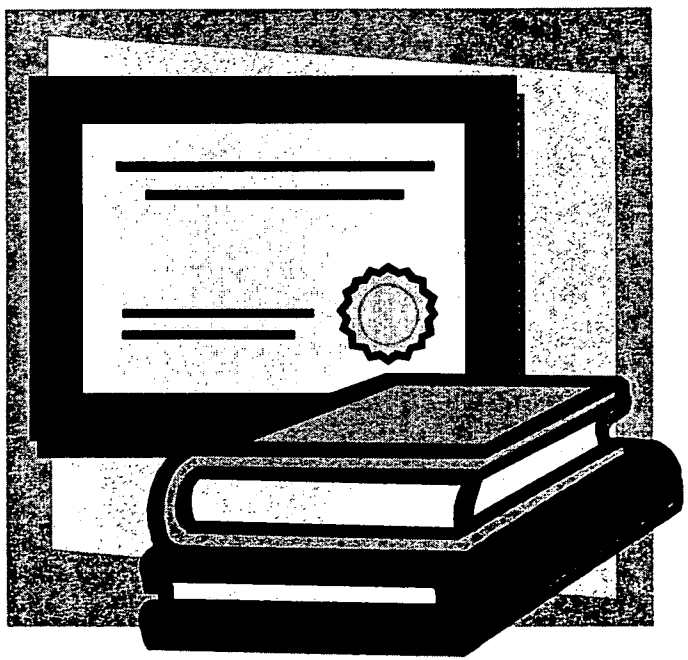


- SBI owns 4 airplanes and employs 3 staff and one contract pilots.
- 229 missions
  - 121 missions were for enforcement and investigations (53%)
  - 108 missions were for training and maintenance (47%)

Criminal Justice Training & Standards Division

- 170.23 positions
- Organization
  - Criminal Justice Training & Standards
  - Sheriff's Standards
  - Justice Academies: Salemburg; Edneyville
  - Private Protective Services
- 2 Commissions
  - Criminal Justice Commission: 26 members
    - S68 proposes to add more 5 DOC representatives
  - Sheriff's Commission: 17 members

CJ and Sheriff's Certification Activities FY99-00



- 10,524 law enforcement, correctional, and local confinement personnel transactions
- 4,558 CJ instructor transactions
- 518 criminal history investigations of deputy sheriffs, detention officers, and telecommunicators

Justice Academy Activity FY99-00

- 574 courses conducted
- 11,177 students trained by academy staff
  - 8,763 local personnel
  - 2,029 state personnel
  - 385 other (federal, out-of-state)
- An additional 4,531 students were trained by other agencies on academy campuses
  - DOC; SBI; DMV; AOC; ALE

Office of Inspector General

- Established in FY97-98 and funded with $500,000 from Welfare Reform reserve.
- In FY99-00, these funds were certified in DOJ's continuation budget.
  - Currently 10 positions ($392,952 R)
- FY99-00 expenditures were $567,875
- Coordinates and responsible for detection, prosecution, and prevention of fraud, abuse, and waste in means tested public assistance programs.

OIG Activities FY99-00

- Internal OIG Staff training
- Training to several county DSS agencies
- Participated in Annual State Program Integrity Investigators' Conference
- Presented "Rookies for Justice" training to county investigators
- Co-sponsored two 1-week courses at the Justice Academies for program integrity workers

OIG Activities FY99-00

- 98 cases opened for investigation
  - 14 persons were found to have committed fraud and agreed to repayments and program disqualification
    - Total amount of repayments: $12,600
  - 3 persons convicted in criminal court
  - 2 retail stores removed from Food Stamp Program due to trafficking
  - 66 open investigations at end of fiscal year
- Collaborated with USDA in 78 investigations of food stamp trafficking investigations
- Established toll-free hotline for reporting fraud
- Prepared draft standards and policies

DEPARTMENT OF JUSTICE
LEGAL SERVICES

CRIMINAL DIVISION

The Criminal Division is responsible for the criminal matters for which the Attorney General is responsible.

- **Correction Section** represents the Department of Correction by providing legal counsel and representation on matters involving prison regulations, personnel and statutory interpretation.
- **Crime Control Section** represents the State Transportation Patrol and the Department of Crime Control and Public Safety.
- **Federal Habeas Section** represents North Carolina in habeas proceedings before the federal courts.
- **Capital Case Section** represents North Carolina in death penalty cases.
- **Appellate Section** supervises and/or prepares criminal briefs and handles oral arguments in appeals of state criminal cases.
- **Medicaid Investigations Section** investigates Medicaid fraud complaints.

CIVIL DIVISION

The Civil Division handles a large portion of civil claims and litigation involving the State, its officials and employees.

- **Property Control Section** represents the Department of Administration, the State Auditor, the North Carolina Ports Authority, the Railway Commission, the Art Museum, the Building Commission and other agencies. The Section provides advice on real property, public building construction law, and public procurement.
- **Revenue Section** provides legal counsel to the Department of Revenue and representation before State and federal courts. This section also provides tax advice to other State agencies.
- **Labor Section** provides legal advice to the Commissioner of Labor and handles cases arising from enforcement of labor laws and occupational safety and health matters.
- **Motor Vehicles Section** furnishes legal assistance to the Division of Motor Vehicles and DMV Enforcement.
- **Transportation Section** gives legal advice to the Secretary of Transportation and provides legal representation to the Department of

Transportation in such matters as condemnation litigation, bids for Transportation construction, and contracts.

- **Insurance Section** provides legal advice to the Commissioner of Insurance and provides legal representation to the Department of Insurance in insurance matters.
- **Western Office** provides regional representation for state agencies principally in the areas of highway condemnation, tort claims and workers compensation defense, and environmental enforcement.

CITIZENS RIGHTS DIVISION

- **Consumer Protection Section** protects the public from fraud, deception, price fixing, price gouging, restraint of trade and other unfair and deceptive trade practices. This section also represents the using and consuming public in matters before the North Carolina Utilities Commission.
- **Citizens Rights Section** provides services to state and local agencies on particular legal issues facing the citizens of North Carolina including victims' rights, child abuse, elder abuse, hate crimes, domestic violence and family matters, open meetings and public records law, as well as certain environmental concerns.
- **Safe Neighborhoods Initiative**, in conjunction with the State Bureau of Investigation (SBI), is a program operated by the Citizens' Rights Division to help local law enforcement and citizens implement effective community policing and crime prevention practices.

ADMINISTRATIVE DIVISION

- The Administrative Division provides legal representation to a large number of state agencies.
- **State Agency Services Section** is the principal legal advisor to a wide variety of state departments, boards and commissions, giving legal representation in state and federal litigation and administrative proceedings. The Revisor of Statutes, who performs research and drafting functions for and provides staff support to the General Statutes Commission, is part of this Section. The Revisor also supervises the codification and publication of the General Statutes.
- **Collections Section** provides legal assistance to collect delinquent student loan accounts for State universities and community colleges.

- **Elections Section** is legal counsel to the State Board of Elections on election law matters.
- **Real Estate Section** represents the Real Estate Commission and advises on complaints and inquiries from the real estate industry and consumers.
- **Tort Claims Section** defends the state and its agencies in workers' compensation cases and in tort claims involving personal injury and property damage.
- **Health and Public Assistance Section** represents all of the State's health agencies and the Low-Level Radioactive Waste Management Authority. This section also represents two divisions of the Department of Human Resources: the Division of Social Services and the Division of Medical Assistance.
- **Human Resources Section** provides legal advice and representation to the Department of Health and Human Services and its major divisions (except the two represented by the Health and Public Assistance Section). This Section also provides representation to the University of North Carolina Hospital.

SPECIAL LITIGATION / EDUCATION DIVISION

The Special Litigation Division handles complex litigation in which the public has a vital stake. Within this Division, the Education Section provides representation to the University of North Carolina System, the State Board of Education, the Department of Public Instruction, and the Department of Community Colleges. Staff members also advise local school boards and administrators in the public school system.

ENVIRONMENTAL DIVISION

The Environmental Protection Division is made up of three sections: **the Air and Natural Resources Section**, the **Water and Land Section**, and the **Groundwater and Solid Waste Section**. The Division advises Department of Health, Environment and Natural Resources in environmental matters and represents that Department and related environmental commissions in civil enforcement actions. The Environmental Division also participates in investigation and prosecution of environmental crimes and civil public nuisance actions.

LAW ENFORCEMENT & PROSECUTIONS DIVISION

- The **Special Prosecutions Section** prosecutes or assists in the prosecution of criminal cases upon request of a district attorney and upon the approval of the Attorney General.
- The **Law Enforcement Liaison Section** represents and provides legal support to the Division of Criminal Information, Criminal Justice Standards Commission, Company Police and the Sheriff's Standards Commission.

NORTH CAROLINA STATE BUREAU OF INVESTIGATION

MISSION/JURISDICTION: The State Bureau of Investigation (SBI) was created to identify and apprehend criminals, conduct scientific analysis of evidence, and investigate and prepare evidence to be used in criminal courts. The primary role of the SBI was and continues to be that of providing investigative assistance to city and county law enforcement agencies, when requested. The SBI does not have general law enforcement jurisdiction, but in some areas of criminal law has limited original or initial jurisdiction. The SBI has original jurisdiction in areas of narcotics, arson, election law, state property, environmental crimes, and child sexual abuse in day care settings. The SBI is not a first responder to citizen complaints. Requests for investigative assistance may be made by judges, district attorneys, sheriffs, police chiefs, fire marshals, the Attorney General, and the Governor. The SBI assists or supplements local agencies but does not supplant local law enforcement authority. SBI's jurisdiction is statewide.

LOCATION: The headquarters of the NC State Bureau of Investigation (SBI) is located at 3320 Garner Road in Raleigh. There are eight district offices located around the state: Greenville, Jacksonville, Fayetteville, Raleigh, Greensboro, Charlotte, Hickory, and Skyland (Asheville). Additionally, there are the Financial Crimes Investigations Unit, located in Raleigh, and the Diversion and Environmental Crimes Unit, located in Greensboro. Each district and special unit is supervised by a Special Agent in Charge. Criminal Specialists within each district provide day-to-day supervision of ongoing criminal investigations.

ORGANIZATION: The SBI is comprised of six (6) divisions:

- **Administrative and Technical Services** – provides budget planning and management, purchasing and logistical support, communications, physical security, physical plant services, accreditation, policy and procedure, staff inspections, planning and research for the SBI. The division has six sections/units: accreditation, budget and financial services, facility management, hazardous devices, intelligence and technical services, and support services.

- **Crime Laboratory** – conducts all forensic analysis of evidence in criminal investigations for the SBI, and all other law enforcement agencies in the state. In FY 97-98, 90 percent of all cases analyzed were for local law enforcement agencies. The division consist of six (6) lab sections, a regional laboratory located in Asheville, an evidence control section, and a support section.

- **Field Operations** – coordinates the criminal investigative activity of SBI sworn personnel located at the eight (8) district offices. Investigations are in areas of original jurisdiction or in areas of request by federal, state, or local law enforcement agencies.

- **Field Support and Division of Criminal Information (DCI)** – maintains the teleprocessing and data retrieval system that supports all law enforcement and criminal justice agencies within North Carolina. DCI links systems within NO and throughout the nation for entering, accessing, and retrieving information. DCI provides equipment, furnishes training, and provides maintenance for information network. The Field Support Section coordinates the support service programs: Air Wing, D.A.R.E., and the Records Center. Air Wing operates the SBI aircraft used for eradication, surveillance, and transportation missions. The D.A.R.E. (Drug Abuse Resistance Education) coordinates training of local law enforcement agents from NC and 9 southeastern states plus Puerto Rico on the D.A.R.E. curriculum. The Records Center provides transcription services and controls dissemination of SBI criminal investigative reports and maintains investigative files and associated indices.

- **Human Resources** – responsible for all aspects of the administration of personnel and works in conjunction with the Department of Justice Personnel Section. Various functions include employee recruitment and selection, appointment and separation, employee relations, performance management, position management, staff development to include SBI Career Development for Special Agents, SBI Safety and Health Programs, salary administration and the maintenance of personnel files and records. The Division is also responsible for managing and coordinating background investigations, medical examinations, psychological evaluations, polygraph examinations on applicants, as well as, Bureau employees as appropriate.

- **Special Investigations** – responsible for internal affairs investigations, judicial standards investigations, police shootings, excessive force and death in custody investigations. Additionally, there are three (3) sections/units dedicated to financial crime investigations, diversions and environmental crime investigations, and the collections, classification, and dissemination of criminal intelligence information to law enforcement.

STAFFING: As of February 2001, there were 563 approved staff positions within the SBI. Forty-five (45) of those positions were vacant as of February 2, 2001. Of the total approved positions, 60 percent, 341 positions, are sworn personnel.

BUDGET: The SBI's December 31, 2000 authorized budget for FY 2000-01 is $48,629,717 in requirements with $4,663,226 in receipts for a net general fund appropriation of $43,966,491. The FY 2000-01 general fund appropriation is 12.7 percent more than actual FY1999-00 expenditures of $43,136,441. The SBI certified budget represents 57.1 percent of the Department of Justice total general fund appropriation. For the current year, total SBI requirements are allocated among the following major categories:

Requirement	FY2000-01 Budgeted $ Amount	% Total Requirements
Salary/fringe	35,375,927	72.7
Purchased services	7,242,239	14.9
Supplies	1,346,879	2.8
Property, plant, & equipment	3,147,988	6.5
Other (expenses, adjustments reserves)	1,516,684	3.1

About The North Carolina Justice Academy
Fiscal Year 1999-2000

* 11,177 students were trained by Academy staff
  - 8,763 local personnel
  - 2,029 state personnel
  - 385 other (federal, out of state)

* 574 courses were conducted

* 62 of these courses were mandated by either the Criminal Justice Education and Training Commission or the Sheriffs' Education and Training Commission and trained 852 students

* 6,950 students were trained by Academy staff on-campus
* 4,227 students were trained by Academy staff off-campus at law enforcement departments and community colleges

* 4,531 students were trained by other agencies (DOC-822; SBI-843; DMV-681; AOC-276; ALE-132; WRC-109) on the Justice Academy campuses.

* 11,481 students were trained on Academy campuses by Academy staff and other agencies using the campus.

* 15,708 criminal justice personnel were impacted by Academy courses and facilities.

* 121 personnel work at the Justice Academy
  11 - Administration
  37 - Trainers
  41 - Support
  32 - Campus Operations

The eastern campus covers approximately 100 acres and consists of eleven classrooms, three dormitories, a cafeteria, a driving track, three firing ranges, a gymnasium, and a learning resource center. The Academy has its own video production center and a print shop. A new library was officially opened in June of 1999; three extra classrooms, a break-out room and a computer classroom are housed in this facility.

The western campus covers approximately 23 acres and includes five classrooms, a gymnasium, a library, cafeteria and dormitory. The dormitory houses over 70 students.

VISITOR REGISTRATION SHEET

Justice and Public Safety — 3/28/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Stephen Bryant	Justice
Julia White	Justice
Denise A Sessoms	DOJ
W A Hoggard	DOJ
Melissa Lovell	DOJ
Peg Dorer	NC Conference of District Attorneys
Gary McLaughlin	CCPS
NELS ROSELAND	STAFF BUDGET
DOB Nixon	AOC
Rowland Garrett	DOC
Margaret Westbrook	KCLH

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday March 29, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen:

Senator Luther Jordan

Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- Department of Justice – Funding to Non-Profits

✓ 1st

Denise Long, Executive Director
Luke Largess, President, Board of Directors
N.C. Leaf

- *Department of Justice – Budget Overview*

✓ 2nd H

Denise Thomas, Fiscal Research Staff

- *Department of Justice – Budget Issues*

Denise Thomas, Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Tuesday April 2 – Begin Review of Judicial Department
Wednesday April 3 – Judicial Department
Thursday April 4 – Judicial Department

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Thursday, March 29, 2001** at 8:30 a.m. in Room 415 LOB. Five (5)Senators were present. The following members of the House were present:

Rep. Bill Culpepper	Rep. Larry Justus
Rep. Phil Haire	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton
Rep. John Hall	

A visitors registration sheet is attached and made part of these minutes.

Representative Bill Culpepper chaired the meeting. He began by recognizing Harold Smith, of Apex, North Carolina, who was paging under sponsorship of Senator Reeves.

Representative Culpepper called upon Denise Long, Executive Director, NC LEAF (North Carolina Legal Education Assistance Foundation), to give a presentation with regards to "Funding to Non-Profits". Ms. Long began with introductions of members of the Board of Directors who were present and apologized for the absence of Luke Largress, President, Board of Directors NC LEAF, who was detained by traffic. A handout was presented to the members to follow during the presentation which included NC LEAF's funding request; information regarding the non-profit's purpose; and their profit and loss information from July 1, 1999, through March 22, 2001. **(Handout #1)**

Ms. Long pointed out as a non-profit, they receive their funding through the Department of Justice. The mission of the organization is to encourage attorneys in North Carolina to join the program by using incentives of loan repayments. Law school debts are mounting yearly. Legal services positions start anywhere from $25,000 per year whereas private positions start anywhere from $58,000. The organization encourages working for the government by offering loan repayment. Eligibility: (1) Must be licensed attorney working in the state for government (i.e., District Attorney; Public Defender; agency's providing legal services to indigents; etc.); and (2) Income of no more than $32,000 if in the first year of practice; $35,000 in second year; or no more than $38,000 if practiced two years or more. Each participant contributes 6% of their income each year towards debt repayment, and NC LEAF pays the remainder, up to $5,000 per year, when the funds are available. Money provided is in the form of interest-free loans the first three years of serve. Loans are then forgiven if participant remains in public service for specified time periods.

Question Representative Justus. How long does the attorney have to work before the loan is forgiven? Ms. Long responded that there was a 3-year minimum commitment and it was based on a sliding schedule with a minimum of a 6% contribution each year.

Next presenter introduced was Denise Thomas, Fiscal Research Staff. Ms. Thomas asked that the Department of Justice's Budget Overview be passed out **(Handout #2)** and explained that this was a continuation from the previous meeting. In following the report, she noted that even though CJIN is listed under DOJ's budget, it is not officially a part of the Justice Department.

Question from Senator Ballance regarding Revenue/Receipts on Page 5, is there one place where all seized assets are listed for the past year? Ms. Thomas said that she would have to research that question and would provide that information as soon as possible.

For further information regarding Federal Grant Funds, please refer to the DOJ Active Grants handout **(Handout #2A)**.

The Governor's recommended budget for DOJ is $75,557,707.

Question from Representative Kiser. Any reductions or increase in staff for DOJ in this budget?

Yes, the recommended reduction does include a decrease of eight (8) vacant positions.

Question from Representative Haire. What kind of positions are these eight (8) positions? Administrative?

Determination has not yet been made; however, DOJ has been told they will have flexibility in this regard.

With reference to continuation items omitted in the upcoming fiscal year, Representative Kiser asked if there was an increase in the travel per diem and if so, how much was that increase. The response was the exact amount of increase was not known; however, the actual amount was tied to any federal increases.

Follow-up Representative Kiser. Did the state increase the per diem for employees on the 1st of July? Response was negative.

Follow-up Representative Kiser: On Page 11, the $20,222, is that total for travel? Ms. Thomas said she did not know the answer. Information would be provided after research.

Follow-up Representative Kiser: Is the $20,222 just for the Department of Justice or across the board in all departments? That would be across the board.

Ms. Thomas said that concluded her presentation on the budget overview. Her next item for DOJ was the "Modified Zero-Based Budget Items" **(Handout #3).** She asked that Page 9 in the package be replaced with the corrected Page 9, also being handed out at the same time. Also being handed out at this time is a list entitled "53 2110 Legal Services" **(Handout #4).** This is for reference to the breakdown figures regarding contracts for FY99-00.

She also asked that on Page 3, the nine positions listed needed to be changed to ten.

Question Senator Rand. Referencing Page 4, what is a FBI field agent?

Response was that those are agents who work around the state and not here in the crime lab.

Follow-up question Senator Rand. What does the "F" stand for?

It should be "S".

Question Representative Justus. With reference to the Edneyville operating funds listed at $800,000 on Page 4, is that additional funds? Response was yes -- those items were for expansion.

Question Representative Haire. Could we not do away with a lot of car phones since most have portable cell phones?

Response from Mike Robinson, SBI, was that they no longer installed phones in vehicles (permanently mounted) since portable cell phones have becoming smaller and more convenient.

Question Senator Rand. With regards to the Legal Services list (Handout #4) which specifies contracts for FY 99-00, what kind of services did some of the higher expenses shown on this list provide? Julia White of the Justice Department explained that some of those higher expenses were for the Leandro litigation (low wealth schools) and redistricting litigation.

Question Representative Goodwin. In the contracts listed under legal services for expert witnesses, are travel factors included?

No, travel is factored in the $400,000 amount as shown on Page 7 under FY99-00 contracts.

Question Senator Ballance. Realizing the State uses contract reporters, I believe they are more expensive than our hired ones, should we do some comparisons and decide what the best deal would be?

Question Representative Kiser. Would the court reporters have anything to do with transcribing?

Yes, they are paid at a fixed rate per page.

With reference to the Corrected Page 9 dealing with vacant positions, Representative Kiser questioned the vacancies with the SBI and asked if the vacancies were due to the fact that there was no academy held?

Actually, there was an academy held and 42 people graduated, response by Mike Robinson, SBI.

Follow-up Representative Kiser: When an academy is started, the people go on the payroll at that time.

Yes, that is correct.

Ms. Thomas went into detail regarding the CJIN Network Security. North Carolina received a two year federal grant for network security in 1999. This grant expires July 31, 2001. Since the federal Department of Justice has already given our state money in the past, they have informed us there will not be any additional funding forthcoming. There are other states with needs that have not received monies. CJIN has submitted an expansion request for $73,000 which is needed for a network security administrator. Since DOJ did not receive an expansion funds, that will be budget issue that you may want to consider.

Question Representative Haire. Noting that part of CJIN's grant money went to contract employees staffing 24-hour functions, how many positions were funded through this grant and where are they going to show up in here? In other words, where is that going to come from?

That is the issue. They need that one position for about $73,000 to hire a CJIN network security administrator.

Question Representative Sexton. Our military is probably the greatest user of network security and are experts in this field. Are we working with them to find out ways to utilize their knowledge to solve some of our problems?

We will have to get back to you with that information since there is no one from CJIN at this meeting today.

Question Representative Justus. Noting this grant for CJIN runs out in 2001, what happens then?

Determination has not yet been made. That is the issue. The federal government has indicated that North Carolina has already received quite a bit of funding over the past five years to get CJIN up and running so other states need an opportunity to receive funding.

Question Representative Justus. How much will be needed to complete the CJIN network?

Ms. Thomas said that would have to be researched in order to get an accurate figure, but that it would be quite expensive.

Follow-up Representative Justus. Several million dollars?

Yes. I believe that the total funding was in the $20-30 million range.

Question Representative Goodwin. What types of threats would this security administrator try to prevent? And have we had any such attempts such as hackers, etc.?

Ms. Thomas explained that the firewalls are put in place to keep unauthorized people out and encription is a protection and is used to avoid translation. As far as attempts, I would have to get back with you on that.

Question Representative Goodwin. This will be an ongoing need so it is never completed?

Yes.

Editorial Senator Bingham. The Highway Patrol had concerns with CJIN during the hurricane floods. The network went down.

Response from Mike Robinson, SBI, was that multi-faceted groups will have to intermix and work together through CJIN and this would be on-going.

Ms. Thomas reiterated that the Department of Justice does not have CJIN as one of its functions; however, they are starting to subsidize some of CJIN's functions out of their budget. That was not the original intent. The major cost right now is the communication cost associated with CJIN with the 27 towers going up around the state.

Question Representative Justus. Regarding overtime costs for SBI, could you explain that one?

Overtime is for agents on in the field and laboratory functions. Crime has no time. For example, testimony in a courtroom for a case can go on for days, weeks, etc.

Chair asked for further questions. There being none, the meeting adjourned.

Respectfully Submitted,

Rep. Bill Culpepper
Presiding House Chair

Sara Jane Lennard
House Committee Clerk

VISITOR REGISTRATION SHEET

Justice and Public Safety — 3/29/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Colon Willoughby	DA — 10th District
Mike Robertson	SBI
Stephen Bryant	DOJ
Greg McLeod	CCPS
Claudia Kadis	GAL Coordinator
NELS ROSECAND	OSBM
George Hausen	Legal Services of NC
Denise Long	NC LEAF
Luke Largess	NC LEAF
John McMillan	McF+S P.A

VISITOR REGISTRATION SHEET

Justice and Public Safety — **Name of Committee**

March 29, 01 — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Felice McConnell Corpening	Rep. NC LEAF
Anne Winner	NC-CEAF
DA Hoggard	DOJ
Julia White	DOJ
Dorothy C. Bernholz	Bd. Member NC LEAF
Jennie A. Sessoms	DOJ
Melissa Lovell	DOJ
Michelle Frazier	NC Bar Assoc.
Stella Boswell	NC LEAF for NCATL & NC Assoc. of Women Attorneys
Natasha Nazareth-Phelps	NC LEAF
Roger Cook-	NC LEAF

Handout #1

NC LEAF

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Duke University
School of Law

North Carolina Central
University School of Law

University of North Carolina
School of Law

Forest University
School of Law

Legal Services of
North Carolina

North Carolina Academy
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North Carolina Association
of Black Lawyers

North Carolina Association
of Defense Attorneys

North Carolina Association
of Public Defenders

North Carolina Association
of Women Attorneys

North Carolina Bar Association

North Carolina Conference
of District Attorneys

North Carolina
Gay & Lesbian Attorneys

North Carolina State Bar

PRESIDENT

Luke Largess

EXECUTIVE DIRECTOR

Denise C. Long

NORTH CAROLINA LEGAL EDUCATION ASSISTANCE FOUNDATION

Funding Request For NC LEAF

- **What is NC LEAF?**

The North Carolina Legal Education Assistance Foundation encourages North Carolina attorneys to pursue careers in public service through an educational loan repayment assistance program. Rising law school debt and low salaries in public service positions present enormous impediments for law school graduates interested in public service.

An attorney accepting a public service position -- as an Assistant District Attorney, Public Defender, or with Legal Services or a nonprofit -- earns a starting salary in the mid-twenties to low thirties. By contrast, a law school graduate joining one of North Carolina's larger firms can expect an annual starting salary of $100,000. **The median income for a 1999 N.C. law graduate entering private practice was $58,000. This was $25,000 to $30,000 higher than the median income for a graduate starting in a public service position**. However, both of these graduates would have the same average law school debt of $63,000 if she or he attended a private N.C. law school, or $34,000 if graduating from a University of North Carolina law school. This may explain why only 5% of graduates from Tar Heel law schools chose to pursue public interest professions in 1999.

- **How does the NCLEAF program work?**

To be eligible for assistance, a licensed attorney must work in the state for the government, such as a District Attorney or Public Defender's office, an agency that provides legal services to the poor, or a 501 (c) (3) organization. The applicant's income must be no more than $32,000 if he or she is in the first year of law practice, nor more than $35,000 in the second year of practice, and no more than $38,000 if he or she has practiced two years or more.

Each participant contributes 6% of his or her income each year towards debt repayment, and NC LEAF pays the remainder, up to $5,000 per year, when funds are available. Money provided is in the form of interest-free loans the first three years of service. Those loans are then forgiven if the participant remains in public service for specified time periods.

- **Who benefits from NC LEAF?**

Since 1991, NC LEAF has provided over $626,000 in loan repayment assistance to 111 public service attorneys working in North Carolina. Of these 111 NC LEAF participants, 44 were employed by legal services, 42 were Assistant District Attorneys, 21 were Assistant Public Defenders, and 4 worked in a non-profit setting. **Most of these attorneys could not work in public interest positions without NC LEAF funds.**

NC LEAF

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North Carolina Conference
of District Attorneys

North Carolina
Gay & Lesbian Attorneys

North Carolina State Bar

PRESIDENT

Luke Largess

EXECUTIVE DIRECTOR

Denise C. Long

NC LEAF assists 30 – 40 attorneys per year. We could easily add twice that many to our program if we had adequate funding. The demand is huge. **In the past three years, we have had to turn away 66 out of 97 applicants, or almost 70% of eligible attorneys seeking help**. Those who were not selected needed an estimated additional $269,000 in annual loan assistance which NC LEAF simply cannot provide due to our limited resources.

Currently, NC LEAF assists 30 attorneys providing public legal services to the citizens of 53 North Carolina counties: Beaufort, Bladen, Brunswick, Buncombe, Burke, Camden, Carteret, Catawba, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Davie, Duplin, Durham, Edgecombe, Forsythe, Gaston, Gates, Guilford, Harnett, Hyde, Iredell, Johnston, Jones, Lee, Lenoir, Madison, Martin, Mecklenberg, Nash, New Hanover, Onslow, Orange, Pasquotank, Pender, Perquimans, Pitt, Polk, Robeson, Rowan, Rutherford, Scotland, Stokes, Surry, Translyvania, Wake, Washington, Wayne, Wilson, and Yadkin.

What would life be like for these attorneys without assistance from NC LEAF? A few case studies reveal the challenges typical to all LEAF participants.

1. A new attorney for **Legal Services** in Hillsborough earns a salary of $27,000. His take home pay is just over $20,000, and after subtracting his loan obligation of $5,400, he has **$14,600 in disposable income to support himself and his aging parents.**

2. A young mother of two working for the **Legal Aid Society of Northwest North Carolina** is doing what she loves. Although her salary is $40,000, her take home pay is just over $30,000 after taxes. Without assistance from NC LEAF, she must face an annual loan repayment of almost $11,000, leaving her with **a disposable income of $19,000 to provide for her family.**

3. A single mother with three children works as an **Assistant District Attorney** in Elizabeth City. She makes $32,500 per year which translates to a net take home pay of just over $26,000. After subtracting her annual loan repayment of $6,000, she would have **only $20,000 in disposable income to support her family.**

4. An **Assistant Public Defender** in Black Mountain has four children and a salary of $35,500. His wife is unemployed. His net take home pay is just over $29,000. After his annual loan payment of $6,500 per year, he would have to **provide for a family of six on a disposable income of $22,500.**

Surveys completed by NC LEAF attorneys show that **almost 70% of those who have received assistance from LEAF were still in a public interest**

NC LEAF

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Legal Services of
North Carolina

North Carolina Academy
of Trial Lawyers

North Carolina Association
of Black Lawyers

North Carolina Association
of Defense Attorneys

North Carolina Association
of Public Defenders

North Carolina Association
of Women Attorneys

North Carolina Bar Association

North Carolina Conference
of District Attorneys

North Carolina
Gay & Lesbian Attorneys

North Carolina State Bar

PRESIDENT

Luke Largess

EXECUTIVE DIRECTOR

Denise C. Long

position after 5 years. This is a measure of the effectiveness of our program's goal – to encourage careers in public service.

- **Why should the state continue to fund NC LEAF?**

The state recognizes the value of attracting and rewarding dedicated people to underserved areas of North Carolina. **The General Assembly has established special student loan programs for many types of professionals (nurses, doctors, teachers). These programs receive much higher levels of funding than does NC LEAF.** For instance, the NC Teaching Fellows Program received over $9 million from the state in 1999-2000, while the Board of Governors Medical and Dental Scholarship Programs were appropriated $1.2 million and $400,000. Similar to NC LEAF, these programs offer incentives in the form of educational assistance to encourage students to stay and work in North Carolina.

NC LEAF participants often earn less than teachers but have educational debts equivalent to those of doctors. They work exclusively to serve the public in North Carolina. The citizens of this state benefit when NC LEAF encourages talented attorneys to work in public service rather than have debt determine their career choices.

The state's District Attorneys, Public Defenders and Legal Services offices also benefit. These employers testify to the difficulty of attracting and retaining talented attorneys due to the relatively low salaries they can offer. **Many tell us that they cannot hire a new lawyer unless that attorney has been accepted into the NCLEAF program.** (See letters of support.)

North Carolina's five law schools need NC LEAF in order to attract bright young students with a passion for public service. Only Duke and Wake Forest currently have their own loan repayment assistance programs to help their graduates who accept public interest employment. The other schools **use NC LEAF as an incentive to attract talented students who might otherwise attend an out-of-state school with it's own LRAP program.**

We have received our current appropriation of $125,000 for the past three years. **This does not meet the demand for our services.** Although we have permission from the state to use part of these funds for operating costs, they have been used almost exclusively for loan repayment assistance.

A cut to our present level of funding would have repercussions across the state as public service attorneys would be forced to leave their professions due to financial hardship.

Therefore, we request that the General Assembly appropriate $200,000 per year for NC LEAF for FY 2001-02 and FY 2002-03.

03/22/01

NC LEAF
Profit and Loss
July 1999 through June 2000

	Jul '99 - Jun '00
Ordinary Income/Expense	
Income	
Interest	3,379.17
IOLTA	
Supplemental	25,000.00
IOLTA - Other	46,250.00
Total IOLTA	71,250.00
Loan Repayment	11,271.07
Other Inc	3.50
State Funding	125,000.00
Uncategorized Income	11.08
Total Income	210,914.82
Expense	
Ads	1,230.10
Audit	400.00
Bank fee	8.00
Computer	184.88
ComputerUpgrade	239.00
EmployeeBenefit	
SIMPLE	348.57
EmployeeBenefit - Other	347.28
Total EmployeeBenefit	695.85
Equipment	199.99
Furniture	499.32
L&P Fees	50.00
Library	331.00
Lobbying	3,500.00
Membership fee	100.00
Miscellaneous	251.71
Moving Expenses	465.00
* NC LEAF grant	153,747.99
Office	1,266.38
Parking	24.00
Photocopy-Print	196.10
Postage	817.94
Rent Paid	3,530.00
Repairs	345.62
Tax	
Sales	20.40
Total Tax	20.40
Telephone	1,448.94
Travel	496.75
Wages	
WithholdingPlus	8,958.43
Wages - Other	26,839.67
Total Wages	35,798.10
** **Total Expense**	205,847.07
Net Ordinary Income	5,067.75
Net Income	**5,067.75**

* All of the state appropriation of $125,000 was used for NC LEAF participants. This year we received a one-time supplemental grant from IOLTA which allowed us increase our disbursements to participants ("NC LEAF grant") to $153,747.999.

** Total expenses for this period were $205,847.07. Out of this amount, $52,099.08 was for operating expenses: i.e. wages for part-time employees and office expenses. NC LEAF participants received $153,747.99.

03/22/01

NC LEAF
Profit and Loss
July 1, 2000 through March 22, 2001

		Jul 1, '00 - Mar 22, '01
Ordinary Income/Expense		
Income		
Donation		4,555.00
Interest		2,047.11
IOLTA		38,125.00
Loan Repayment		5,589.67
State Funding		125,000.00
Tax Refund		34.71
Total Income		175,351.49
Expense		
Ads		172.80
Audit		1,200.00
Bank fee		4.00
Communications		994.56
Computer		2,545.97
ComputerUpgrade		637.50
Employee Benefits		392.52
EmployeeBenefit		976.72
Insurance		498.00
L&P Fees		250.00
Library		59.85
Lobbying		1,520.00
Meeting-Travel		170.00
Miscellaneous		222.57
* NC LEAF grant		64,321.18
Newsletter and Brochure		425.55
Office		906.41
Office Supplies		189.10
Parking		951.50
Payroll Expenses		3,333.33
Photocopy-Print		366.80
Postage		861.19
Rent Paid		2,700.00
Special Events		183.56
Tax		
Sales		
Tax - Sales ;Refund	11.46	
Sales - Other	328.69	
Total Sales		340.15
Total Tax		340.15
Telephone		1,558.42
Travel		117.90
Wages		
WithholdingPlus	4,313.42	
Wages - Other	28,672.60	
Total Wages		32,986.02
Wages-FICA		935.11
Total Expense		119,820.71
Net Ordinary Income		55,530.78
** Net Income		**55,530.78**

* *The "NC LEAF grant" represents about half of the disbursements which will be made to NC LEAF participants during this funding cycle. The third and fourth quarter checks to participants will be cut in April and June. **All of the $125,000 from the state appropriation will be disbursed to participants by June 30, 2001.**

** The net income shown here is due to the fact that we received the entire appropriation ($125,000) from the state in one lump sum last August. We will spend another $65,000 in disbursements to participants by June 30, 2001, thereby eliminating any net income.

BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD, L.L.P.

L.P. McLENDON, JR.
HUBERT HUMPHREY
EDGAR B. FISHER, JR.
W. ERWIN FULLER, JR.
JAMES T. WILLIAMS, JR.
WADE H. HARGROVE
[illegible]NIEL McGINN
[illegible]EL D. MEEKER
[illegible]AM G. McNAIRY
EDWARD C. WINSLOW III
HOWARD L. WILLIAMS
GEORGE W. HOUSE
WILLIAM P.H. CARY
REID L. PHILLIPS
ROBERT A. SINGER
JOHN H. SMALL
RANDALL A. UNDERWOOD
S. LEIGH RODENBOUGH IV
WILLIAM G. ROSS, JR.
MARK J. PRAK
JILL R. WILSON
MARC D. BISHOP
JIM W. PHILLIPS, JR.
MACK SPERLING
JEFFREY E. OLEYNIK
MARK DAVIDSON
JOHN W. ORMAND III
ROBERT J. KING III
STEVEN J. LEVITAS
V. RANDALL TINSLEY
JOHN R. ARCHAMBAULT
S. KYLE WOOSLEY
FORREST W. CAMPBELL, JR.

MARCUS W. TRATHEN
JEAN C. BROOKS
ELLEN P. HAMRICK
JAMES C. ADAMS II
ALLISON M. GRIMM
ELIZABETH S. BREWINGTON
H. ARTHUR BOLICK II
J. EDWIN TURLINGTON
NATASHA RATH MARCUS
JOHN M. CROSS, JR.
JENNIFER K. VAN ZANT
KEARNS DAVIS
DAVID W. SAR
KATHLEEN M. THORNTON
BRIAN J. McMILLAN
JENNIFER B. VENABLE
DAVID KUSHNER
DEREK J. ALLEN
ELIZABETH V. LAFOLLETTE
GINGER S. SHIELDS
HAROLD H. CHEN
COE W. RAMSEY
NATALIE KAY SANDERS
ROBERT W. SAUNDERS
JENNIFER T. HARROD
CHARLES E. COBLE
JOHN M. DEANGELIS
CLINTON R. PINYAN
KATHRYN V. PURDOM
ANDREW KIRK SUSONG
JENNIFER L. DAVIS
STEPHEN G. HARTZELL-JORDAN
TIMOTHY W. JONES
JESSICA M. MARLIES

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FOUNDED 1897

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OF COUNSEL

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W.H. HOLDERNESS (1904-1965)
L.P. McLENDON (1890-1968)
KENNETH M. BRIM (1898-1974)
C.T. LEONARD, JR. (1929-1983)
CLAUDE C. PIERCE (1913-1988)
THORNTON H. BROOKS (1912-1988)
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hfrye@brookspierce.com

March 7, 2001

Ms. Denise C. Long
NC LEAF
P.O. Box 25848
Raleigh, NC 27611

Dear Denise:

I am writing in support of NC LEAF's request to the General Assembly for continued funding. I want to add my voice to those who speak on behalf of this worthy program to offer my support and endorsement.

Having just offered the keynote address at NC LEAF's 10th Anniversary Dinner, I am well aware of the good work of this organization. NC LEAF's Loan Repayment Assistance Program encourages law related public service. Recent graduates can obtain assistance with repaying law school debt by taking and keeping employment as assistant district attorneys, public defenders, legal services lawyers, or as other public service providers.

I applaud the efforts of this program to ease the financial strain facing attorneys who accept lower salaries in public service careers. When adequately funded, NC LEAF effectively removes school debt as a factor in career choices.

I believe it is of the utmost importance to society and the administration of justice that competent, dedicated lawyers serve the poor, the traditionally under-represented, and the general pubic. NC LEAF makes this possible during a time when only 5% of graduates from North Carolina law schools choose a public interest career. NC LEAF provides that desperately needed incentive for District Attorneys, Public Defenders, and other employers to attract and retain talented attorneys who have a passion for public interest law but must deal with the reality of high debt and modest incomes.

You have my support for continued funding for this worthy program.

Sincerely,

Henry E. Frye

HEF/df

State of North Carolina
General Court of Justice
Tenth Prosecutorial District

COLON WILLOUGHBY
DISTRICT ATTORNEY

PO BOX 31
RALEIGH, NC 27602-0031

TELEPHONE
(919) 755-4117

March 2, 2001

Denise C. Long
NC LEAF
300 Parham Street
Post Office Box 25848
Raleigh, North Carolina 27611-5848

Re: NC LEAF letter of support

Dear Denise:

For approximately eight years, I have served as the North Carolina District Attorney's Association's representative on the Board of Directors of North Carolina Legal Education Assistance Foundation (NC LEAF). Previous to my service on the Board, I was unaware of this organization and the work it does. I have come to believe strongly in the public policy NC LEAF promotes of providing loan repayment assistance to new lawyers who work in public service employment.

During the fourteen(14) years I have served as District Attorney, I have seen the gap in salaries of public and private sector lawyers grow. Along with that trend has been the fact many students now graduate with significant student loan debt of $30,000 to $100,000. Those students with loan debt must make responsible career decisions that allow them to meet their living expenses and repay their debt. Without assistance, many of these bright, idealistic students have no choice but to enter the private sector to meet their obligations.

As a result, public interest firms such as Legal Services, Public Defenders and District Attorney's Offices are not able to attract the students into public service. In addition to our failure to attract and retain these gifted and committed young lawyers, our communities do not get the benefit of having a cross-section of the community represented in our offices. The life experiences and judgment these students may possess do not become part of the decision-making apparatus in an important branch of our government. I believe that the modest investment we make in these young lawyers will pay handsome rewards in our communities across the state.

I want to express the extent to which I support NC LEAF and the hope that we achieve the support and funding for NC LEAF at a level that will allow us to make a difference in our justice system.

With kind personal regards, I am

Very truly yours,

C. Colon Willoughby, Jr.
District Attorney

CCW/mp

State of North Carolina
General Court of Justice
Defender District 16B

ANGUS B. THOMPSON, II
PUBLIC DEFENDER

ROBESON COUNTY COURTHOUSE
LUMBERTON, NC 28358
(910) 671-3364
FAX: (910) 737-5084

March 6, 2001

Denise C. Long
Executive Director
NC LEAF
P.O. Box 25848
Raleigh, NC 27611

Dear Denise:

I understand that soon the General Assembly will be considering a request from NC LEAF for continued and expanded funding. I would like to offer my wholehearted support for this request. This is a program which makes a tremendous difference to the citizens of North Carolina, including those who cannot afford to pay for representation.

As Robeson County's Public Defender, I am well aware of the good work of this organization. NC LEAF's Loan Repayment Assistance Program encourages law related public service. Recent graduates can obtain assistance for repaying law school debt by taking and keeping public interest positions.

In the past I have relied on NC LEAF to help me recruit and retain Assistant Public Defenders. It was very frustrating to see my last recruit unable to participate in the program simply because NC LEAF ran out of money; not because he did not qualify. Of course I make no guarantee that any prospective employee will receive NC LEAF funds.

As President of the North Carolina Association of Public Defenders, I am also aware of the Repayment Program being a critical bargaining tool in hiring and retaining employees in other public defender offices across the state. Recently, the inability to recruit and retain many of the best lawyers in public defender and district attorney offices because of salary competition in the private sector was discussed at the North Carolina Judicial Council meeting. I informed the board members of NC LEAF and how it has made some difference in leveling the playing field..

North Carolina should be proud of the fact that NC LEAF was the first statewide loan repayment assistance program in the nation for law school graduates. All citizens of North Carolina benefit when NC LEAF encourages these talented attorneys to work in public service. I understand that the program operates on a shoestring and has received no increase in funding the last three years. I urge your support for continued and expanded funding for this worthy program.

Sincerely,

Angus B. Thompson, Jr.
Public Defender

State of North Carolina
General Court of Justice
Twenty-sixth Prosecutorial District
MECKLENBURG COUNTY

PETER S. GILCHRIST, III
DISTRICT ATTORNEY

MECKLENBURG COUNTY COURTHOUSE
700 EAST TRADE STREET, 2ND FLOOR
CHARLOTTE, NC 28202-3016
TELEPHONE: (704) 347-7891
FAX: (704) 333-5246
FAx: (704) 347-7063

March 1, 2001

Ms. Denise C. Long
Executive Director
NC LEAF
P.O. Box 25848
Raleigh, NC 27611

Dear Denise:

I am writing to offer my unqualified support for NC LEAF's request to the General Assembly for continued funding. This is a program that makes a tremendous difference for the citizens of North Carolina and deserves a significant increase in funding.

As District Attorney, I am well aware of the good work of this organization. NC LEAF's Loan Repayment Assistance Program encourages law-related public service. Recent graduates can obtain assistance with repaying law school debt by taking and keeping public interest positions.

As an employer, I rely on NC LEAF to help me recruit and retain Assistant District Attorneys. It is very frustrating to see many of my assistants lured away from my office to higher salaries in the private sector. In fact, I have lost 18 attorneys in the past 12 months, most of them forced to seek higher salaries elsewhere in order to deal with the financial strain of repaying law school debt and providing for their families. Many prospective employees tell me that they cannot accept a position at my office unless they also receive loan repayment assistance from NC LEAF.

Unfortunately, I can make no guarantees to prospective attorneys that they will receive NC LEAF funds. The program operates on a shoe-string and has received no increase in state funding for three years. This has meant that many eligible applicants are not assisted. For me, this translates into more difficulty in finding and keeping the attorneys I need to help me serve the victims of crime in Mecklenburg County.

North Carolina should be proud of the fact that NC LEAF was the first stateside loan repayment assistance program in the nation for law school graduates. All citizens of

North Carolina benefit when NC LEAF encourages these talented attorneys to work in public service. I urge your support for continued and expanded funding for this worthy program.

Sincerely,

Peter S. Gilchrist, III
District Attorney

PSG/ebj

CAMPBELL UNIVERSITY

NORMAN ADRIAN WIGGINS SCHOOL OF LAW

OFFICE OF THE DEAN

(910) 893-1750

March 20, 2001

Ms. Denise C. Long
Director
NC LEAF
Post Office Box 25848
Raleigh, NC 27611-5848

Dear Denise:

I write in support of NC LEAF's request to the General Assembly for continued funding. Your Loan Repayment Assistance Program encourages law related public service by assisting recent law graduates with repayment of law school debt while employed as assistant district attorneys, public defenders, legal services lawyers, or with other public service providers.

We are in a period in which many students considering public interest positions graduate with substantial debt. This debt drives their career choice, and many who have a passion for public interest law cannot afford to take such positions because of the low salaries and their substantial debt. Their classmates who go with the large firms, by contrast, are often earning $100,000 or more in their first year of employment.

It is important to the administration of justice that competent, dedicated lawyers continue to serve the poor, the traditionally under-represented, and the general public. NC LEAF helps to provide the needed incentive for district attorneys, public defenders, and similar employers to attract and retain talented attorneys who have a passion for public interest law but must deal with the realities of high debt and modest incomes.

Our state should be proud of the fact that NC LEAF was the first state-wide loan repayment assistance program in the nation for law school graduates. Since 1991 it has provided almost $626,000 in loan repayment assistance to a total of 111 attorneys working in public service careers in North Carolina. The citizens of North Carolina benefit when NC LEAF encourages these talented attorneys to work in the public service area.

Post Office Box 158, Buies Creek, North Carolina 27506

I wish you the best in your efforts to obtain continued funding for this worthwhile program.

Sincerely,

Willis P. Whichard
Dean and Professor of Law

WPW/bgw

The North Carolina State Bar

RESOLUTION OF THE NORTH CAROLINA STATE BAR ENCOURAGING PUBLIC FUNDING FOR N. C. LEAF

WHEREAS in the last fifteen years law school tuition has increased dramatically and government support to students has been in the nature of loans,

WHEREAS graduates of law schools find such a disparity between public and private sector legal salaries that graduates with school loans find they cannot afford to take public interest jobs although such jobs would be of high priority were it not for the burden of law school debt obligations,

WHEREAS there is a need for capable and dedicated attorneys to enter and remain in public interest positions assisting the citizens of North Carolina,

WHEREAS the purpose of the North Carolina Legal Education Assistance Foundation (N. C. LEAF) is to make public interest careers a viable option for recent law school graduates who wish to work in North Carolina,

WHEREAS N. C. LEAF's Loan Repayment Assistance Program serves the best interests of the citizens of our state.

THE NORTH CAROLINA STATE BAR COUNCIL at a regularly called meeting on April 23, 1999, RESOLVED that the Legislature of North Carolina is urged to support the purposes of N. C. LEAF by providing public funding for the program.

NORTH CAROLINA
WAKE COUNTY

I, L. Thomas Lunsford, II, Secretary of the North Carolina State Bar, do hereby certify that the foregoing RESOLUTION was duly adopted by the Council of the North Carolina State Bar at a regularly-called meeting of the Council on April 23, 1999.

Given over my hand and the Seal of the North Carolina State Bar, this the 27th day of April, 1999.

L. Thomas Lunsford, II, Secretary

Seal

Legal Services of North Carolina, Inc.

224 S. Dawson Street
PO Box 26087
Raleigh, North Carolina 27611
919/856-2564
FAX 919/856-2120

Melissa A. Pershing, Executive Director

Justice For Poor People

March 1, 2001

Denise C. Long
Executive Director
NC LEAF
P.O. Box 25848
Raleigh, NC 27611

Dear Denise:

I am writing to express my appreciation and support for the NC LEAF program. This program benefits many citizens of North Carolina, particularly those who cannot afford legal representation.

As Executive Director of Legal Services of North Carolina, I am well aware of the good work of your organization. Civil legal services programs across the state rely on NC LEAF to help them recruit and retain dedicated attorneys who in turn assist the underserved population in their respective communities. After investing time and resources in training and mentoring new attorneys, it is very frustrating to our field programs to see LSNC's brightest and best employees lured away from legal services to higher paying private and public sector jobs (since LSNC attorneys salaries start at $28,000, any city, county or state attorney position is a step up in pay.) The resulting gaps in staffing mean gaps in our services to those who so desperately need our help.

We lost one of our best African American attorneys in our New Bern office to the County DSS office. He applied for NC LEAF's assistance but was turned down, simply because the need for your help far exceeds the state funding available to you. A major law firm has been trying to recruit one of our Advocates for Children's Services attorneys here in Raleigh. She is an NC LEAF recipient, and I know that NC LEAF is helping her resist the temptation to triple her salary. Another NC LEAF recipient in our Morganton office, who has become a statewide resource to others in the legal services community in the area of illegal predatory lending practices, has confided in me on more than one occasion that he would not be able to stay with us were it not for the assistance NCLEAF provides him.

When we hold our "debriefing" each August for the dozens of law school interns who spend their summer months with us at legal services offices across the state, they are literally transformed by the public interest work they have been able to do. Their summer with us awakens and strengthens an overwhelming passion for public service and equal justice for all. But sadly, every year, they express their fears that they will not be able to practice what their hearts are preaching, because of the heavy law school and/or undergraduate debt burden they carry.

We've made offers to prospective Legal Services attorneys who tell me that they cannot accept a position at one of our offices unless they also receive loan repayment assistance from NC LEAF. Unfortunately, I can make no guarantees to prospective employees that they will receive NC LEAF funds, since there are many more eligible applicants than available funds and NC LEAF has received no increase in state funding for the past three years. For me, and for the program directors at our

community-based field programs around the state, this translates into difficulty finding and keeping the attorneys we need to help us serve the poor in North Carolina.

North Carolina should be proud of the fact that NC LEAF was the first statewide loan repayment assistance program in the nation for law school graduates. All citizens of North Carolina benefit when NC LEAF encourages these talented attorneys to work in public service. Legal Services programs across the state appreciate your efforts. We hope that our partnership with you will continue as we work together to ensure legal representation for all.

Thank you again for all that you do and a heartfelt congratulations on your tenth anniversary.

Sincerely,

Melissa Pershing
Executive Director

Danielle Marie Carman
Attorney at Law

5906 Westcreek Place
Raleigh, North Carolina 27606

H: (919) 851-4613
W: (919) 560-3334

December 10, 2000

Ms. Denise Long
Post Office Box 25848
Raleigh, North Carolina 27611-5848

Dear Ms. Long:

I am a public-interest attorney in my third year of practice at the North Carolina Office of the Appellate Defender. During my first two years as an attorney, I participated in the NC LEAF loan repayment assistance program. I am writing to you in the hope that you will pass this letter on to the North Carolina General Assembly as they develop the State budget for the upcoming fiscal year.

In 1997, I graduated from the University of North Carolina School of Law near the top of my class. While many of my fellow classmates accepted positions in the private market at salaries that often exceeded $80,000, I have always been interested in and dedicated to a career in public service. Thus, I accepted a position with the Office of the Appellate Defender at a starting salary of $30,000, a figure approximately equal to my total educational indebtedness.

NC LEAF's assistance was invaluable to me. Without it, I simply could not have afforded to live alone, pay my bills, and still have some semblance of a life. I find it extremely unfortunate that other young attorneys, who very much want to enter public service positions, cannot do so because of financial burdens. As the disparity between the private and public sectors becomes greater with each passing year, I think it is extremely important that our government dedicate whatever funds it can to attract talented attorneys to State and non-profit positions. Unless that commitment is made, the qualifications of attorneys who work for this State will diminish.

I recognize that the demands on our State budget are wide and varied. However, I hope our Legislature will do what it can to enable LEAF to continue and expand its program.

Sincerely,

Danielle M. Carman

State of North Carolina
General Court of Justice
Twenty-first Prosecutorial District

THOMAS J. KEITH
DISTRICT ATTORNEY

P. O. BOX 20083
WINSTON-SALEM, N. C. 27120-0083

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Denise C. Long
P.O. Box 25848
Raleigh, NC 27611-5848

December 22, 2000

Dear Ms. Long,

I am writing this letter to express my sincere thanks and gratitude to NCLeaf for allowing me to participate in the loan forgiveness program. As a 1999 graduate of Wake Forest University School of Law, I found myself in a challenging situation upon graduation. In three years of law school I had accumulated a significant indebtedness that was problematic because of my interest in entering the legal profession in a position that would allow me to serve the public interest and good. My professional goals centered on joining the Forsyth County District Attorney's Office and becoming a prosecutor.

I was not alone in this challenge. Several of my classmates had a desire to enter a field of public service but financial realities and limitations kept them from their dreams. My story is different in that I was selected to participate in the NCLeaf program. I was able to accept the job of my choice only because I receive $5000.00 per year from NCLeaf. Without this supplement to my salary I would have been unable to begin repaying the loans I accrued during law school.

The financial challenges and hardships that faced my classmates and myself have not diminished. In fact, the need is greater because of rising educational cost and the limited salaries that are available for those with a desire to enter a public interest field. The District Attorney's office is where I decided that I could do the most good representing victims of violent crime and domestic abuse, it is a valuable endeavor that I have been able to dedicate myself fully to because of NCLeaf.

In the past year and six months I have come in contact with so many people who have needed my help and I sincerely believe I am able to help them because I am supported by NCLeaf. The gift I have been given by NCLeaf is one that I will never be able to repay, but I will remain in public service to do the best that I am able to return the gift to others.

Sincerely,

Jennifer L. Martin,
Assistant District Attorney

December 26, 2000

Denise Long
NCLEAF
PO Box 25848
Raleigh NC 27611-5848

Dear Ms. Long:

I am writing to confirm my whole-hearted support for NCLEAF. I have received NCLEAF for approximately two years now, after beginning work at Pamlico Sound Legal Services in New Bern in February 1998. Although I enjoy working at Legal Services – and I can't imagine practicing law any other way – I don't know that I would have accepted my current position without the extra income provided by NCLEAF. My monthly student loan obligation is $432, which is almost half of one paycheck. I graduated from law school with approximately $34,000 in student loans, and I still owe about $30,000. The quarterly money from NCLEAF goes a long way in helping me cover this obligation.

Unfortunately, Legal Services of North Carolina cannot pay attorneys anywhere near what they are worth. We have had openings that went unfilled for months because we simply cannot pay a competitive salary to qualified applicants. At least with NCLEAF, we can offer somewhat of a bonus for practicing public interest law. We are currently contracting with one attorney who is reluctant to accept full-time employment because NCLEAF has disbursed all their funds for the year. If NCLEAF had additional funds, she would certainly qualify for the program, however. We also considered offering a position to an attorney in the Public Defenders office. She too would miss out on NCLEAF because of a shortage of funds, and Legal Services could not make up the decrease in salary any other way. In short, NCLEAF helps Legal Services attract and retain qualified attorneys who have a genuine concern for public interest law.

I very much appreciate the opportunity to participate in the NCLEAF program. I believe strongly in the goals of the program – to promote the practice of public interest law – and I hope NCLEAF continues to receive the support and funding it deserves.

With warm regards, I am

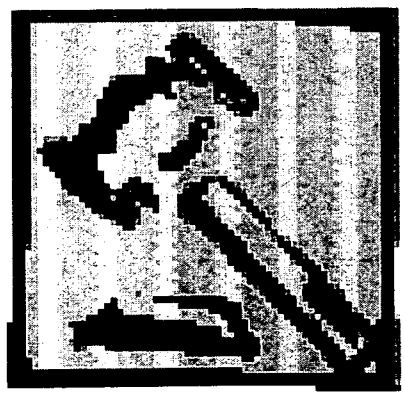
Very truly yours

M. Jason Williams
Attorney at Law

#2

Department of Justice

Budget Overview

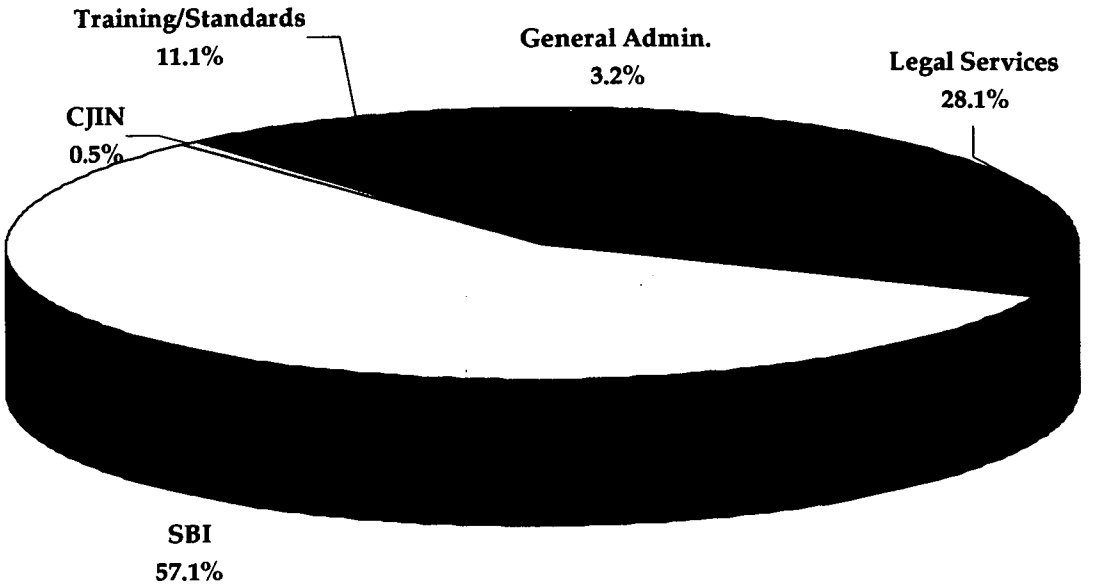


FY00-01Budget by Division

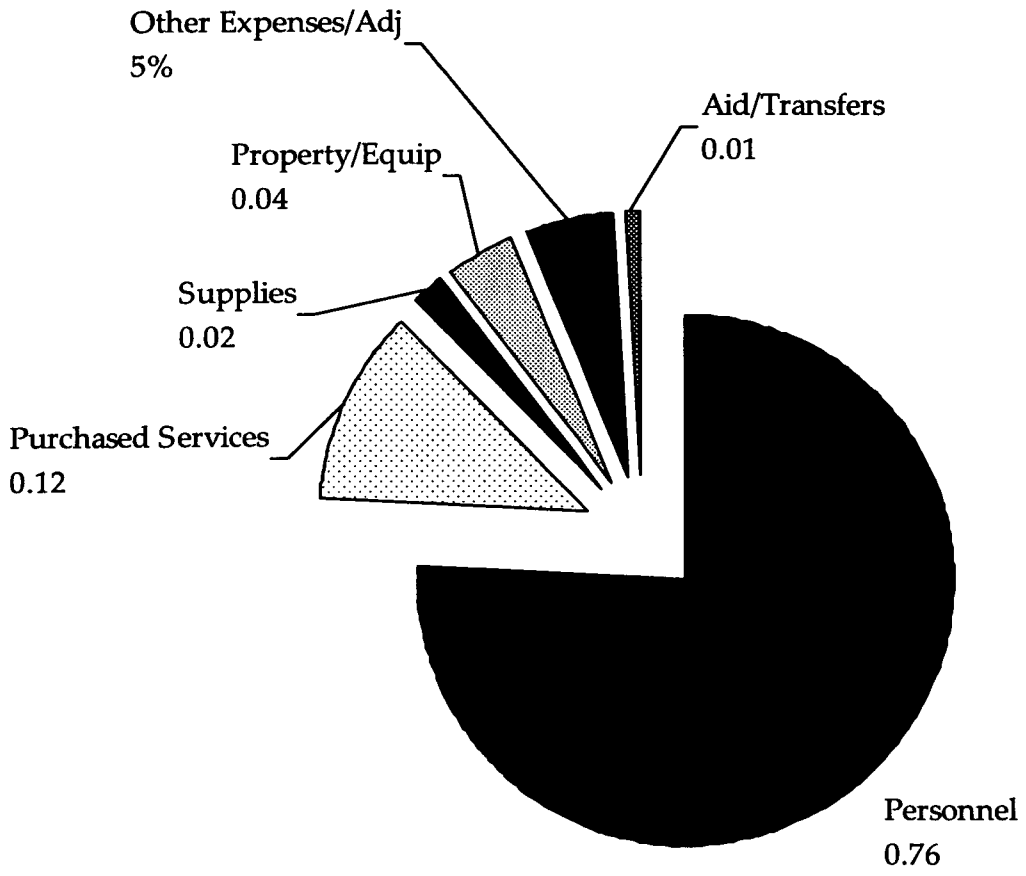
(Source: Authorized Budget 12/31/00)

Division	2000-01 Requirements	2000-01 Receipts	2000-01 G.F. Appropriation	# Positions (2/1/01)
Admin./CJIN	$2,834,005	-0-	$2,834,005	43
SBI – Law Enforcement	$ 48,629,717	$ 4,663,226	$ 43,966,491	632
Legal Services	$ 32,732,429	$ 11,090,593	$ 21,641,836	429.05
CJTSD	$ 8,677,633	$ 172,141	$ 8,505,492	170.23
Total	$ 92,873,784	$ 15,925,960	$ 76,947,824	1274.28

DOJ 12/2000 Authorized Net Appropriations: $76,947,824



DOJ FY00-01 Budget by Purpose



DOJ Revenue/Receipts

- FY00-01 receipts/revenue: $15.9 million
- 70% revenue/receipts generated within Legal Services
  - Transfers from other agencies/department
  - Medicaid
- Forfeited/seized assets
  - $699,300 available year-to-date to SBI
- Federal Grants

Federal Grant Funds

- 10 active Federal Grants for various purposes
  - Medicaid fraud
  - Telemarketing fraud
  - Internet crimes against children
  - Convicted offender DNA samples
  - Digital imaging
  - Mobile data terminals for SBI field agents
  - Marijuana eradication

Key Legislative Activity

(1999 and 2000 Sessions)

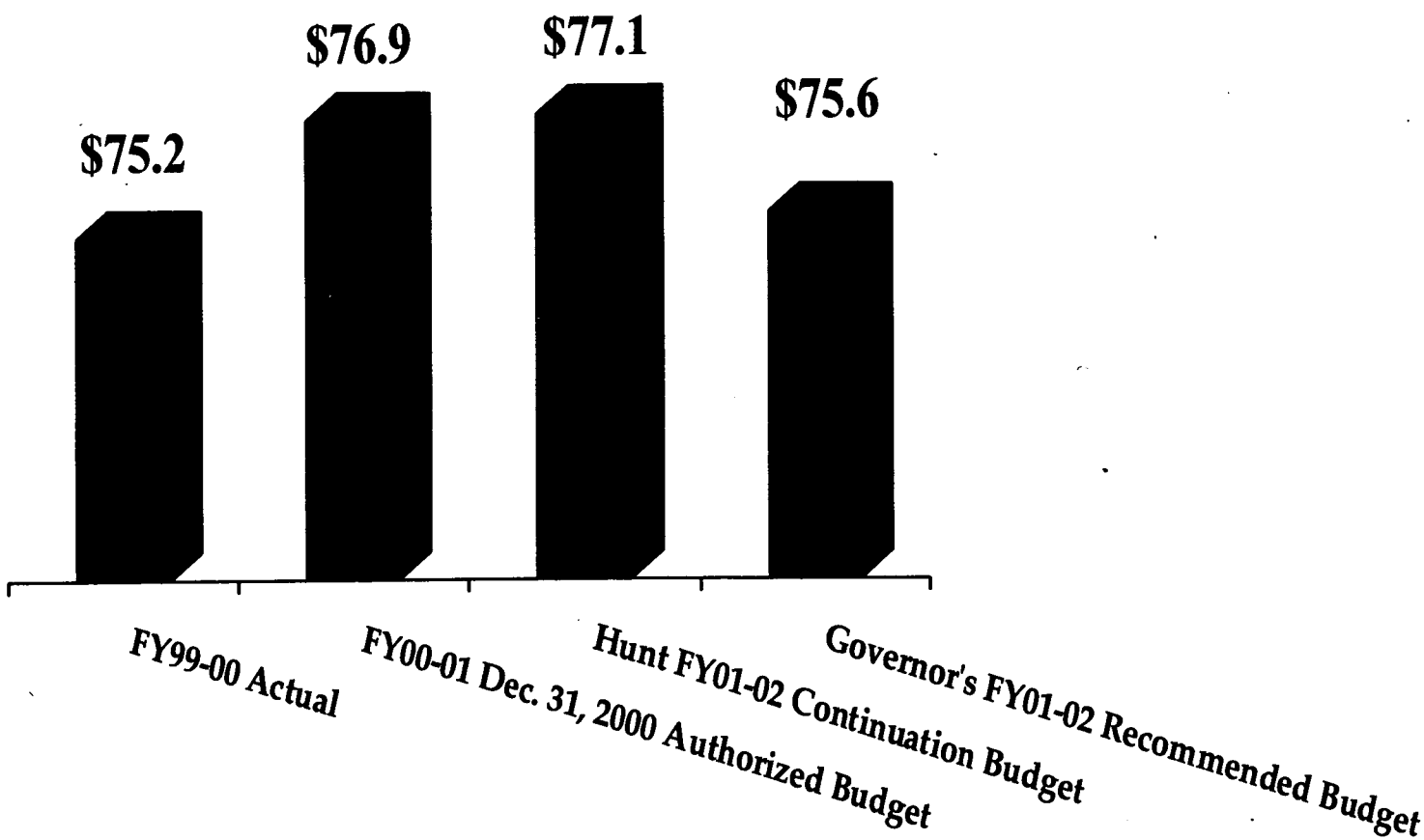
- Expansion Funding for DCI
  - $431,000 R for disaster recovery plans and applications upgrades
  - $1,400,000 for mainframe migration
- Added 27positions throughout DOJ
- Furnish and staff new WJA dormitory
  - $142,000 NR for furnishings
  - $192,000 R for 2.5 positions
- Minority Sensitivity Training
  - $161,000 R for 1 position, contracts, and media production

FY 2001-02 DOJ Budget Request

(NC State Budget 2001-2003 Summary of Recommendations)

Governor's Recommendation	$ Amount
12/31/01 Authorized Budget (baseline budget for 2001-02)	$76,947,824
Adjustments	$ (476,192)
Recommended Reductions	$ (914, 925)
Recommended Expansions	0
Recommended Budget	$ 75,557,707

DOJ Budget Comparisons
($ million)



Governor's Recommended Reductions

	2001-02	2002-03
Temporary wages & benefits	196,157	196,157
Administrative Contract	178,443	178,443
Overtime Pay	155,325	155,325
Eliminate 8 vacant positions	384,370	384,370
Total Reductions	914,925	914,925

Continuation Items Omitted from FY 2001-02 Request

BUDGET LINE ITEM	$ AMOUNT
Annualization of salary and fringe benefit costs for 8 positions added in FY 2000-01	155,425
Longevity Payments	29,984
Motor Vehicle Insurance	3,833
Gasoline price inflation (increased $.24/gallon)	130,000
Increased travel per diem rates effective 7/1/01	20,222
Total	339,464

NC DEPARTMENT OF JUSTICE

DOJ ACTIVE GRANTS

2001

#2A

PROJECT TITLE FUND NUMBER	GRANT PERIOD	GRANT TOTAL	PERCENT AMOUNT & SOURCE	PERCENT AMOUNT & SOURCE	PROJECT DIRECTOR	EMPLOYEES
MEDICAID FRAUD INVESTIGATION 01-0101-NC-5050 #1231	10/01/00 TO 09/30/01	$2,046,575.74	75% $1,535,000.00 USDHHS, OIG	25% $511,575.74 GENERAL FUND APPR.	CHRIS BREWER	26
THIS ATTORNEY GENERAL'S OFFICE GRANT WILL BE USED TO DETECT, INVESTIGATE, AND PROSECUTE MEDICAID FRAUD AND PATIENT ABUSE BY PROVIDERS OF MEDICAL ASSISTANCE.						
TELEMARKETING FRAUD ENFORCEMENT 1999-LS-VX-0004 #2101/#3101	12/01/99 TO 06/01/01	$123,258.00	100% $123,258.00 USDOJ	$0.00	DAVID KIRKMAN	1 (time-limited)
THIS ATTORNEY GENERAL'S OFFICE GRANT WILL BE USED TO EXPAND UPON ESTABLISHED PROGRAMS WHICH SUCCESSFULLY ATTACK TELEMARKETING FRAUD AND AGGRESSIVELY PURSUE TELEMARKETING FRAUD CASES.						
NORTH CAROLINA INTERNET CRIMES AGAINST CHILDREN TASK FORCE 2000-MC-CX-K011 #2302/#3302	05/01/00 TO 12/31/01	$259,845.00	100% $259,845.00 USDOJ FEDERAL NAT'L INSTITUTE FOR JUVENILE JUSTICE & DELINQUENCY PREVENTION	$0.00	J. MELINDA COLLINS	0
THIS SBI GRANT WILL PROVIDE FUNDING 1) TO FORM A TASK FORCE OF SPECIAL AGENTS OF THE NC SBI, a) TO BE TRAINED ON SPECIALIZED COMPUTER EQUIPMENT, AND *b)* TO BE TRAINED TO ASSIST LOCAL LAW ENFORCEMENT IN THE INVESTIGATION OF CRIMES INVOLVING THE SEXUAL EXPLOITATION OF CHILDREN USING THE INTERNET, AND 2) TO PROVIDE TRAINING TO LOCAL LAW ENFORCEMENT AND PROSECUTORS IN THE INVESTIGATION AND PROSECUTION OF THESE CRIMES.						

NC DEPARTMENT OF JUSTICE

DOJ ACTIVE GRANTS

2001

PROJECT TITLE FUND NUMBER	GRANT PERIOD	GRANT TOTAL	PERCENT AMOUNT & SOURCE	PERCENT AMOUNT & SOURCE	PROJECT DIRECTOR	EMPLOYEES
STR ANALYSIS OF CONVICTED OFFENDER SAMPLES 2000-RC-CX-0009 #2303/#3303	08/01/00 TO 07/31/01	$700,000.00	100% $700,000.00 USDOJ	$0.00	MARK NELSON	0
THIS SBI GRANT WILL ASSIST THE STATE OF NORTH CAROLINA IN ITS EFFORTS TO CONDUCT SHORT TANDEM REPEAT TESTING ON ALL CONVICTED OFFENDER SAMPLES CURRENTLY RESIDING IN ITS DNA REPOSITORY AND TO REDUCE THE BACKLOG OF OFFENDER SAMPLES AWAITING TESTING.						
DIGITAL IMAGING 170-00-001-G-001 #2304	09/01/00 TO 08/31/01	$166,666.66	90% $150,000.00 CCPS	10% $16,666.66 ASSET FORFEITURE	DAVID DUNN	0
THIS SBI GRANT WILL BE USED TO PURCHASE STATE-OF-THE-ART, MULTI-TASKING PHOTO PROCESSING EQUIPMENT WITH DIGITAL CAPABILITTTIES. KEEPING PACE WITH THIS EMERGING TECHNOLOGY WILL ALLOW THE SBI TO CONTINUE TO PROVIDE TIMELY ASSISTANCE TO ALL AREAS OF THE STATE'S CRIMINAL JUSTICE SYSTEM.						
ANALYSIS FOR IMPAIRING DRUGS IN BLOOD J8-01-03-07 #2305	10/01/00 TO 09/30/01	$120,000.00	100% $120,000.00 GOVERNOR'S HIGHWAY SAFETY PROGRAM	$0.00	CHIS STARK	0
THIS SBI GRANT WILL BE USED TO PURCHASE AN 1) ATMOSPHERIC PRESSURE CHEMICAL IONIZATION (APCI) SOURCE AND 2) AUTOSAMPLER FOR THE LIQUID CHROMATOGRAPHY/MASS SPECTROMETER SYSTEM.						
DOMESTIC VIOLENCE PREVENTION 170-1-99-001-X-100 #2306	11/01/00 TO 10/31/01	$285,200.00	100% $256,200.00 CCPS	$0.00	WORTH BROCK	0
THIS SBI GRANT WILL BE USED TO MIGRATE THE NC DOMESTIC VIOLENCE ORDER FILE TO THE FBI'S NCIC PROTECTIVE ORDER FILE TO SUPPORT IMPROVED ENFORCEMENT OF THE FULL FAITH CREDIT PROVISION OF THE VIOLENCE AGAINST WOMEN ACT.						

NC DEPARTMENT OF JUSTICE

DOJ ACTIVE GRANTS

2001

PROJECT TITLE FUND NUMBER	GRANT PERIOD	GRANT TOTAL	PERCENT AMOUNT & SOURCE	PERCENT AMOUNT & SOURCE	PROJECT DIRECTOR	EMPLOYEES
COMPUTERIZED CRIME HISTORY/SEX OFFENDERS REGISTRY 170-00-001-N-902 #2307	10/01/00 TO 09/30/01	$330,491.00	90% $297,441.90 CCPS	10% $33,049.10 GENERAL FUNDS APPR. (1361)	GEORGE BAKOLIA	0
THIS SBI GRANT WILL BE USED TO PURCHASE SOFTWARE TO MIGRATE TWO MAJOR LAW ENFORCEMENT APPLICATIONS CCH/SOR TO A MORE OPEN AND ACCESSIBLE ENVIRONMENT.						
DARE SOUTHEAST TRAINING CENTER SBI-DARE 1999-DD-BX-K011 #2440	09/01/00 TO 08/31/01	$256,200.00	100% $256,200.00 DARE AMERICA THRU BUREAU JUSTICE ASSISTANCE	$0.00	RAY EASTMAN	2
THIS SBI GRANT WILL BE USED TO SCHEDULE AND PROVIDE THE HIGHEST QUALITY "D.A.R.E. OFFICER TRAINING" AT THE MOST REASONABLE COST TO OFFICERS. THE ULTIMATE GOAL IS TO ELIMINATE DRUG ABUSE AMONG CHILDREN AND ADOLESCENTS THROUGH A COHERENT COMPREHENSIVE CURRICULUM, COMPETENT INSTRUCTORS, AND COMMITTED COMMUNITY INVOLVEMENT.						
ADVANCED TRAFFIC CRASH RECONSTRUCTION & INSTRUCTIONAL SUPPORT PT-01-04-01 #2505	10/01/00 TO 09/30/01	$42,500.00	100% $42,500.00 GOVERNOR'S HIGHWAY SAFETY PROGRAM	$0.00	ROBERT GARBETT	0
THIS NC JUSTICE ACADEMY GRANT WILL BE USED TO PROVIDE TRAINING FOR SPECIALIZED TRAFFIC-CRASH RECONSTRUCTION COURSES SUCH AS COMMERCIAL MOTOR VEHICLE RECONSTRUCTION, ADVANCED PHYSICS FOR RECONSTRUCTIONISTS, AND COURSES WHICH ARE NOT CURRENTLY AVAILABLE HERE IN NORTH CAROLINA.						

CRIMINAL JUSTICE INFORMATION NETWORK (CJIN)

ACTIVE GRANTS

1998 - 2001

PROJECT TITLE FUND NUMBER	GRANT PERIOD	GRANT TOTAL	PERCENT AMOUNT & SOURCE	PERCENT AMOUNT & SOURCE	PROJECT DIRECTOR	EMPLOYEES
CJIN NC UPGRADE OF END USER TECHNOLOGY & SAFIS 1999-DD-BX-0079 #2301/#3301	08/01/99 TO 07/31/01	$5,000,000.00	100% $5,000,000.00 USDOJ	$0.00	CAROL MORIN	0
THIS CJIN GRANT WILL REPLACE LEGACY COMMUNICATION TECHNOLOGY IN ORDER TO MEET THE MANDATES OF THE NC INFORMATION RESOURCE MANAGEMENT COMMISSION ($2.5 MILLION) AND CONTINUE IMPLEMENTING LIVE SCAN FINGERPRINTING DEVICES THOUGHOUT NC COUNTIES ($2.5 MILLION).						
CJIN 98-DD-BX-0064 #2386/#3386	07/01/98 TO 06/30/01	$6,000,000.00	100% $6,000,000.00 US-DOJ	$0.00	CAROL MORIN	0
THIS CJIN PROJECT WILL PROVIDE FUNDS FOR INITIAL SECURITY COMPONENTS OF THE CJIN NETWORK INCLUDING FIRE WALL, ENCRYPTION, AND AUTHENTICATION ($3.5 MILLION). THE REMAINING $2.5 MILLION WILL BE TRANSFERRED TO THE NORTH CAROLINA STATE HIGHWAY PATROL TO BE USED FOR THE MOBILE DATA NETWORK PHASE FOUR FOR THE PURCHASE AND INSTALLATION OF REMOTE BASE STATIONS AND NETWORK PERIPHERALS.						

NC DEPARTMENT OF JUSTICE

PREAPPROVED GRANTS

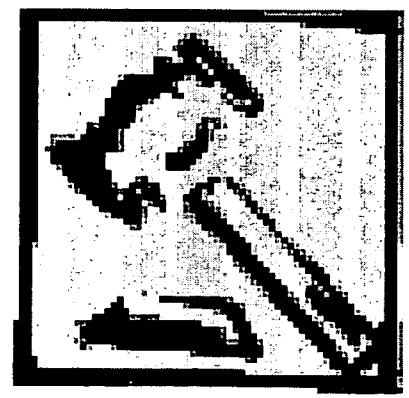
2001

PROJECT TITLE FUND NUMBER	PERIOD OF GRANT	TOTAL AMOUNT OF GRANT	PERCENT AMOUNT & SOURCE	PERCENT AMOUNT & SOURCE	PROJECT DIRECTOR	EMPLOYEES
MARIJUANA ERADICATION & SUPPRESSION OF ILLICIT MARIJUANA #3341	01/01/01 TO 12/31/01	$503,186.36	100% USDOJ-DRUG ENFORCEMENT ADMINISTRATION	$0.00	RAY EASTMAN	0
THIS SBI GRANT WILL PROVIDE FUNDING THAT WILL ENHANCE SBI PERSONNEL'S GOALS 1) TO GATHER AND REPORT INTELLIGENCE DATA RELATING TO THE ILLICIT POSSESSION AND DISTRIBUTION OF MARIJUANA, AS WELL AS 2) TO INVESTIGATE AND REPORT INSTANCES INVOLVING TRAFFICKING IN CONTROLLED SUBSTANCES.						
AUTOMATION OF THE DNA DATABASE UNIT	09/01/01 TO 08/31/02	$392,020.00	75% $294,015.00 CCPS	25% $98,005.00 GENERAL FUND APPR.	MARK NELSON	0
THIS SBI GRANT WILL PROVIDE FUNDING TO PURCHASE TWO INSTRUMENTS THAT WILL AUTOMATE PART OF THE DNA ANALYSIS PROCESS, PERFORMING OVERNIGHT WHAT WOULD TAKE AN ANALYST TWO WEEKS TO PROCESS.						
MOBILE DATA TERMINAL FIELD PROJECT	07/01/01 TO 06/30/02	$186,729.20	75% $140,046.90 CCPS	25% $46,682.30 ASSET FORFEITURE	MIKE ROBERTSON	0
THIS SBI GRANT WILL PROVIDE FUNDING TO SUPPLY MOBILE DATA TERMINALS (MDTs) TO STATE BUREAU OF INVESTIGATION FIELD AGENTS TO INCREASE CONNECTIVITY AND SPEED OF FIELD OPERATIONS.						

#3

Department of Justice

Modified Zero-Based Budget Items/Budget Issues



Modified Zero-based Budget Items

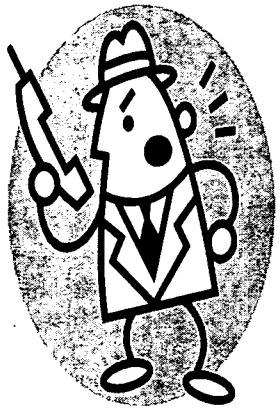
- New programs or additions since 1996
- Appropriations and grants to non-profits
- Contracts
- Equipment rental or leases
- Cellular phones
- Furniture and equipment replacement
- Grants
- Loans
- Other aids and grants
- Positions vacant for more than 6 months

New DOJ Programs since 1996

- Office of Inspector General
  - $500,000 R beginning in FY97-98
  - ~~9~~ 10 positions
- Minority Sensitivity Training required by JJ Reform Act
  - $161,094 R beginning in FY99-00; 1 position

Major Expansion Items

- 89 positions: $3,300,000
  - Includes 21 attorney positions
  - 16 FBI field agents
- $2,700,000 pay equity adjustment for SBI agents
- Crime Lab operating funds: $600,000
- Edneyville operating funds: $800,000
- DCI computer system: $1,600,000



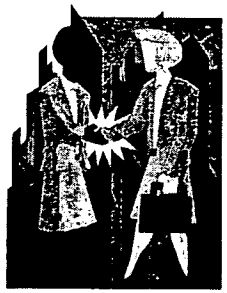
DOJ Cell Phone Usage

- 263 cell phones distributed to DOJ staff:
  - SBI: 229; Legal Services: 24; CJTSD: 10
- FY99-00 expenditures were $132,000
- When possible, DOJ uses State ITS contract
- 149 contracts at ITS contracted rate:
  - Verizon, Bell Atlantic, Alltel
- 114 contracts with various providers:
  - Verizon, Bell Atlantic, Alltel, Nextel,Carolina West, US Cellular

DOJ Travel Expenditures

- 12/31/00 authorized amount for FY00-01
  - $1,320,327
  - 1.7% of total appropriation
- DOJ unable to report the number or purpose of staff trips in FY99-00
  - $1,142,373 spent
  - Floyd reversions reduced travel

Division	FY00-01 Authorized Travel Budget	% Total DOJ Travel Budget
General Admin	16,744	1.3
Legal Services	512,062	38.8
SBI	406,389	30.8
CJTSD	385,102	29.1
TOTAL	1,320,297	100



FY99-00 Contracts

- Contract employees: $58,305
- Legal Services: $543,307
  - $400,000 (15 of 80 contracts) for expert witnesses (74%)
- Administrative Services: $521,803
  - $500,000 (32 of 36 contracts) for temporary agency services (96%)
- Miscellaneous Services: $128,177

DOJ Funds to Non-profits

- NC Leaf is the only DOJ non-profit grantee
- Provides loan repayment assistance to law school graduates who work as Assistant DA, Public Defender, or with Legal Services or a non-profit agency
- Since 1996, general fund appropriation has increased from $50,000 NR to $125,000 R

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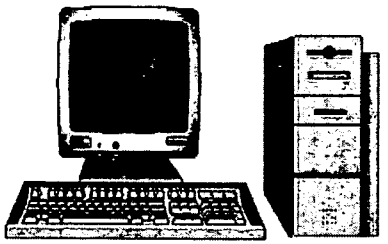
Vacant Positions

- As of 1/24/01, 86 DOJ positions vacant for ≥ 6 months:
  - Gen. Admin: 5 positions
  - Legal Services: 21.25 positions
  - SBI-Enforcement: 49 positions
  - CJTSD: 10.5 positions
- General fund positions
- Budgeted salary: $3,640,000



CJIN Network Security

- In 1999, CJIN received a two-year $3,500,000 federal grant for network security
  - Used to develop and implement the initial CJIN security components: firewalls, encryption, and authentication.
  - Contract employees staff a 24-hour function
- Grant expires July 31, 2001
- $73,000 is needed for a network security administrator
- DOJ is subsidizing CJIN communications costs: $250,000 annually

Budget issues

- Continuation items omitted from recommended budget: $680,000
- $155,000 budgeted overtime pay reduction
- Are revenues/receipts budgeted at appropriate levels?
- CJIN network security administration: $73,000
- Salary issues: attorneys, SBI agents

Vacant Positions

- As of 1/24/01, 75 DOJ positions vacant:
  - Budgeted salary: $2,874,081
- 18.5 of these positions were vacant for > 6 months: $634,745
  - Gen. Admin: 1 position
  - Legal Services: 2.5 positions
  - SBI-Enforcement: 12 positions
  - CJTSD: 3 positions

#4

53 2110 Legal Services

CONTRACTOR	SERVICE PROVIDED	FY 99-00 $ AMOUNT	PERIOD OF PERFORMANCE
1100 General Administration			
Andrew A. Vanore	Legal Services	16,500.00	Jun - Dec 99
1200 Legal Services			
Andrew A. Vanore	Legal Services	25,650.00	Jan - May 00
Garvin Court Reporters	Court Reporter	84.20	Jul-99
Mitzy Bondurant	Court Reporter	113.85	Aug-99
Kings Court Reporters	Court Reporter	305.65	Apr-00
Robert H. Hall	Expert Witness	1,845.00	Jun-00
Stephenson Consulting	Expert Witness	468.75	Nov-99
Associated Court Reporters	Court Reporter	4,141.02	Jul 99 - Jun 00
Arnetta Robertson	Court Reporter	39.60	Jul-99
Cobb Court Reporters	Court Reporter	429.70	Jul-99
Martha Criste	Court Reporter	129.70	Aug 99, Dec 99, May 00
Linda Emery	Court Reporter	389.66	Aug-99
Pamela Ackerly	Court Reporter	28.20	Aug 99, Feb 00
Marsha M. Garlick	Court Reporter	110.25	Aug 99, Nov 99, Dec 99, Mar 00
Garvin VanDavette	Court Reporter	42.90	Aug-99
Kimberly S. Gay	Court Reporter	336.00	Sep-99
Certified Court Reporters	Court Reporter	552.00	Sep-99
Overby Court Reporters	Court Reporter	111.50	Sep-99
Margaret M. Powell	Court Reporter	90.40	Sep-99
Allan Jane	Court Reporter	48.00	Oct-99
Lynn W. Campbell	Court Reporter	258.30	Nov 99, Dec 99
Nancy B. Wilson	Court Reporter	37.95	Nov-99
Vivian D. Tilley	Court Reporter	457.75	Dec 99, Mar 00
Carol S. Faulk	Court Reporter	181.20	Jan 00, Feb 00
Ronald Lancaster	Court Reporter	129.00	Jan-00
Margaret Wilcox	Court Reporter	124.55	Mar-00
Capital Reporting	Court Reporter	728.30	Mar-00
Tina McNair	Court Reporter	527.50	Apr-00
Pamela K. Vaughn	Court Reporter	63.45	May-00
Lori L. Russell	Court Reporter	50.52	May-00
Janet A. Finch	Court Reporter	117.00	Jun-00
Patti A. McCullock	Court Reporter	21.00	Jun-00
NCSU	Statistical Services	3,700.00	May-00
DMG Maximus, Inc.	Negotiate IND Rate	16,020.00	May-00
Robert Evans	Expert Witness	32,070.00	Jul 99, Dec 99
Tracy D. Daniels	Court Reporter	5,588.36	Jul - Sep 99
Carolyn Hall Assoc	Court Reporter	1,021.70	Jul-99
Joann M. Snyder	Court Reporter	1,584.00	Aug-99
Mary Jo Beck	Court Reporter	2,781.00	Aug-99
Court Reportings	Court Reporter	666.80	Aug 99, Jan 00
Capital Reporting	Court Reporter	428.60	Aug-99
Roberta A. Collier	Court Reporter	429.83	Aug-99
Christie Agnew	Court Reporter	3,860.17	Nov 99, Jan 00
Paul Walker	Court Reporter	4,794.66	Dec 99, Apr 00
Carrie E. Chase	Court Reporter	671.25	Dec-99
Glynn Braswell	Court Reporter	1,081.04	Jan-00
Donald Holland	Court Reporter	1,802.00	Apr-00

53 2110 Legal Services

Parker Poe Adams	Court Reporter	156.40	Apr-00
Jay Robinson	Witness	74.40	Nov-99
William H. Andrews	Witness	140.75	Jun-00
Metametrics Inc.	Expert Witness	4,200.00	Jul-99
Brownstar Inc.	Expert Witness	5,300.00	Jul-99
Eric A. Hanushek	Expert Witness	24,485.93	Jul, Sep, Nov, Dec 99
Dr Howard Manilof	Expert Witness	525.00	Jul-99
Suzanne Triplett	Expert Witness	25,073.53	Jul 99, Oct 99, Jan 00
Patrick Cunningham	Expert Witness	1,697.15	Aug, Sep 99
Rapiccalo Inc.	Expert Witness	139,383.17	Oct 99 - Apr 00
Brewer and Pritchard	Expert Witness	64,100.00	Oct - Nov 99
Obrien Atkins Assoc	Expert Witness	7,284.12	Apr-00
Election Data Service	Cong Distr Boundary	710.00	Sep-99
PRI Associates Inc.	Research Cromartie	13,320.52	Oct 99, Feb 00
PRI Associates Inc.	Expert Witness	82,946.87	Oct - Dec 99
Adams Holt Inc.	Court Reporter	215.65	Nov-99
Donna J. Tomawski	Court Reporter	2,424.75	Jul, Oct, Dec 99
Gerald R. Webster	Expert Witness	4,719.24	Oct-99
Richard Engstrom	Expert Witness	6,906.33	Nov-99
Seth Fleishman	Lake Gaston Forum	120.00	Sep-99
S Graham Assoc	Court Reporter	21.50	Jul-99
Pace Reporting	Court Reporter	358.80	Oct-99
Cape Fear Court Rep	Court Reporter	107.50	Oct-99
Carolyn Hall Assoc	Court Reporter	7,098.15	Jan 00, Mar 00
Westmoreland Report	Court Reporter	668.90	Feb-00
Spherion	Court Reporter	2,472.15	Mar-00
Manning Halls	Court Reporter	336.50	Apr-00
Kay McGovern Assoc	Court Reporter	15,709.27	Jul 99 - Mar 00, Jun 00
Duke University School	Copy Brief, US v Riverside Bayview Homes	15.00	Sep-99
1300 Law Enforcement Services - SBI			
Buie T. Costen	Associate Counsel THC v State	1,187.50	Aug-99
1500 Criminal Justice Training and Standards			
Certified Court Reporters	Court Reporter	552.00	Nov-99
Assoc Court Reporters	Court Reporter	383.92	Jan-00
GRAND TOTAL		543,307.31	

53 2170 ADMIN SERVICES

CONTRACTOR	DESCRIPTION	FY 99-00 $ AMOUNT	PERIOD OF PERFORMANCE
1100 GENERAL ADMINISTRATION			
Today's Staffing	Temporary Agency Services	11,279.66	Jul 99-Jan 00
Reiff Associates	Personal Services Contract	14,000.00	Jul - Aug 99
OSP Temp	Temporary Agency Services	15,184.37	Jul 99 - Mar 00
Quality Staffing Specialists	Temporary Agency Services	13,922.74	Aug 99 - Jun 00
Judges Legal Staffing	Temporary Agency Services	4,031.63	Sep 99 - Mar 00
1200 LEGAL SERVICES			
OSC/Key Risk Mgmt Services, Inc.	Workmen's Comp Pymts Reimb	1,465.00	Nov-99
OSC/Key Risk Mgmt Services, Inc.	Workmen's Comp Adm Fee	4,830.00	Mar - Apr 00
Quality Staffing Specialists	Temporary Agency Services	35,530.94	Jul 99 - Jun 00
Judges Legal Staffing	Temporary Agency Services	13,950.75	Jul - Nov 99
Today's Staffing	Temporary Agency Services	15,040.89	Jul - Nov 99
OSP Temp	Temporary Agency Services	12,073.40	Sep 99 - Feb 00
Quality Staffing Specialists	Temporary Agency Services	17,301.55	Jul 99 - Mar 00
Judges Legal Staffing	Temporary Agency Services	10,811.89	Jul 99 - Mar 00
Quality Staffing Specialists	Temporary Agency Services	22,466.86	Oct 99 - Jun 00
Quality Staffing Specialists	Temporary Agency Services	24,119.61	Jul 99 - Jun 00
U.S. Supreme Court	Filing Fee-Hunt v. Cromartie	300.00	May-00
OSP Temp	Temporary Agency Services	3,821.44	Dec 99 - Jan 00
Today's Staffing	Temporary Agency Services	2,384.00	Sep-99
Quality Staffing Specialists	Temporary Agency Services	19,228.21	Jul 99 - Jun 00
Judges Legal Staffing	Temporary Agency Services	28,241.01	Jul 99 - Jun 00
OSP Temp	Temporary Agency Services	47,227.45	Jul 99 - Jun 00
Quality Staffing Specialists	Temporary Agency Services	4,961.28	May - Jun 00
Judges Legal Staffing	Temporary Agency Services	16,046.25	Jul 99 - Feb 00
OSP Temp	Temporary Agency Services	33,949.53	Jul 99 - Jun 00
Today's Staffing	Temporary Agency Services	928.20	Jul - Aug 99
1300 LAW ENFORCEMENT SERVICES - SBI			
Judges Legal Staffing	Temporary Agency Services	17,824.13	Sep 99 - Apr 00
Judges Legal Staffing	Temporary Agency Services	29,170.50	Jul 99 - Jun 00
OSP Temp	Temporary Agency Services	16,961.45	Aug 99 - Jun 00
Quality Staffing Specialists	Temporary Agency Services	5,115.93	Jul - Sep 99
1500 CRIMINAL JUSTICE TRAINING AND STANDARDS			
Action Temporaries	Temporary Agency Services	11,894.40	Nov 99 - May 00
Judges Legal Staffing	Temporary Agency Services	4,450.89	Dec 99 - Mar 00
Temporary Connections	Temporary Agency Services	23,499.40	Jul 99 - Jun 00
Action Temporaries	Temporary Agency Services	8,217.79	Sep 99 - Jun 00
Barrett Business	Temporary Agency Services	6,552.00	Dec 99 - Apr 00
Today's Staffing	Temporary Agency Services	709.54	Jul-99
Quality Staffing Specialists	Temporary Agency Services	24,310.98	Jul 99 - Jan 00
GRAND TOTAL		521,803.67	

53 2199 Miscellaneous Contracts Attachment 4

CONTRACTOR	TOTAL SFY 99-00	DESCRIPTION
Margaret B. Johnson	4,531.25	Administrative Support
Carol W. Holt	922.50	Administrative Services, Billed to DHHS
Robert W. Barber	12,374.90	Administrative Assistant to Accreditation Manager
Roger D. Allen	28,470.00	Accreditation Manager
Duckpack Labs	5,312.50	Agengy Firearm Maintenance
Gayle E. Green	16,360.00	Administrative Officer
Pilot Connection	11,856.50	Marijuana Eradication Flights
HWF Flight LLC	13,596.00	Marijuana Eradication Flights
Larry D. Wagner	1,215.00	Marijuana Eradication Flights
Seagrave Aviation	1,560.00	Marijuana Eradication Flights
Richard McGraw	125.00	Piper for Graduation Ceremonies
Sky Enterprises, Inc.	2,710.00	Water Treatment for HVAC Chillers
Network Music	1,237.50	Annual License for Music Library
Alpha System	547.50	Service Agreement for Mailer and Scale
Ascom Hasler Mail	1,441.35	Mailing Meter Rental
Asheville Fire Safety	510.00	Monthly Fire Extinguisher Inspection
Systems Design	15,280.00	Validating BLET Course 2000
Interpreters Inc.	5,944.84	Interpreting Services for Hearing Impaired Employees
Neal Brower	450.00	Motivational Speaker for DCI Conference
Precision Printing	1,526.29	"Give Away" for DCI Conference
Atlas Pen Pencil Co.	1,635.63	Handouts for School Directors Conference
Holiday Inn Pinehurst	40.00	Copies for School Directors Conference
Que Whiffleresta	53.00	Meals for School Directors Conference
Forms Supply Inc.	80.03	Name Tags for School Directors Conference
Chipman Sales Inc.	397.50	Travel Mugs for School Directors Conference
TOTAL	128,177.29	

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday April 3, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative Bill Culpepper
Representative R. Phillip Haire

II. PRESENTATIONS

- Introductory Remarks
  Judge Robert Hobgood, Director
  Administrative Office of the Courts

- Judicial Branch Overview
  Governor's Recommended Budget
  Elisa Wolper, Fiscal Research Division

- Trends in Court Workload
  Elisa Wolper, Fiscal Research Division

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Wednesday, April 4 – Court Staffing; AOC Special Programs
  Thursday, April 5 – Sentencing Services; Alternative Dispute Resolution

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
April 3, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on April 3, 2001 at 8:30AM in room 415 LOB. Four senate members were present. The following House members attended:

Rep. Bill Culpepper	Rep. Phillip Haire
Rep. Wayne Goodwin	Rep. John Hall
Rep. Larry Justus	Rep. Joe Kiser

Rep. Wayne Sexton

Senator Luther Jordan presided. He introduced Judge Robert Hobgood, director of AOC. Justice Hobgood distributed a handout titled *Critical Omissions from the Governor's Budget and Critical Needs.* $1,902,574 was not included for the annualization of 42 general fund positions. $48,000 is needed for membership dues and training for the National District Attorneys Association. $44,750 is requested for cost of court leases. AOC leases 8 buildings and they pay about $1million in rent. The total requested is $5,311,090 for 2001-02 and $4,736,383 for 2002-03.

In response to Rep. Kiser, Judge Hobgood said tat if money is not made available, programs will be cut but no judges will be laid off. Sen. Ballance wondered under what circumstances extra reporters are needed. Judge Hobgood said that judges are available for more terms of court than there are reporters. Judge Hobgood is to provide to the committee whether it would be cheaper to contract reporters or to hire reporters. Rep. Goodwin asked if the current bandwidth is statewide. Mr. Cliff Layman, director in charge of technology, responded yes the bandwidth is statewide. Money is needed to upgrade Internet capacity.

Next on the agenda was Elysssa Wolper, staff, who provided an overview of the judicial branch. Ms. Wolper distributed a handout titled *Overview of Judicial Branch* from which she spoke.

A discussion followed regarding the movement of cases. Judge Hobgood said court calendars are driven by district attorneys. Case management has greatly improved the movement of calendars. In response to Rep. Kiser, Judge Hobgood said that essentially all mechanisms are in place for financial restitution to be made.

Senator Jordan adjourned the meeting at 9:55AM.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Committee Assistant

Judicial Branch
General Fund
Critical Omissions from the Governor's Budget and Critical Needs

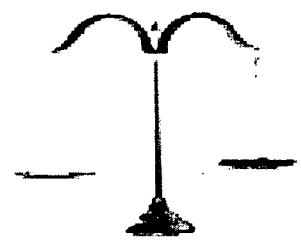
Number	Description	Fiscal Year 2001-02	Fiscal Year 2002-03
	Critical Omissions from the Governor's Budget		
1	Annualization of 42 General Fund positions		
	- Salary and Fringe Benefits	$ 1,340,121	$ 1,340,121
	- Operating Cost	$ 562,453	$ 562,453
	Total	$ 1,902,574	$ 1,902,574
2	Telephone Systems and data lines for new courthouses to be completed		
	- Randolph, Harnett, Brunswick, Mitchell, Surry, New Hanover	$ 475,000	$ 125,000
3	Inflationary factors for utilities, data lines, travel, maintenance, etc.	$ 483,741	$ 483,741
4	Emergency equipment replacement in case of breakage	$ 1,000,000	$ 1,000,000
5	Uniform Law Commission Fee	$ 36,740	$ 36,740
6	Sentencing Services adjustments for Inflationary factors	$ 53,087	$ 106,175
7	National District Attorneys Association	$ 48,000	$ 48,000
	Subtotal	$ 3,999,142	$ 3,702,230
	Needs - NonTechnology		
8	New Court Reporters (4 positions) - To provide coverage for all judges including 22 emergency superior court judges and 4 retired/recall judges.	$ 200,292	$ 201,360
9	Business Court Lease	$ 43,750	$ 45,000
10	Court of Appeals Lease	$ 31,000	$ 31,000
	Subtotal	$ 275,042	$ 277,360
	Needs - Technology		
11	Increase Bandwidth and enhancement of the Telecommunication for Internet connectivity	$ 950,000	$ -
12	Wide Area Network Security	$ 225,000	$ 9,000
13	Helpdesk Support	$ 254,028	$ 229,600
14	Casewise Support	$ 277,275	$ 269,087
15	Local Area Network/Personal Computer Support Group	$ 280,603	$ 249,106
	Subtotal	$ 1,036,906	$ 756,793
	Total	$ 5,311,090	$ 4,736,383

Judicial Branch had other needs that were included in the original budget worksheet I last year that were omitted with the revised base line approach by State Budget, Planning and Management. However, under the current rules, we can use available funds to cover these items; therefore, they are not included on this list.

Judicial Branch
Indigent Defense Fund
Critical Omissions from the Governor's Budget

Critical Omissions from the Governor's Budget			
Number	**Description**	**Fiscal Year 2001-02**	**Fiscal Year 2002-03**
1	Annualization of 5 positions		
	- Salary and Fringe Benefits	$ 157,553	$ 157,553
	- Operating Cost	$ 34,100	$ 34,100
	Total	$ 191,653	$ 191,653
2	Inflationary factors for utilities, data lines, travel, maintenance, etc.	$ 38,619	$ 38,619
	Total	$ 230,272	$ 230,272

Overview of Judicial Branch



Joint Appropriations Subcommittee on Justice and Public Safety

April 3, 2001

Fiscal Research Division

Schedule of Topics—Judicial Branch

- Overview & Governor's Budget Issues
- Workload & Staffing
- Special Programs/Case Management (Family Court, Drug Treatment, etc)
- Alternative Dispute Resolution, Sentencing Services (including grants to nonprofits)
- Indigent Defense Services, Guardian Ad Litem
- Court Technology

Judicial Branch (inc OIDS) Authorized Expenditures by Program Dec 31, 2000

AOC Budget (in millions)

Admin: $ 18.5

Tech: $ 19.1

Courts: $107

Clerks: $ 98.6

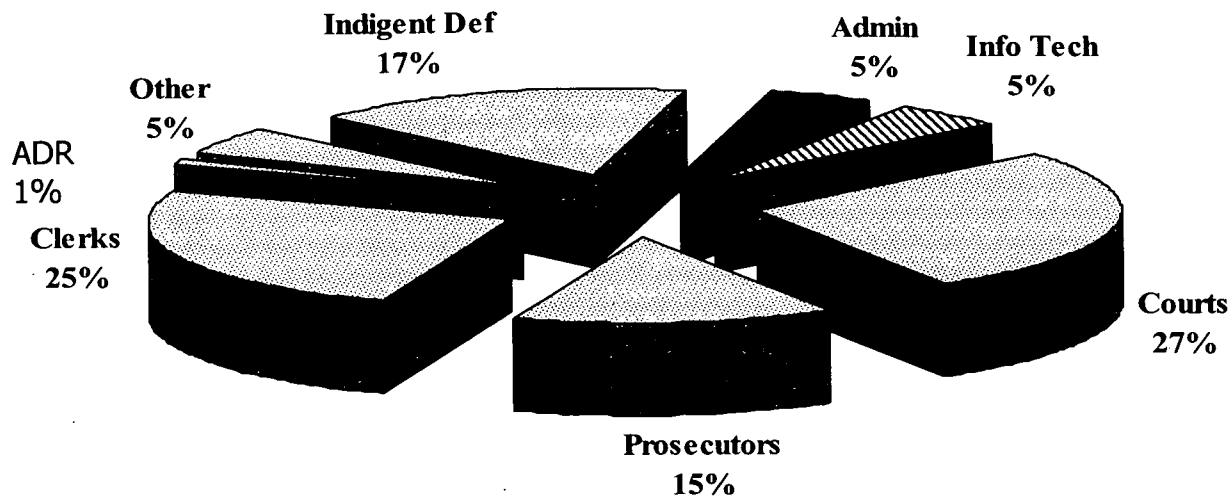
DA's: $ 56.6

Alternative Dispute : $ 4.4

Other $ 18.9

Indigent $ 66.1

TOTAL: $ 389.2



Other includes Family Court, Drug Treatment Court, Guardian Ad Litem, Sent Services and Commissions

Source: BD701

Judicial Branch (inc OIDS)
Authorized Expenditures by Type
Dec 31, 2000

AOC Budget (in millions)

Personnel: $287

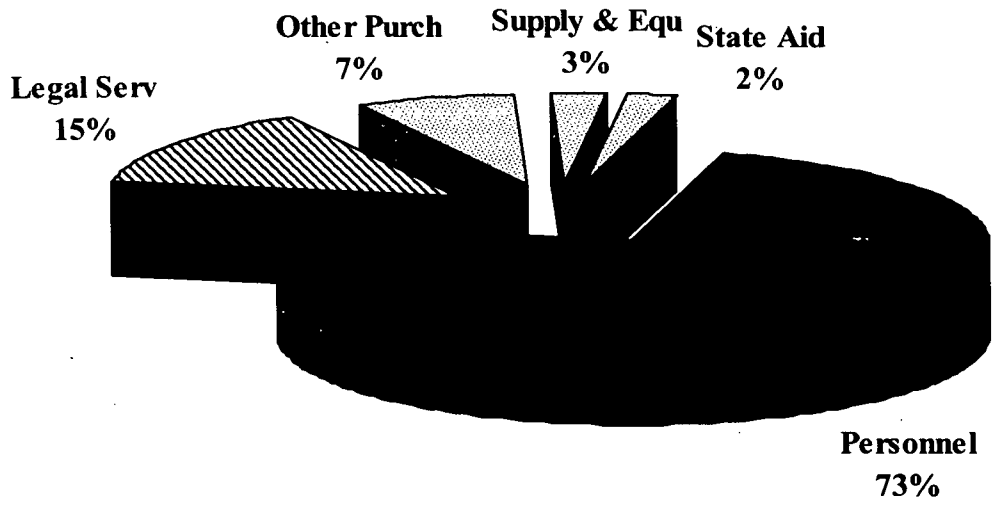
Legal Services: $ 56.1

Misc Contract: $ 4.1

Other Purchased Serv/Misc: $ 22.8

Supply & Equip: $ 10.2

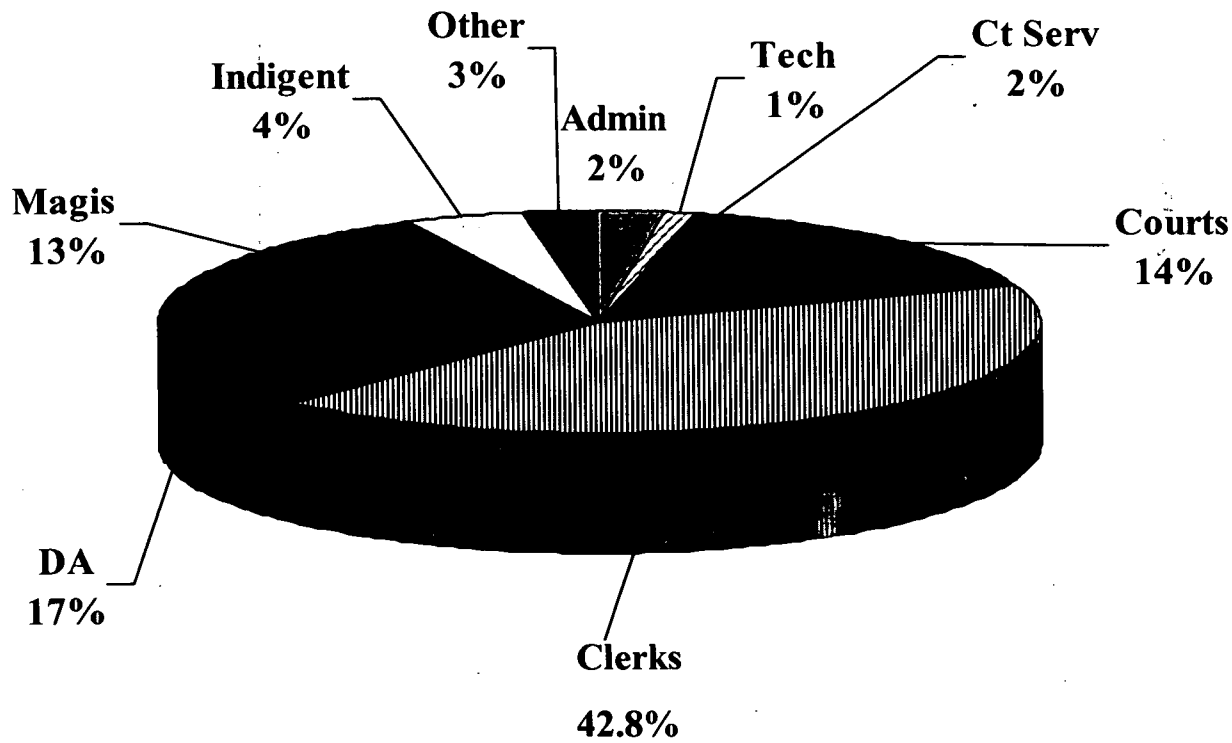
State Aid: $ 8.5



Source: BD701

Judicial Branch
Positions by Program 2000-01

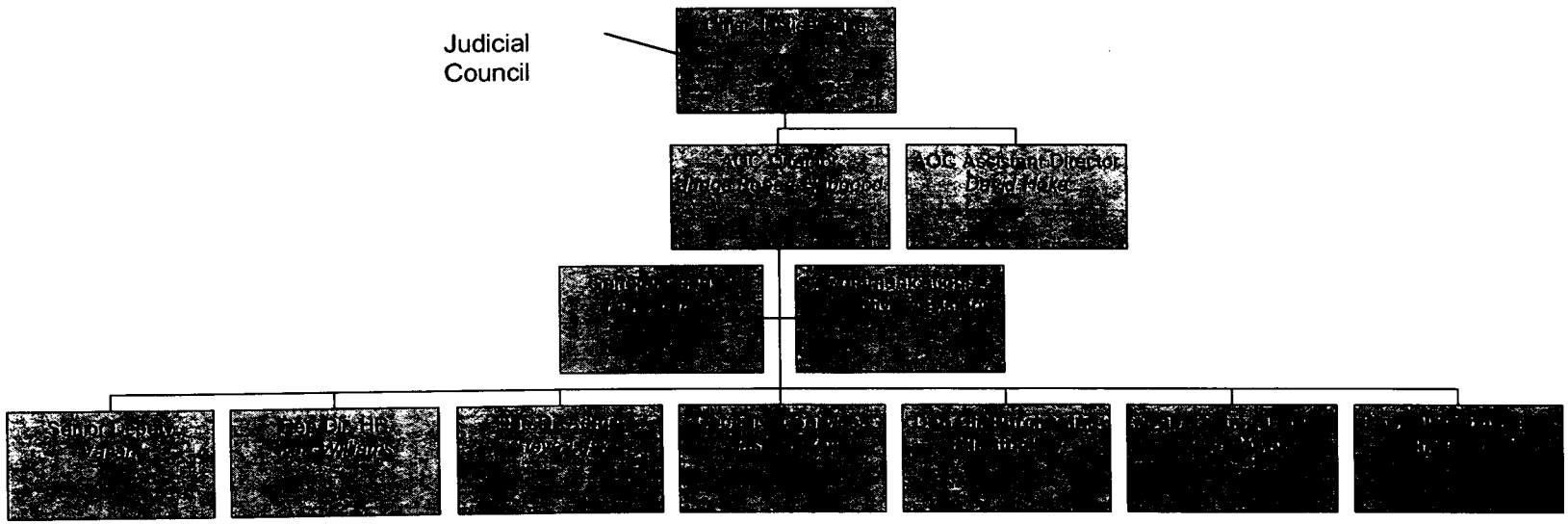
Positions	
Admin:	131
Tech:	72
Court Serv:	85
Courts:	777
Clerks:	2,339
DA's:	948
Magistrates:	719
Indigent Defense	240
Other	153
TOTAL	5,464



Other includes Family Court, Drug Treatment Court, Guardian Ad Litem, Sent Services and Commissions

Source: AOC Dec 2000

Judicial Branch Organization



Indigent Defense Commission--Director

Sentencing Commission--Director

Judicial Standards Commission--Director

AOC Reorganization

- This reflects a reorganization adopted August 2000
- Reorganization separated Court Services from Technology
- Reorganization separated Purchasing from Financial Services
- Increased # Deputies from 5 to 7

Legislative Actions 1999-2000

1999 Session---Judicial

- $2.39 Million recurring reductions in operating expenses plus $1.45 M nonrecurring reductions in 1st year
- Transferred Non-IVD Child Support collection to DHHS
- Added 14 Judges, 15 Court Personnel, 3 Magistrates, 11 Clerks, 37 DA staff
- Expanded Family Court, Worthless Check and Drug Treatment Court Programs
- Increased Emergency Judge Pay

Legislative Actions 1999-2000

1999 Session---Indigent

- $3.2 Million reductions from Governor's recommended budget for indigent fund

- Authorized Capital Case Pilot

- Authorized 4 new Assistant Public Defenders

Legislative Actions 2000-2001

2000 Session—Judicial

- Added 9 District Ct Judges, 11 Magistrates, 2 Court Reporters
- Expanded Court of Appeals by 3
- Expanded Worthless Check, Family Court and Community Mediation Programs
- Provided $4.3 Million recurring and $3.3 Million nonrecurring for Court Technology

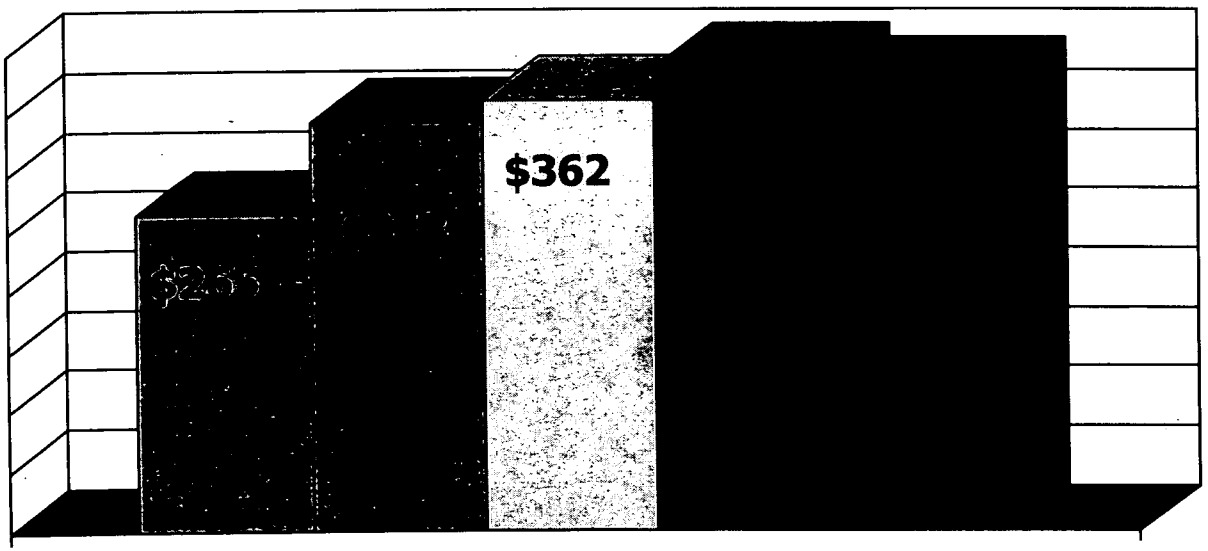
Legislative Actions 2000-2001

2000 Session—Indigent

- Created Office of Indigent Defense Services within Judicial Branch (5 pos)
- Added 4 attorneys to Special Counsel for the Mentally Ill
- $200,000 increase in Indigent Fund

Trends in Judicial Budget

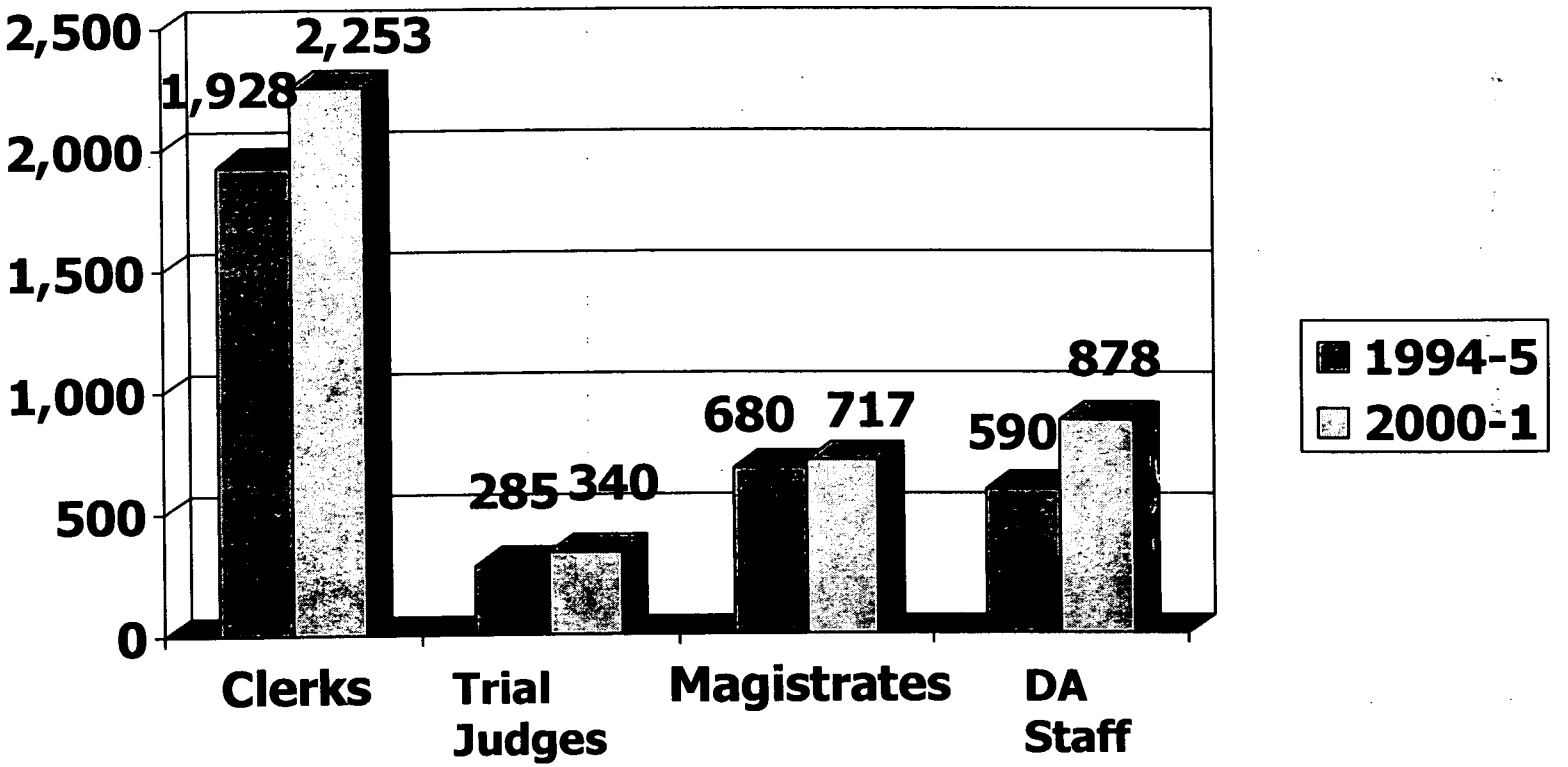
Expenditures ($ Mill)



47% increase 1994-5 to current year

(Includes OIDS; 1994-5 adjusted to remove juvenile probation)

Trends in Court Staffing



These account for 705 of the 1,050 new Judicial positions over this time span.

Current Year Recurring Authorized Budget
Judicial Department (inc OIDS)

	1999-2000 Actual	2000-2001 Authorized	*2000-2001 Recurring base for 2001-2*
Total Requirements	$361,900,878	$389,245,325	*$389,245,325*
(FY 00-01 NR Expansion)			*($7,913,690)*
FY 00-01 NR Reductions			*$1,824,045*
Recurring Requirements			*$383,155,680*
Total Receipts	$13,360,284	$8,222,348	*$8,222,348*
FY 00-01 Nonrecurring			
Recurring Receipts			
Total General Fund Appropriation	$348,540,594	$381,022,977	*$374,933,332*
Anticipated Current FY Total	N/A	*$379,022,977*	N/A
Positions	5,360	5,464	*5,464*

Actual based on June 30, 2000 BD 701
Nonrecurring adjustments per Easley Budget

Easley Budget Recommendation ($ Millions)

Dec 31 Authorized	$ 389.2
Minus 00-01 NR Expan	($ 7.9)
Add 00-01 NR Cuts	$ 1.8
Minus 00-01 Receipts	($ 8.2)
Recurring GF Expend	*$ 374.9*
Facility Lease Increase	$ .497
Indigent Def Increase	$ 5.6
Proposed Cuts	($ 3.64)
Result	*$ 377.3*

Judicial Branch Adjustments for Non-Recurring Items in 2000-2001

Details of AOC Non-Recurring Adjustments 2000-01

▪ 1-time expenses for new positions	$1,033,380
▪ Compensation Bonus	$2,427,889
▪ Business Court Rent	$ 44,000
▪ NDAA Membership	$ 48,000
▪ Drug Treatment Court Funds	$ 100,000
▪ Interpreters—Domestic Violence	$ 75,889
▪ Equipment/Wiring	$3,991,742
▪ Info Tech Facilities repair/rent	$ 150,000
▪ Info Tech Contractual	$ 42,790
TOTAL (inc Indigent)	$7,913,690

Analysis of Proposed Increase in Facility Lease

- $497,033 figure based on plans for AOC to relocate during Justice Bldg renovations. Renovation has been cancelled
- Revised figure: $241,082 for anticipated increases to 11 existing leases
- AOC needs $73,000 additional to continue lease for Business Court and for relocated Ct of Appeals staff
- Potential Reduction: $182,951 to $255,951

Analysis of Proposed Cuts

Item	Actual 99-00	Cert July 00	Auth Dec 00	Proposed Cut	Remains (Auth-Cut)
Jury Fees	$4,011,811	$3,993,547	$4,181,797	($275,000)	$3,906,797
Admin Contract	$3,024,852	$1,625,913	$4,114,578	($1,917,00)	$2,197,578
Temp Salaries	$1,976,592	$ 263,116	$1,711,576	($1,447,472)	$264,104

Details of Proposed Cuts

- Temporary Wages: 40% of the cut is allocated to administration, 28% to Clerks and 14% to District Attorney's offices.
- Contractual Services: 31% of the cut is allocated to information services and 28% to Clerks (IT projects charged to Clerks)
- $360,000 of the cut in contractual services is from the Drug Treatment Court ($1.15 M total for Dec 31 authorized) and $102,000 from Mecklenburg Speedy Drug Court

Interpretation of Proposed Cuts

- AOC intends to use lapsed salary to cover any shortfalls in these line items
- Result of cuts will be reduced reversions by AOC at end of 2001-2002
- Will not necessarily be reduction in spending in these line items

Governor's Budget Recommendations—What's Missing

- Original Continuation Budget process increased AOC spending $14 Million
- Current Recommended Budget does not include the following:
  - Annualization of new positions added midyear 2000-2001: $1.6 M personnel costs, $2.3 M including operating costs.
  - **Budgeted amount for longevity may be more than needed**
  - Equipment Replacement: $3.4 M technology equipment, $1.34 non-technology
  - Increased cost of court interpreters: $.5 M
  - Increased costs for equipment and software maintenance contracts, travel, utilities
- $600,000 cost 2001-3 to equip 6 new courthouses

Use of Lapsed Salary

	1999-2000	2000-2001	2001-2002
Indigent	$ 0. 6	$4.7	0
Contractual	$1.37	$0.56	$1.82
Temp Salary	$1.75	$1.65	$1.73
OSBM	$4.6	$2.0	$4.68
Interpreters	$0.09	$0.78	$0.78
Pay Plan/ Salary Reserve Errors	$2.7	$2.3	0
TOTAL	$11.4	$11.9	$9.2

OSBM includes Floyd reversions, portion of retirees salary, shortage in health funding. Figures in 2000-1 and 2001-2 are projected reversions

Other uses include OT/Shift pay, unemploy, disability, workers comp

2001-2 total lapsed reduced by $3.6 M cut

Lapsed Salary

- Lapsed salary can not generally be used to cover recurring costs such as annualization of new positions.
- Lapsed salary can not generally be used to cover non-personnel costs (eg equipment)
- To use lapsed salary to cover omissions from the budget would require a special provision to allow AOC to use lapsed in these areas.

Issues to Discuss

- Accept Governor's proposed cuts?
- Adjust lease expense item?
- How should AOC cover 'holes' in recommended budget?

Modified Zero Based Approach

- New Programs Since 1995—*primarily Alternative Dispute Resolution & Case Management--April 4&5*
- Funding to Non Profits *--April 5 and April 10*
- Equipment and Furniture Lease & Purchase—*April 11/12 in Ct Technology*
- Cell Phones—total budget *$37,449*
- *Positions Vacant more than 6 Months*
- Contracts—*primarily ct tech*
- **Travel –*April 3/4***

AOC Travel Expenses

- 1999-2000 Travel totaled $4.08 Million;
  12/2000 Authorized totals $4,625,964
- For 1999-2000, $3.3 M in-state travel, $93,420 out-of-state
- Of in-state travel, $2.375 M was mileage reimbursement and $283,236 was use of motor fleet
- $285,906 of travel was for field personnel
- An additional $691,457 went to Superior Court Judges for their subsistence allowance

AOC Annual Training Conferences

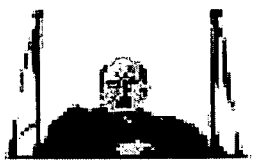
- $631,896 (19% of in-state travel) was for the annual conferences
  - Superior Court Judges: 3
  - District Court Judges: 3
  - Clerks: 2
  - Prosecutors: 2
  - Public Defenders: 1
  - Magistrates: 1

State Judicial Council

- Created by legislation in 1999, based on recommendations of the Court Futures Study
- 17 members representing each of the constituent parts of the Judicial Branch. Chief Justice is Chair
- Mandated to
  - review and advise the Chief Justice on the AOC budget and other matters
  - to study and recommend to the legislature on salary and benefits issues
  - to recommend to the Chief Justice performance standards, guidelines for assignment/management of cases and the use of alternative dispute resolution
- They may recommend changes in judicial district boundaries

Court Fees

- Court fees go to General Fund and local governments
- Annual collections approximately $90.8 M State General Court of Justice Fees and $29.5 M to local governments
- Fees were increased around $4 effective July 2000
- Current fees: $90 District Criminal
  $65 District Civil
  $115 Superior Criminal
  $ 80 Superior Civil



VISITOR REGISTRATION SHEET

Justice and Public Safety — 4/3/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
KEN WILLIAMS	AOC
STEVE LUSK	AOC
Cliff Long	AOC
Richard Tilley	AOC
Bob Loddegaard	GAL Volunteer
Peg Dorer	NC Conference of D.As
Michelle Frazier	NC Bar Assoc.
Lynne Winner	NCAOCR
Richard Garnett	DOC
Soren Schmidt	NC Justice Center
Deb Ross	NC-CLU

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday April 4, 2001
8:30 a.m. and 1:30 pm
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper
Representative R. Phillip Haire, Presiding

II. PRESENTATIONS

- Complete Judicial Branch Overview and Review of Governor's Recommended Budget

Elisa Wolper, Fiscal Research Division

- Trends in Court Workload

Elisa Wolper, Fiscal Research Division

- Court Staffing

Clerks
Prosecutors
Courts---District Court, Superior Court and Appellate

Elisa Wolper, Fiscal Research Division

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Thursday, April 5 – Sentencing Services, Alternative Dispute Resolution and Community Mediation Centers (Nonprofits)
Tuesday April 10 ---Indigent Defense

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, April 4, 2001,** at 8:30 a.m. in Room 415 LOB. Four (4) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. Larry Justus
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton
Rep. John Hall	

A Visitors Registration Sheet is attached and made part of these minutes.

Rep. Phil Haire chaired the meeting. He began by recognizing the Pages.

Rep. Haire called on Elisa Wolper, Staff, to make a presentation on the **Complete Judicial Branch Overview and Review of Governor's Recommended Budget**. Ms. Wolper picked up where she left off at the April 3, 2001, meeting. **(Handout #1, continued).** Ms. Wolper wanted to remind the committee where some of the adjustments came to get to the bottom line of $379 million. For comparison purposes, in 99-2000, the Judicial Branch spent $348,000. Current year projects to spend $379 million.

Ms. Wolper began with page 9 of **Handout #1** from April 3, 2001.

Rep. Kiser asked if it includes the leasing, does that include the leasing for the business court? Ms. Wolper replied that the Governor's Budget does not include that figure because that was specifically non-recurring by the General Assembly.

Rep, Kiser asked about Equipment and Wiring - page 16 - and said that he remembered that the $4 million was for new facilities, new courtrooms, and that we were obligated to equip these 5 or 6 – what happens if there is no money available? Ms. Wolper replied that the $4 million figure reflects the very substantial increase you gave to the Judicial Branch last session for technology and non-technology equipment – it was non-recurring. A small amount of that was for wiring some new courthouses and not an item that they could use lapse salaries for under normal procedures, but if they would have to free up funds for other non-personnel items or look to their technology fee fund. Rep. Kiser then asked much of this would it take to equip a new courtroom? Ms. Wolper stated that the figure was $600,000 - $450,000 this coming year and $150,000 the next.

Rep. Haire asked if the 28% to clerks is the same as the 28% - page 19 - contract services. Ms. Wolper said that is was just a coincidence.

Rep. Kiser asked about the $102,000 – page 19 – what does that do to that program? Ms. Wolper said that it appears that they don't spend their full budget, get local funding and

some of the positions have been made permanent and may have just been some overage in the budget.

Rep. Kiser asked that if the indigent funds weren't sufficient, where would that money come from? Ms. Wolper stated that the separate fund that houses the indigent defense fund does generate some lapse salary, probably about $800,000 a year, so they can cover it. Their options have been the State Budget, the General Assembly could direct the use of lapse salaries, or they can hold the checks and pay them in the next fiscal year.

Rep. Kiser asked about the Superior Court Judges travel and if they get a base amount whether they are in the county or not. Do they get the same amount when they go back to their own county? Ms. Wolper said there was a $7,000 allotment per Superior Court Judge – also get mileage reimbursement when they travel – no lodging. Rep. Kiser asked about District Court Judges. Ms. Wolper replied that they are treated like other state employees and their reimbursement is based on the actual specifics of a trip. Rep. Kiser asked about the emergency Superior Court Judges and are they on actual expenses? Ms. Wolper deferred to Judge Bob Hobgood. AOC, who said it was based on actual expenses and the request was not to stay in expensive place and stay close to what the state allows. Rep. Kiser asked if after raising the pay for emergency judges from $100 to $200-$300 per day – is that still at $300? Judge Hobgood commented that his father started at $100 per week and the arbitration court payed him $100 per hour.

Sen. Ballance asked if District Court Judges were only traveling in their District? Ms. Wolper replied yes.

Ms. Wolper addressed two follow-up questions asked previously in **(Handout #2).**

Rep. Kiser asked if we had any figures on how much of court fees are never collected? Ms. Wolper said that they do not have that information and Judge Hobgood said he would try to get that information. Rep. Kiser asked if there was any way to collect more court fees? Judge Hobgood said that people owe money at the end of probation, but it doesn't make sense to put them back in jail – too expensive- when they have done everything else right.

Ms. Wolper moved on to **(Handout #3) – <u>Court Workload Trends</u>**.

Rep Kiser asked if we had a study on how many individuals the court was dealing with – was thee a study performed on that? Ms. Wolper stated that the conference of DA's has commissioned a study on that issue. Headcount vs. cases – have never heard of a formal study.

Rep. Goodwin asked how many cases in Civil Superior Court actually proceeded to trial? Ms. Wolper said that she would make sure they include that number when they talk about the number of dispute resolutions.

Rep. Haire in looking at District Court Non-Motor Vehicles asked if that would be all other civil cases or cases that would not involve motor vehicle accidents? Ms. Wolper replied criminal not motor vehicle.

Rep. Kiser asked what misd. meant. Ms. Wolper said that was misdemeanor criminal. Rep. Kiser asked under which court driving under the influence would fall. Ms. Wolper replied that it would misdemeanor.

Rep. Goodwin asked regarding Trends in age of cases which had fallen and are now on the rise, what are the causes? – increasing complexity of cases, courtrooms, discovery issues, appeals – is there any significant data to show why this is rising again? Ms. Wolper stated that a lot of the issues mentioned are factors, volume of criminal cases taking preferences. Judge Hobgood stated that there was no definitive study. Mediation has settled a lot of cases in earlier times. Those that do not get resolved in mediation are tough – the most significant factor. Discovery becomes more important; case is complex and takes more time. Also, out of state litigation seem to take a long time. There is no significant study, only estimations.

Rep. Goodwin asked if there had been any studies to limit continuance requests? Judge Hobgood said that on the form there is a suggested trial date – maybe six months down the road. That has given lawyers the idea that they had better get busy with discovery if there is an impasse in the mediation. There are more continuations in the first trial date and they are monitored pretty continuously throughout the state. There must be valid reasons for continuance and we have tried to record how many continuances there have been.

Ms. Wolper continued with the presentation.

Rep. Kiser asked regarding page 13 – Cost of Day in Court - if you call 70 jurors and keep them there three or four days how will that work out? Ms. Wolper replied that the cost would drop after the first day because you don't keep everyone and then goes up again if you held people over. This is generally looking at a one-day trial.

Rep. Haire announced that we would proceed with **Court Staffing: Clerks of Superior Courts (Handout #4) and** would come back at 1:30 p.m.

Ms. Wolper began with the first of three presentations on the specific pieces of the Court Systems – Clerks, Prosecutors, and all Courts.

Rep. Kiser asked about the different duties between the Deputy and Assistant Clerk? Judge Hobgood stated that the Assistant Clerk who has remarkable experience – could conduct any kind of hearing that the Deputy Clerk can. Bookkeepers are paid the same as Assistant Clerks – they have technical duties and responsibilities. The Deputy Clerks are less experienced and have the basic duties. Rep. Kiser asked how many assistants there were and is there an assistant in every county? Who determines the number of people who will be classified as Assistants? Judge Hobgood answered that there is an assistant in

every county. Bookkeepers are not counted in number of Assistants. Ms. Wolper said that there are currently 423 Assistant Clerks and at the end of the handout there is a county by county breakdown of the number of positions and also the number or Assistant Clerks.

Ms. Wolper continued with the presentation.

Due to time restraints, the meeting was adjourned until 1:30 in Room 421.

Rep. Phil Haire, Presiding House Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

Justice and Public Safety — 4/04/01 8:30

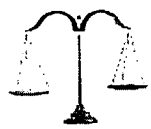
Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
KEN WILLIAMS	AOC
Bob Hobgood	AOC
Richard Little	AOC
Bill Goodman	GAL volunteer
Michelle Frazier	NC Bar Assoc.
Tomakio Dennis	CJPC
Greg Mcleod	CCPS
Lee Lewis	DMH/DD/SAS
Anne Wimsatt	NCAOC

april 4, 2001
8:30
continued Handout
from april 3
(# 1)

Overview of Judicial Branch



Joint Appropriations Subcommittee on Justice and Public Safety

April 3, 2001

Fiscal Research Division

1

Schedule of Topics—Judicial Branch

- Overview & Governor's Budget Issues
- Workload & Staffing
- Special Programs/Case Management (Family Court, Drug Treatment, etc)
- Alternative Dispute Resolution, Sentencing Services (including grants to nonprofits)
- Indigent Defense Services, Guardian Ad Litem
- Court Technology

2

Judicial Branch (inc OIDS)
Authorized Expenditures by Program
Dec 31, 2000

AOC Budget (in millions)

Admin: $ 18.5

Tech: $ 19.1

Courts: $107

Clerks: $ 98.6

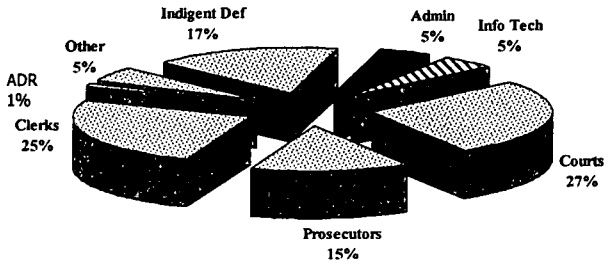
DA's: $ 56.6

Alternative Dispute : $ 4.4

Other $ 18.9

Indigent $ 66.1

TOTAL: $ 389.2



Other includes Family Court, Drug Treatment Court, Guardian Ad Litem, Sent Services and Commissions

Source: BD701

3

Judicial Branch (inc OIDS)
Authorized Expenditures by Type
Dec 31, 2000

AOC Budget (in millions)

Personnel: $287

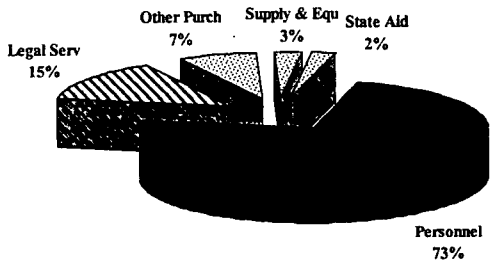
Legal Services: $ 56.1

Misc Contract: $ 4.1

Other Purchased Serv/Misc: $ 22.8

Supply & Equip: $ 10.2

State Aid: $ 8.5

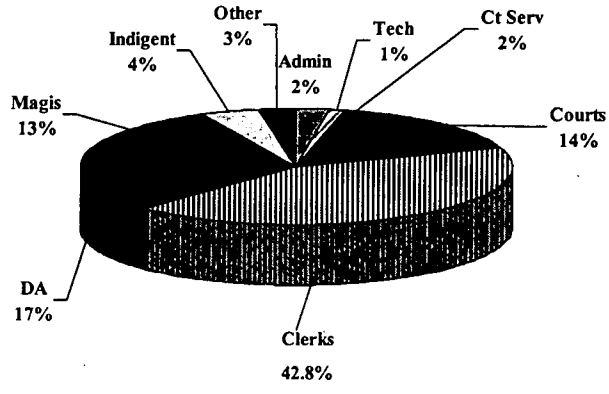


Source: BD701

4

Judicial Branch
Positions by Program 2000-01

Positions	
Admin:	131
Tech:	72
Court Serv:	85
Courts:	777
Clerks:	2,339
DA's:	948
Magistrates:	719
Indigent Defense	240
Other	153
TOTAL	5,464

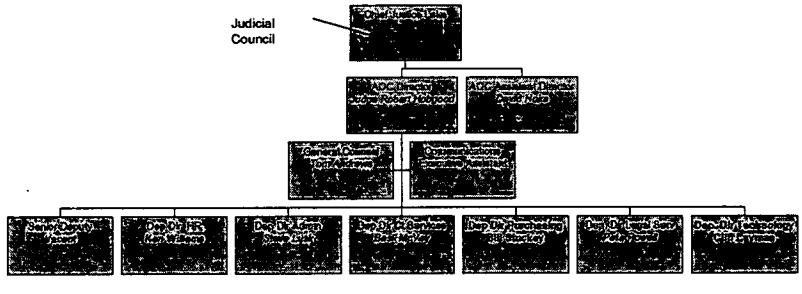


Other includes Family Court, Drug Treatment Court, Guardian Ad Litem, Sent Services and Commissions

Source: AOC Dec 2000

5

Judicial Branch Organization



Indigent Defense Commission–Director

Sentencing Commission–Director

Judicial Standards Commission–Director

6

AOC Reorganization

- This reflects a reorganization adopted August 2000
- Reorganization separated Court Services from Technology
- Reorganization separated Purchasing from Financial Services
- Increased # Deputies from 5 to 7

7

Legislative Actions 1999-2000

1999 Session---Judicial

- $2.39 Million recurring reductions in operating expenses plus $1.45 M nonrecurring reductions in 1st year
- Transferred Non-IVD Child Support collection to DHHS
- Added 14 Judges, 15 Court Personnel, 3 Magistrates, 11 Clerks, 37 DA staff
- Expanded Family Court, Worthless Check and Drug Treatment Court Programs
- Increased Emergency Judge Pay

8

Legislative Actions 1999-2000

1999 Session---Indigent

- $3.2 Million reductions from Governor's recommended budget for indigent fund
- Authorized Capital Case Pilot

- Authorized 4 new Assistant Public Defenders

9

Legislative Actions 2000-2001

2000 Session—Judicial

- Added 9 District Ct Judges, 11 Magistrates, 2 Court Reporters
- Expanded Court of Appeals by 3
- Expanded Worthless Check, Family Court and Community Mediation Programs
- Provided $4.3 Million recurring and $3.3 Million nonrecurring for Court Technology

10

Legislative Actions 2000-2001

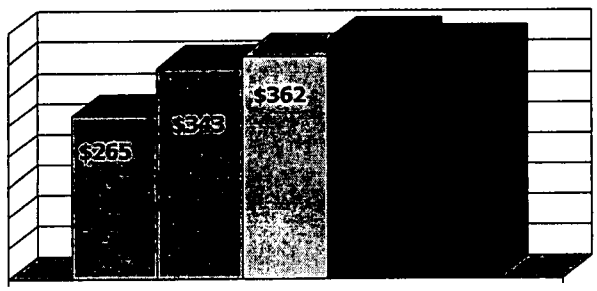
2000 Session—Indigent

- Created Office of Indigent Defense Services within Judicial Branch (5 pos)
- Added 4 attorneys to Special Counsel for the Mentally Ill
- $200,000 increase in Indigent Fund

11

Trends in Judicial Budget

Expenditures ($ Mill)



94-95 98-99 99-00 00-01 01-02

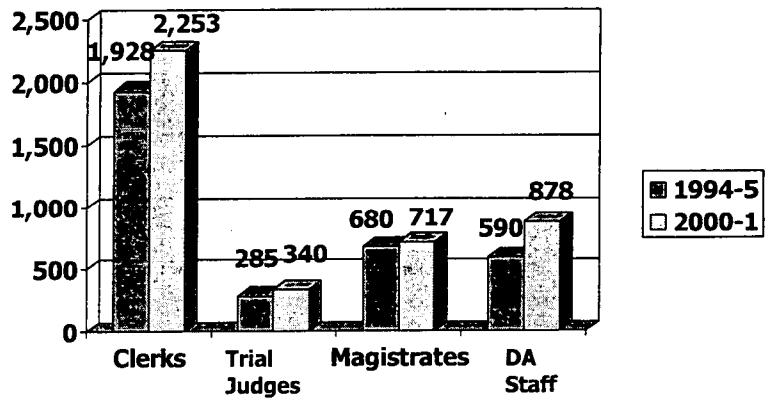
Fiscal Year

47% increase 1994-5 to current year

(Includes OIDS; 1994-5 adjusted to remove juvenile probation)

12

Trends in Court Staffing



These account for 705 of the 1,050 new Judicial positions over this time span.

13

Current Year Recurring Authorized Budget
Judicial Department (inc OIDS)

	1999-2000 Actual	2000-2001 Authorized	*2000-2001 Recurring base for 2001-2*
Total Requirements	$361,900,878	$389,245,325	*$389,245,325*
(FY 00-01 NR Expansion)			*($7,913,690)*
FY 00-01 NR Reductions			*$1,824,045*
Recurring Requirements			*$383,155,680*
Total Receipts	$13,360,284	$8,222,348	*$8,222,348*
FY 00-01 Nonrecurring			
Recurring Receipts			
Total General Fund	$348,540,594	$381,022,977	*$374,933,332*
Appropriation			
Anticipated Current FY Total	N/A	*$379,022,977*	N/A
Positions	5,360	5,464	*5,464*

Actual based on June 30, 2000 BD 701
Nonrecurring adjustments per Easley Budget

14

Easley Budget Recommendation ($ Millions)

Dec 31 Authorized	$ 389.2
Minus 00-01 NR Expan	($ 7.9)
Add 00-01 NR Cuts	$ 1.8
Minus 00-01 Receipts	($ 8.2)
Recurring GF Expend	*$ 374.9*
Facility Lease Increase	$ .497
Indigent Def Increase	$ 5.6
Proposed Cuts	($ 3.64)
Result	*$ 377.3*

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Judicial Branch Adjustments for Non-Recurring Items in 2000-2001

Details of AOC Non-Recurring Adjustments 2000-01

▪ 1-time expenses for new positions	$1,033,380
▪ Compensation Bonus	$2,427,889
▪ Business Court Rent	$ 44,000
▪ NDAA Membership	$ 48,000
▪ Drug Treatment Court Funds	$ 100,000
▪ Interpreters—Domestic Violence	$ 75,889
▪ Equipment/Wiring	$3,991,742
▪ Info Tech Facilities repair/rent	$ 150,000
▪ Info Tech Contractual	$ 42,790
TOTAL (inc Indigent)	$7,913,690

16

started 4/4/01

Analysis of Proposed Increase in Facility Lease

- $497,033 figure based on plans for AOC to relocate during Justice Bldg renovations. Renovation has been cancelled
- Revised figure: $241,082 for anticipated increases to 11 existing leases
- AOC needs $73,000 additional to continue lease for Business Court and for relocated Ct of Appeals staff
- Potential Reduction: $182,951 to $255,951

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Analysis of Proposed Cuts

Item	Actual 99-00	Cert July 00	Auth Dec 00	Proposed Cut	Remains (Auth-Cut)
Jury Fees	$4,011,811	$3,993,547	$4,181,797	($275,000)	$3,906,797
Admin Contract	$3,024,852	$1,625,913	$4,114,578	($1,917,00)	$2,197,578
Temp Salaries	$1,976,592	$ 263,116	$1,711,576	($1,447,472)	$264,104

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Details of Proposed Cuts

- Temporary Wages: 40% of the cut is allocated to administration, 28% to Clerks and 14% to District Attorney's offices.
- Contractual Services: 31% of the cut is allocated to information services and 28% to Clerks (IT projects charged to Clerks)
- $360,000 of the cut in contractual services is from the Drug Treatment Court ($1.15 M total for Dec 31 authorized) and $102,000 from Mecklenburg Speedy Drug Court

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Interpretation of Proposed Cuts

- AOC intends to use lapsed salary to cover any shortfalls in these line items
- Result of cuts will be reduced reversions by AOC at end of 2001-2002
- Will not necessarily be reduction in spending in these line items

20

Governor's Budget Recommendations—What's Missing

- Original Continuation Budget process increased AOC spending $14 Million
- Current Recommended Budget does not include the following:
  - Annualization of new positions added midyear 2000-2001: $1.6 M personnel costs, $2.3 M including operating costs.
  - **Budgeted amount for longevity may be more than needed**
  - Equipment Replacement: $3.4 M technology equipment, $1.34 non-technology
  - Increased cost of court interpreters: $.5 M
  - Increased costs for equipment and software maintenance contracts, travel, utilities
- $600,000 cost 2001-3 to equip 6 new courthouses

21

Use of Lapsed Salary Best guess

	1999-2000	2000-2001	2001-2002
Indigent	$ 0. 6	$4.7	0
Contractual	$1.37	$0.56	$1.82
Temp Salary	$1.75	$1.65	$1.73
OSBM	$4.6	$2.0	$4.68
Interpreters	$0.09	$0.78	$0.78
Pay Plan/ Salary Reserve Errors	$2.7	$2.3	0
TOTAL	$11.4	$11.9	$9.2

OSBM includes Floyd reversions, portion of retirees salary, shortage in health funding. Figures in 2000-1 and 2001-2 are projected reversions

Other uses include OT/Shift pay, unemploy, disability, workers comp

2001-2 total lapsed reduced by $3.6 M cut

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Lapsed Salary

- Lapsed salary can not generally be used to cover recurring costs such as annualization of new positions.
- Lapsed salary can not generally be used to cover non-personnel costs (eg equipment)
- To use lapsed salary to cover omissions from the budget would require a special provision to allow AOC to use lapsed in these areas.

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Issues to Discuss

- Accept Governor's proposed cuts?
- Adjust lease expense item?
- How should AOC cover 'holes' in recommended budget?

24

Modified Zero Based Approach

- New Programs Since 1995—*primarily Alternative Dispute Resolution & Case Management--April 4&5*
- Funding to Non Profits *--April 5 and April 10*
- Equipment and Furniture Lease & Purchase—*April 11/12 in Ct Technology*
- Cell Phones—total budget *$37,449*
- *Positions Vacant more than 6 Months*
- Contracts—*primarily ct tech*
- **Travel –*April 3/4***

25

AOC Travel Expenses

- 1999-2000 Travel totaled $4.08 Million; 12/2000 Authorized totals $4,625,964
- For 1999-2000, $3.3 M in-state travel, $93,420 out-of-state
- Of in-state travel, $2.375 M was mileage reimbursement and $283,236 was use of motor fleet
- $285,906 of travel was for field personnel
- An additional $691,457 went to Superior Court Judges for their subsistence allowance

26

AOC Annual Training Conferences

- $631,896 (19% of in-state travel) was for the annual conferences
  - Superior Court Judges: 3
  - District Court Judges: 3
  - Clerks: 2
  - Prosecutors: 2
  - Public Defenders: 1
  - Magistrates: 1

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State Judicial Council

- Created by legislation in 1999, based on recommendations of the Court Futures Study
- 17 members representing each of the constituent parts of the Judicial Branch. Chief Justice is Chair
- Mandated to
  - review and advise the Chief Justice on the AOC budget and other matters
  - to study and recommend to the legislature on salary and benefits issues
  - to recommend to the Chief Justice performance standards, guidelines for assignment/management of cases and the use of alternative dispute resolution
- They may recommend changes in judicial district boundaries

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Court Fees

- Court fees go to General Fund and local governments
- Annual collections approximately $90.8 M State General Court of Justice Fees and $29.5 M to local governments
- Fees were increased around $4 effective July 2000
- Current fees: $90 District Criminal
  $65 District Civil
  $115 Superior Criminal
  $ 80 Superior Civil

29

April 4, 2001
8:30
Handout # 2

Follow-up to Questions on Judicial Branch Overview

COMMISSION BUDGETS

	1999-2000	2000-2001
Sentencing Commission	$653,188	$700,460
Judicial Standards Commission	$114,703	$118,056

Projected Revenue from $1 Increase in Court Fees:	$1,453,813
AOC Estimate of Critical Omissions	$3,999,142
AOC Estimate of Omissions + Needs	5311090
Court Fee Increase to Cover Omissions	$2.75
Court Fee Increase to Cover Omissions + Needs	$3.65

Handout #3
april 4, 2001
8:30

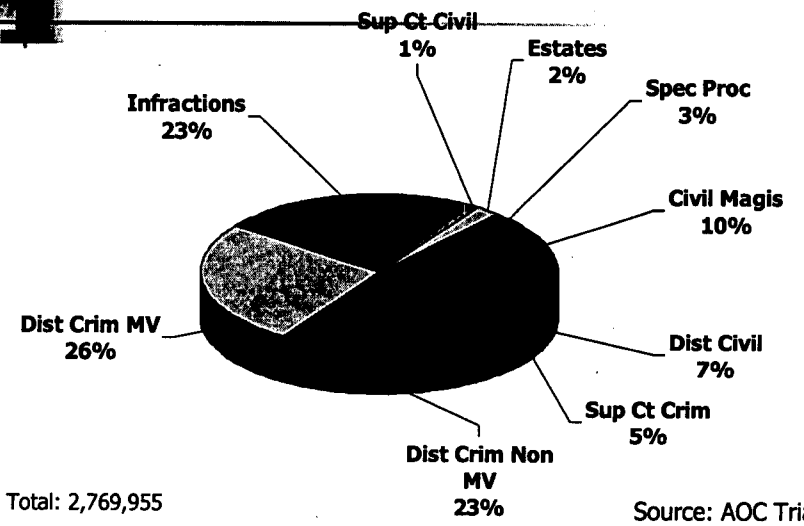
Court Workload Trends

Joint Appropriations Subcommittee
on Justice & Public Safety
April 3, 2001

Fiscal Research Division

1

Total Court Activity 1999-2000

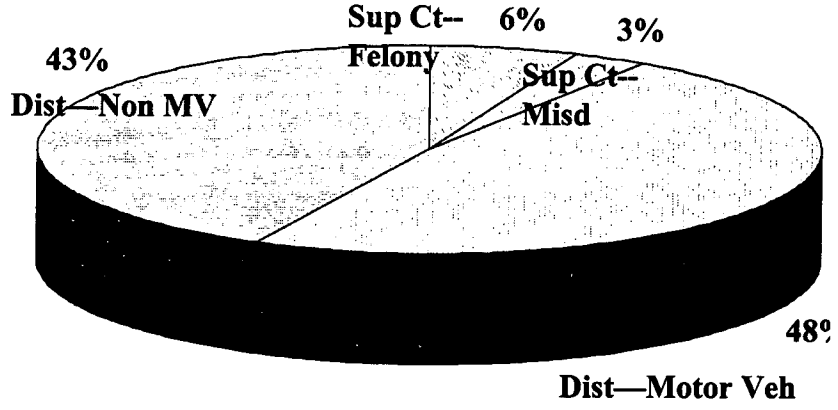


Total: 2,769,955

Source: AOC Trial Ct Caseload Stats

2

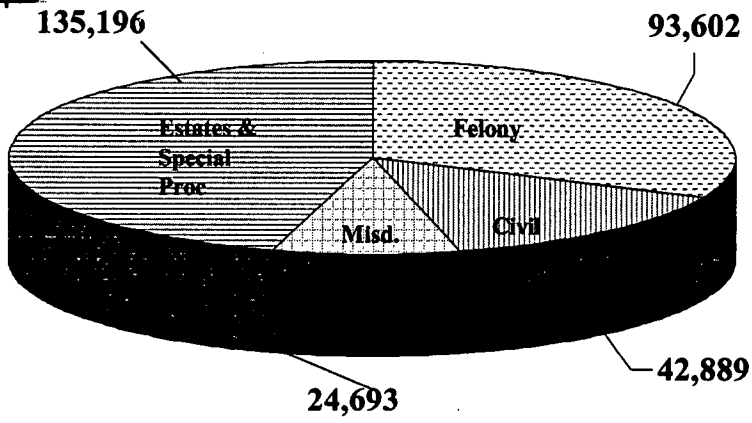
Criminal Dispositions 1999-2000



Total of 1,467,762

3

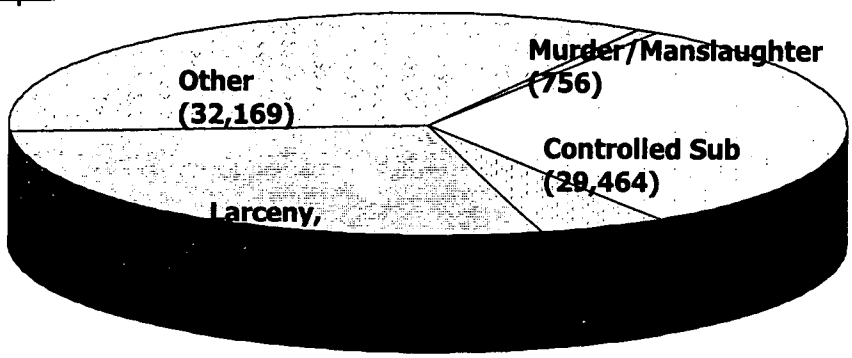
Superior Court Filings 1999-2000



Total 296,380

4

Superior Ct Felony Criminal Filings 99-00

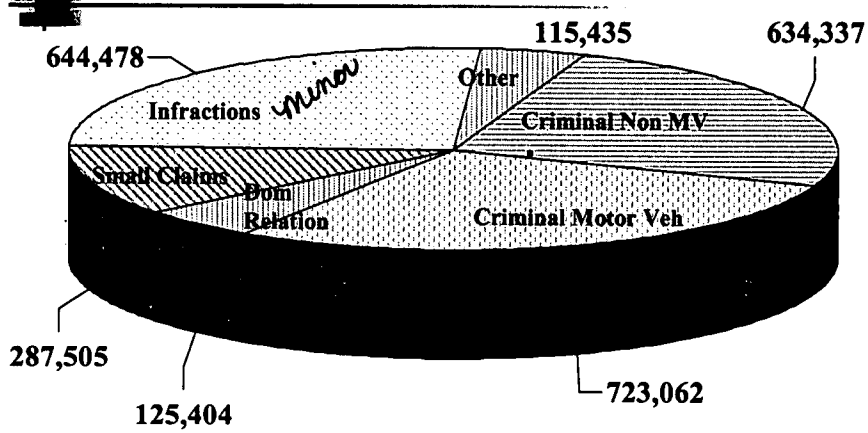


Total: 93,602

Other includes Assault, Arson, Forgery, Fraud

5

District Court Filings 1999-2000



Total: 2,530,221

District Courts handled 85,608 *felony* probable cause matters

6

Growth in Filings 1994-5—1999-00

- Superior Ct 14.1%
  District Ct 6.5%
- Criminal 11.4%
  Civil 2.4%
- Motor Veh 21.9%
- Domestic 19.5%
- Special Proceed 24.5%

7

Trends in Selected Filings

Year	1994-5	1996-7	1998-9	1999-00
Sup Ct Criminal (10.4%)	123,681	133,918	140,648	136,491
Sup Ct Other(20.5%)	130,241	136,192	149,101	159,889
Dist Ct Crim MV (23.7%)	584,729	658,273	712,757	723,062
Dist Ct Domestic (21%)	103,680	112,905	123,913	125,404
Sup Ct Controlled Substances (11%)	26,532	28,987	30,113	29,464

8

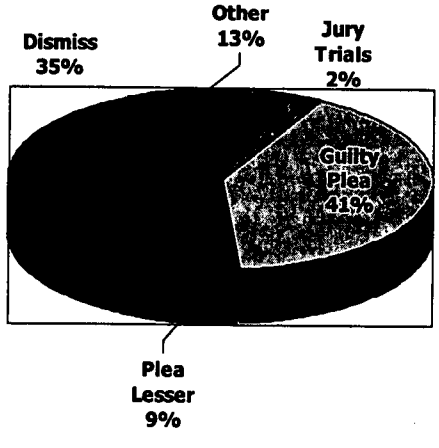
Criminal Filings Compared to Other Trends

Year	1994-1995	1999-2000	% Change
Criminal Filings	1,341,246	1,493,890	11.4 %
Assistant DA's	299	434	45.1%
Certified Law Enf	23,419	26,915	14.9%
Population	7,186,050	8,049,313	12.0%

9

Superior Court Criminal Dispositions 1999-2000

- Jury Trials 352
- Guilty Pleas 54,413
- Plea Lesser Charge 12,084
- DA Dismissal 46,939
- Other 17,044



10

Trends in Disposition of Cases

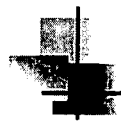
- Felony Trial Rate has varied from 2.29% to 2.85% over 10 years--- no clear trend
- Misdemeanor Trial Rate has varied from 1.97% to 2.46%, also no clear trend
- Guilty Plea rate has fallen from 63.3% to 60.8% (felon) and 29.7% to 26% (misd) since 1994-5
- DA Dismissal rate for Felons has trended downward (35.3% vs 32.6%) but rate for misdemeanors is erratic
- Trial Rate for Superior Civil cases has fallen

11

Trends in Age of Cases

- Median age of pending Superior Ct cases peaked in 1993, fell through 1997 but has been rising since
- Age of District Ct Civil cases has fallen steadily since 1992
- Median age of cases at disposal was as follows in 1999-2000: Sup Ct Felony –121, Sup Ct Misd-99, Sup Ct Civil 239, Dist Ct Non-MV—59 days.

12



Cost of Day in Court 2001

- Superior Ct Criminal (Jury) $2,046
- Superior Ct Criminal (Plea) $1,686
- Superior Ct Civil (Jury) $1,379
- District Ct Criminal $1,355
- District Ct Civil (Jury) $1,048
- District Ct Civil (Judge) $ 688

13

Court Staffing: Clerks of Superior Courts

Joint Appropriations Subcommittee on Justice & Public Safety

April 4, 2001

Handout #4
April 4, 2001
8:30

Growth in Caseload, FY88/9 -- FY99/0

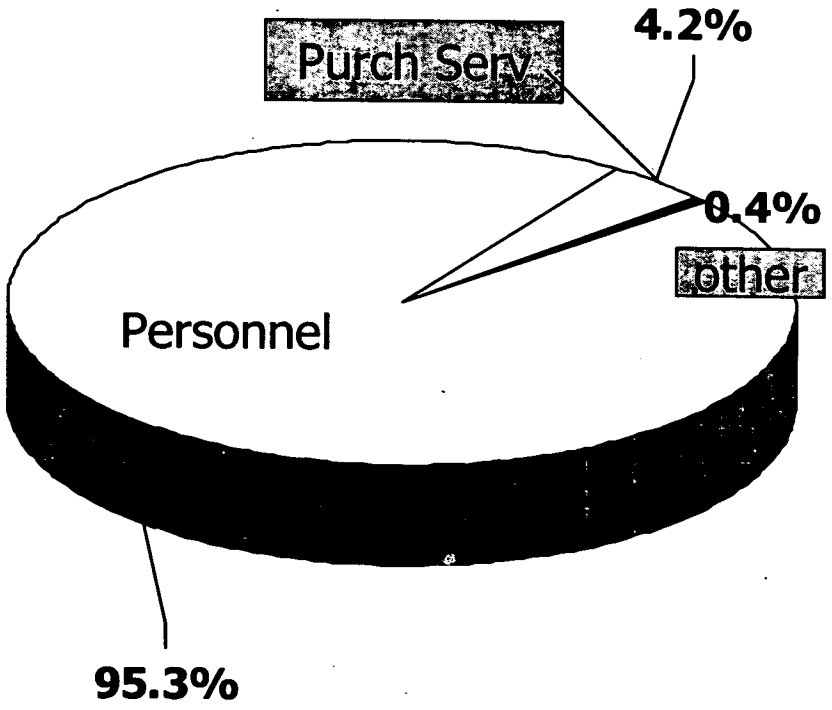
	87/8	88/9	89/90	90/1	91/2	92/3	93/4	94/5	95/6	96/7	97/8	98/9	99/0
Number of Magistrates	640	644	654	659	653	658	659	676	679	687	696	703	706
Total Caseload	514,710	556,890	603,328	610,286	629,589	607,989	620,977	632,836	634,291	657,933	656,479	648,053	634,337
Caseload per Magistrate	804	865	923	926	964	924	942	936	934	958	943	922	898
Number of Clerks	1,745.60	1,756.60	1,820.00	1,824.90	1,863.95	1,914.15	2,025.15	2,021.50	2,048.50	2,078.50	2,078.50	2,227.50	2,338.50
Total Caseload	2,197,045	2,415,328	2,493,245	2,485,191	2,541,175	2,451,457	2,541,072	2,674,853	2,716,758	2,788,167	2,815,357	2,866,960	2,826,601
Caseload per Clerk	1,259	1,375	1,370	1,362	1,363	1,281	1,255	1,323	1,326	1,341	1,355	1,287	1,209
Number of Prosecutors	262	268	287	294	304	325	338	338	346	406	460	464	473
Total Caseload	1,049,721	1,183,538	1,299,865	1,307,817	1,345,084	1,305,630	1,377,080	1,472,335	1,502,402	1,575,143	1,621,013	1,669,187	1,646,024
Caseload per Prosecutor	4,007	4,416	4,529	4,448	4,425	4,017	4,074	4,356	4,342	3,880	3,524	3,597	3,480
Number of District Court Judges	151	162	164	179	179	179	180	192	194	198	204	226	226
Total Caseload	871,665	982,139	1,066,847	1,052,315	1,070,924	1,020,143	1,104,660	1,176,347	1,203,405	1,259,185	1,291,031	1,342,096	1,325,101
Caseload per Judge	5,773	6,063	6,505	5,879	5,983	5,699	6,137	6,127	6,203	6,360	6,329	5,938	5,863
Number of Superior Court Judges	74	77	77	83	83	83	92	93	95	99	99	105	105
Total Caseload	72,383	81,615	89,195	90,790	99,438	91,575	93,387	89,308	93,883	101,567	104,267	104,353	99,453
Caseload per Judge	978	1,060	1,158	1,094	1,198	1,103	1,015	960	988	1,026	1,053	994	947

Number of magistrates is the number authorized at the end of each fiscal year. Number of clerks includes the Clerks of Superior Court and their assistants and deputies as authorized at the end of the fiscal year. Number of prosecutors includes the district attorneys and their assistant district attorneys as authorized at the end of the fiscal year. Numbers of judges are the numbers of judgeships authorized at the end of the fiscal year (including special superior court judgeships).

Total caseload for magistrates is represented by the number of non-motor vehicle filings. Total caseload for prosecutors includes all criminal and infraction filings, less those disposed by waiver of appearance. District court judge caseload is the number of district court filings less those disposed by clerks or magistrates, by voluntary dismissal, and those superseded by indictment. Superior court judge caseload includes all superior criminal and civil filings, less those disposed by clerks or by voluntary dismissal.

Clerks of Courts—Authorized Budget

- Personnel Costs make up 95% of Budget
- Major operating costs are telephone $1.1 M, postage $1.2 M, equipment maintenance/ repair $0.5 M.
- 2000-2001 travel budget is $354,225; 1999-2000 actual was $263,376. Of this $138,000 was to attend conferences
- 2000-2001 budget includes $550,000 contractual services for IT projects



$98.6 M

Clerks of Court--Staffing

- 100 Clerks of Superior Court
- 2,239.5 fte Deputy/Assistant/Bookeeper
- Of these, 2,208 are full-time
- Staff size ranges from 3.75 (Clay) to 138.75 (Meck)
- # of assistant clerks rises with fte
- Vacancies (2/01): 34.25 Deputy, 7 Assistant; 10 vacancies ≥ older than 6 months

New Clerks Staff by Session

1995	25
1996	40
1997	100
1998	149
1999	11
2000	0

325(16.9%)

Clerk of Courts—Staffing Issues

- Clerks offices are the area most likely to see reduced workload as court technology improvements continue—automating judgment abstracts, e-citation, magistrates system, internet connectivity
- Clerks offices workload was reduced when Non-IVD Child Support collection was transferred to DHHS in 1998. State Audit at time did not see justification for reduction in staff.
- Clerks have concerns about new workload from Victims Rights Act, revision of Juvenile Code and increases in domestic violence cases

Clerks of Court—Staffing Study

- Recent study by Jefferson Institute looked at Clerks staffing and workload
- Highlighted the importance of automation, including automation of juvenile system
- Suggested revision in factors used in workload rankings; estates, District Civil, Superior Civil and District Criminal
- Would take 70 new positions in 2001-2 to match 1989 average workload levels. Study recommended 50 new positions annually for 3 years.

Other Issues

- 2000 Legislature increased starting pay in Deputy Clerks pay plan (eliminated hiring rate) to $21,940 (10% increase)

- Automation of Civil Judgement Abstracts project underway

- Role of Clerks is not detailed in one place. "The Clerks of the Superior Court shall have such jurisdiction and powers as the General Assembly shall prescribe by general law uniformly applicable in every county of the State."

CLERKS OF SUPERIOR COURT
DEPUTY AND ASSISTANT CLERKS
AS OF SEPTEMBER 2000

COUNTY #	COUNTY	CLERK OF SUPERIOR COURT	DEPUTY CLERKS/BOOKKEEPERS/ASSISTANT CLERKS						ASST CLERKS	
			PERM FT	PERM PT (30 hours)	PERM PT (20 hours)	PERM PT (10 hours)	TEMP	PERM FTE	QUOTA	UTILIZED
00	ALAMANCE	1	37					37	7	7
01	ALEXANDER	1	9					9	2	2
02	ALLEGHANY	1	3	1				3.75	1	1
03	ANSON	1	10	1				10.75	3	3
04	ASHE	1	7					7	2	2
05	AVERY	1	7					7	2	2
06	BEAUFORT	1	18	1				18.75	4	4
07	BERTIE	1	10					10	2	1
08	BLADEN	1	15					15	3	3
09	BRUNSWICK	1	18					18	4	4
10	BUNCOMBE	1	53	4				56	9	8
11	BURKE	1	25					25	5	5
12	CABARRUS	1	32					32	6	6
13	CALDWELL	1	25					25	5	5
14	CAMDEN	1	4		1			4.5	1	1
15	CARTERET	1	19					19	4	4
16	CASWELL	1	5	2	1			7	2	1
17	CATAWBA	1	34	2	1			36	7	6
18	CHATHAM	1	13					13	3	2
19	CHEROKEE	1	8					8	2	2
20	CHOWAN	1	8					8	2	2
21	CLAY	1	3	1				3.75	1	1
22	CLEVELAND	1	30					30	6	6
23	COLUMBUS	1	21					21	4	4
24	CRAVEN	1	27					27	5	5
25	CUMBERLAND	1	69					69	11	11
26	CURRITUCK	1	7					7	2	2
27	DARE	1	15					15	3	3
28	DAVIDSON	1	35	1				35.75	7	7
29	DAVIE	1	10	1				10.75	3	3
30	DUPLIN	1	16					16	4	3
31	DURHAM	1	59			1		59.25	10	10
32	EDGECOMBE	1	25					25	5	5
33	FORSYTH	1	82				1	82	13	13
34	FRANKLIN	1	13		1			13.5	3	3
35	GASTON	1	52					52	9	9
36	GATES	1	3	1				3.75	1	1
37	GRAHAM	1	4					4	1	1
38	GRANVILLE	1	16	1				16.75	4	4
39	GREENE **	1	6					6	2	1
40	GUILFORD-Greensboro	1	97				1	97	15	15
	GUILFORD-High Point		25					25	5	5
41	HALIFAX	1	22	1				22.75	5	5
42	HARNETT	1	22					22	5	4
43	HAYWOOD	1	15					15	3	3
44	HENDERSON	1	23					23	5	4
45	HERTFORD	1	11	1				11.75	3	3
46	HOKE	1	10					10	2	2
47	HYDE	1	3					3	1	1
48	IREDELL	1	31	1				31.75	6	6
49	JACKSON	1	8					8	2	2
50	JOHNSTON	1	29					29	6	5
51	JONES	1	5	1				5.75	2	2
52	LEE	1	18					18	4	4
53	LENOIR	1	23					23	5	5
54	LINCOLN	1	12	2				13.5	3	2
55	MACON	1	6					6	2	2
56	MADISON	1	6	1				6.75	2	2
57	MARTIN	1	11					11	3	3
58	McDOWELL	1	13					13	3	3
59	MECKLENBURG ***	1	138	1			2.5	138.75	21	19
60	MITCHELL	1	6					6	2	2
61	MONTGOMERY	1	10	1				10.75	3	3
62	MOORE	1	20	1				20.75	4	4
63	NASH	1	32					32	6	6
64	NEW HANOVER	1	45	1				45.75	8	6
65	NORTHAMPTON	1	10					10	2	2
66	ONSLOW	1	38					38	7	7

CLERKS OF SUPERIOR COURT
DEPUTY AND ASSISTANT CLERKS
AS OF SEPTEMBER 2000

COUNTY #	COUNTY	CLERK OF SUPERIOR COURT	DEPUTY CLERKS/BOOKKEEPERS/ASSISTANT CLERKS						ASST CLERKS	
			PERM FTE	PERM PT (30 hours)	PERM PT (20 hours)	PERM PT (10 hours)	TEMP	PERM FTE	QUOTA	UTILIZED
67	ORANGE	1	24					24	5	5
68	PAMLICO	1	4					4	1	1
69	PASQUOTANK **	1	12					12	3	2
70	PENDER	1	11	1				11.75	3	3
71	PERQUIMANS	1	6					6	2	1
72	PERSON	1	14					14	3	3
73	PITT	1	40					40	7	7
74	POLK	1	5	1				5.75	2	2
75	RANDOLPH	1	29	1				29.75	6	6
76	RICHMOND	1	17	1				17.75	4	4
77	ROBESON	1	45					45	8	7
78	ROCKINGHAM	1	29					29	6	6
79	ROWAN	1	31					31	6	6
80	RUTHERFORD	1	19					19	4	4
81	SAMPSON	1	19	1				19.75	4	3
82	SCOTLAND	1	16	1				16.75	4	3
83	STANLY	1	16	1				16.75	4	4
84	STOKES	1	11	1				11.75	3	3
85	SURRY	1	20					20	4	4
86	SWAIN	1	5	1				5.75	2	2
87	TRANSYLVANIA	1	9					9	2	2
88	TYRRELL	1	4					4	1	1
89	UNION **	1	27					27	5	6
90	VANCE	1	19					19	4	4
91	WAKE	1	113				1	113	18	18
92	WARREN *	1	8					8	2	1
93	WASHINGTON	1	7					7	2	2
94	WATAUGA	1	11					11	3	3
95	WAYNE	1	34	1				34.75	6	6
96	WILKES **	1	20	1				20.75	4	5
97	WILSON	1	26					26	5	5
98	YADKIN	1	9	1				9.75	2	2
99	YANCEY	1	6					6	2	2
	FTE TOTALS	100	2208	29.25	2	0.25	5.5	2239.5	442	423

* ONE DEPUTY CLERK IS WORKING AGAINST AN ASSISTANT CLERK POSITION (position IS NOT included in "UTILIZED" column)
** GREENE COUNTY HAS LOANED AN ASSISTANT CLERK DESIGNATION TO WILKES COUNTY
** PASQUOTANK COUNTY HAS LOANED AN ASSISTANT CLERK DESIGNATION TO UNION COUNTY
*** INCLUDES ONE DRUG COURT POSITION

NOTE: THIS REPORT EXCLUDES TEMPORARY POSITIONS WITH THE EXCEPTION OF THE CONTINUING TEMPORARY POSITIONS. CONTINUING TEMPORARY POSITIONS ARE NOT COUNTED IN THE DETERMINATION OF ASSISTANT CLERK DESIGNATIONS.

DISTRIBUTION: JUDGE ROSS, K. WILLIAMS, M. WIGGINS, P. BROOKS, K. MILLER, S. LAWRENCE, S. MEARS, C. LEEKS, D. JOHNSON C. BOYETTE, B. McVEY, R. LUBITZ, P. TAMER, S. LUSK, K. LEGGE, B. BOSWELL, B. SKINNER

PERM FTE	# OF ASST CLERKS	PERM FTE	# OF ASST CLERKS
1-5	1	71-77	12
6-10	2	78-84	13
11-15	3	85-91	14
16-21	4	92-98	15
22-28	5	99-105	16
29-35	6	106-112	17
36-42	7	113-119	18
43-49	8	120-126	19
50-56	9	127-133	20
57-63	10	134-140	21
64-70	11	141+	22

NOTE: THE CLERK OF SUPERIOR COURT POSITION IS NOT COUNTED IN THE DETERMINATION OF ASSISTANT CLERK DESIGNATIONS.

02/23/2001

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday April 4, 2001
1:30 pm
Room 421 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper
Representative R. Phillip Haire, Presiding

II. PRESENTATIONS

- Court Staffing & Related Programs

Prosecutors
Worthless Check Program

Courts---District Court, Superior Court and Appellate
Business Court

Elisa Wolper, Fiscal Research Division

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Thursday, April 5 – Sentencing Services, Alternative Dispute Resolution and Community Mediation Centers (Nonprofits)
Tuesday April 10 --am -Indigent Defense
pm State Bar, Legal Services, Center for Death Penalty Lititation
Wed & Thurs Apr 11-12—Court Technology, Family Court, Drug Treatment Court, Guardian Ad Litem

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, April 4, 2001,** at 1:30 p.m. in Room 421 LOB. Two (2) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair
Rep. Phil Haire, Co-Chair
Rep. Wayne Goodwin
Rep. John Hall
Rep. Larry Justus
Rep. Joe Kiser
Rep. Wayne Sexton

A Visitors' Registration Sheet is attached and made part of these minutes.

Rep. Haire called the meeting to order and announced that we would continue this afternoon with Ms. Wolper's presentation at the 8:30 a.m. meeting.

Ms. Wolper began with **(Handout #1)** – District Attorneys and related programs.

Rep. Kiser asked if expert witnesses were at the discretion of the DA? Ms. Wolper replied that this would be if the DA chooses to put on an expert witness as a prosecutor. Rep. Kiser asked if expert witnesses for the defense are being paid for by the Indigent Defense Budget? Is that possible, too? Ms. Wolper replied yes, but that wouldn't show up in the prosecutor's budget that would show up in the Indigent Defense Budget or the defendant who would not be indigent could pay it for.

Sen. Bingham asked if there was a caseload report of each DA throughout the state? Rep. Haire said that it was an attachment at the April 4, 8:30 a.m. meeting - **(Handout #4).**

Rep. Kiser asked if all of the people working out of the DA's office – are all of them under the judicial retirement system? Ms. Wolper asked that Mr. Ken Williams, Human Resources Director of AOC answer this question. He stated that the elected DA's are under the judicial retirement system. The Assistant DA's are under the State Teacher's Plan. All other support staff also.

Rep. Haire for clarification on page 5 regarding if you have 25 weeks of court and one district court judge, would you have four and a half ADA's. Is that correct? Ms. Wolper replied that it was what her understanding of it was.

Ms. Wolper moved on to **(Handout #2)** – Worthless Check Program.

Rep. Hall asked if were an option for the counties as to whether or not they wanted to be included in the Worthless Check Program? Ms. Wolper said that under the current law it

is only authorizing counties that have been specified in the statute, but it could be authorized statewide.

A discussion was held with comments by Rep. Sexton stating the success of the program.

Sen. Bingham asked it this program was set up under District Attorney areas or just by counties? Ms. Wolper stated that the statue specified counties, but the program is administered by the District Attorney. Sen. Bingham asked if a District Attorney had four counties, would all four counties be included? Ms. Wolper stated that at this point that the District Attorneys have all of their counties included. It doesn't have to be that way, and hasn't always been that way, but, at this point, it is.

Rep. Hall asked if the $450,000 is the amount of the accumulation? Ms. Wolper said that no, that is the amount that, if current trends continue, that the program should bring in in the coming fiscal year. Rep. Hall asked what was the present accumulation? Ms. Wolper stated that it was about $750,000.

Rep. Haire asked about the cost to run this program. Ms. Wolper said the current fiscal year is $708,000 with thirteen counties and eighteen staff members. Rep. Haire asked if that meant it would cost about $300,000 per year and Ms. Wolper replied yes.

Ms. Wolper passed out **Handout #3** in response to a question raised earlier regarding allocation of temporary staff which AOC provided.

Ms. Wolper continued with **Handout #4**: Court Staffing: Courts, Magistrates and Court Reporters.

Rep. Haire asked if a Judge was paid for daily travel – a lump sum? Ms. Wolper said that they were paid mileage like any other state employee.

Regarding the study to determine the number of District Court Judges needed, Sen. Ballance asked if that study was underway. Ms. Wolper replied yes. Se. Ballance asked what they look at besides the number of cases and the number of Judges and what the study is actually looking at? Ms. Wolper looked to someone in AOC who was familiar with the study to answer the question. Judge Bob Hobgood, AOC, stated that they were doing a self-analysis and keeping a record of everything they do, by category, in and out of court. Very detailed analysis and will be available in about three months from now. It is not just caseloads, but time spent in specific categories and will include how many days of court they are assigned.

Rep. Hall asked if the committee could get a breakdown of magistrates by district or county. Ms. Wolper said she would get that.

Rep. Haire asked why there was such a difference in the cost of interpreters for Superior Court and the District Courts? Ms. Wolper replied that it was because of the volume. Judge Hobgood stated there was a statewide problem with foreign language not having driver's licenses – accounts for large number in District Court plus a larger number of cases in District Court.

Sen. Ballance asked if we were taking full advantage of the defendant being able to bring his own interpreter? Judge Hobgood commented that was 'just getting by' because when the Judge asks things about constitutional rights, they don't have all the words for constitutional rights.

Sen. Ballance said that he assumed that people would know in advance about when a cancellation of court would occur – do we know when those cancellations kick in?

Judge Hobgood said it is generally known by Friday if there is a Monday cancellation of court and the Deputy Clerk calls the list of jurors. The complication comes when the Grand Jury or Superior Court is cancelled. The Grand Jury can only meet when the Superior Court is in session, so then both have to be canceled.

Rep. Justus asked a question regarding **(Handout #5)** – Civil Case Backlogs. Am I assuming this is the only District with civil case backlog? Ms. Wolper said this was where there was a pilot program – where they were allocated an extra judicial assistant to try and address those issues. Rep. Justus asked what that meant? Miriam Saxon, AOC (audible).

Ms.Wolper went back to **(Handout #4).**

There being no further business, the meeting was adjourned.

Rep. Phil Haire, Presiding House Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

Justice and Public Safety — 4/04/01 1:30

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Miriam Saxon	Admin. Office of the Courts
Ken Williams	Human Resources Director of AOC
Matt Osborne	AOC

JUSTICE & PUBLIC SAFETY

DATE: 4/04/01
1:30

SENATE PAGES:

NAME Jeremy Eldreth

HOME Lansing

SPONSOR Foxx

NAME _____

HOME _____

SPONSOR _____

HOUSE PAGES:

NAME _____

HOME _____

SPONSOR _____

NAME _____

HOME _____

SPONSOR _____

Handout #1
April 4, 01
1:30

Court Staffing: District Attorneys

Joint Appropriations Subcommittee on Justice & Public Safety

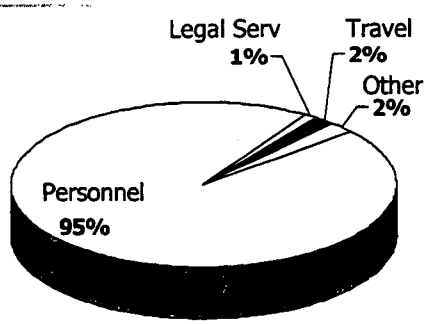
April 4, 2001

FRD

1

District Attorneys--Authorized Budget

- Budget includes Worthless Check Program ($708,000), Conf of DA ($158,452) and Criminal Case Management Program ($396,008)
- Personnel Costs make up 95% of budget
- Legal Services expenses, $588,864, cover transcript costs and expert witnesses.



$56.1 M

2

District Attorneys—Budget Issues

- 2000-2001 travel budget is $889,042; Actual travel expenses in 1999-2000 were $704,500. Of this $139,887 was to attend conferences.
- 2000-2001 budget includes $48,000 nonrecurring to cover membership in the National Association of DAs ($15,000) and to send approximately 25% of elected DA's to a national training event each year. They are requesting this funding as recurring.

3

Prosecutors Staffing

- 39 District Attorneys, 434 Assistant DAs, 27 Investigators, 378 Victim/Witness Legal Assistants, and 39 Admin Assistants
- Additional 27 staff are assigned to DA's for Criminal Case Management and Worthless Check Programs.
- DA's goal is 1:1 staff to attorney ratio. Statewide the ratio is 1:1.06 and the range is 1:.63-1:1.29 (include add 27)
- Feb 2001 vacancy report showed 10 vacant ADAs, 8 VWLA and 1 Investigator; Investigator position had been vacant almost a year and 1 VWLA since 9/00

4

Prosecutors Staffing

- 114 ADA were added in 1996-7 in response to a Jefferson Institute study recommending this growth to match 1985 staffing levels relative to caseload
- The workload formula that compares staffing needs of different districts is based on population, weighted filings and site/sessions of court with felony caseload weighted the heaviest. This method is a compromise between urban and rural districts
- In November 2000, the Conference of DAs recommended a change to estimate workload as follows; 1.5 ADA per District Court Judge and 3 ADA per 25 weeks of Superior Court. This revised workload methodology showed a need for 186 new ADAs

5

New DA Staff by Session

	Assistant DA	Investigator	Victim Witness LA
1995	8		3
1996	60		15
1997	54	5	72
1998	4	3	52
1999	9	2	25
2000	0	0	0

Inc Criminal Case Management & Worthless Check

6

Victims/Witness Legal Assistant

- The Conference of DA's surveyed Victims/Witness Legal Assistants in 15 districts for 2 weeks in 1999 to assess the impact of the Victims Rights Act.
- The Jefferson Institute analyzed the data and estimated the need for between 57 and 154 need VWLA, depending on assumptions about treatment of nonmandated offenses and on the assumed number of charges:defendant.
- Cost of VWLA: $44,544

7

Mecklenburg Drug Court

- Session of court with team of DA's dedicated to processing drug cases
- Project began with a GCC grant in 1992 and was continued with state funding in 1995. Mecklenburg provides 25% match.
- 2000-2001 state funding: $390,736, 1999-2000 actual $318,171
- Budget covers an emergency judge, contract court reporter, 2 contract Assistant Public Defenders, and 4 contract Assistant DA's. State funded clerks (2), an ADA, an APD and a probation officer also work in the project

8

Criminal Case Docketing

- GS 7A-49.4 requires **all** DAs to develop a criminal case docketing plan in consultation with Superior Ct Judges and the bar with benchmarks for scheduling of administrative court sessions, timely disposition of cases and reliable court calendars. *Effective 1/1/2000*
- A pilot Criminal Docket Management program began in Districts #12 & #13 in 1995, and was extended to 8 more districts in 1997
- Total Budget of $396,009 for salary and travel for 10 legal assistants. Program depends on the Case Management System automation program

9

Criminal Case Docket Management

- AOC evaluated program in 1998, focusing on original sites.
- Evaluation emphasized the labor intensity of the project and importance of DA coordination with Senior Resident Superior Judge.
- They found shorter calendars, decreased in-court waiting time and evidence of reduction of age of cases at disposition.
- The AOC did not recommend expansion at that time because of concerns about coordination with the rotation of Superior Ct Judges and the time needed for implementation.

10

Criminal Docket Managing Pilot Districts & DA:Support ratio

- 5--New Hanover, Pender (15:15)
- 9---Vance, Granville, Warren, Franklin (11:11)
- 12---Cumberland (19:17)
- 13—Bladen, Brunswick, Columbus (11:12)
- 14—Durham (14:14)
- 15—Chatham, Orange (8:9)
- 26—Mecklenburg (34:28)
- 27—Gaston (13:13)
- 27B—Cleveland, Lincoln (9:10)
- 29—Henderson, Polk, Transylvania, McDowell, Rutherford (12:13)

11

7A-49.4. Superior court criminal case docketing.

(a) Criminal Docketing. - Criminal cases in superior court shall be calendared by the district attorney at administrative settings according to a criminal case docketing plan developed by the district attorney for each superior court district in consultation with the superior court judges residing in that district and after opportunity for comment by members of the local bar. Each criminal case docketing plan shall, at a minimum, comply with the provisions of this section, but may contain additional provisions not inconsistent with this section.

(b) Administrative Settings. - An administrative setting shall be calendared for each felony within 60 days of indictment or service of notice of indictment if required by law, or at the next regularly scheduled session of superior court if later than 60 days from indictment or service if required. At an administrative setting:

(1) The court shall determine the status of the defendant's representation by counsel;

(2) After hearing from the parties, the court shall set deadlines for the delivery of discovery, arraignment if necessary, and filing of motions;

(3) If the district attorney has made a determination regarding a plea arrangement, the district attorney shall inform the defendant as to whether a plea arrangement will be offered and the terms of any proposed plea arrangement, and the court may conduct a plea conference if supported by the interest of justice;

(4) The court may hear pending pretrial motions, set such motions for hearing on a date certain, or defer ruling on motions until the trial of the case; and

(5) The court may schedule more than one administrative setting if requested by the parties or if it is found to be necessary to promote the fair administration of justice in a timely manner.

Whenever practical, administrative settings shall be held by a superior court judge residing within the district, but may otherwise be held by any superior court judge.

If the parties have not otherwise agreed upon a trial date, then upon the conclusion of the final administrative setting, the district attorney shall announce a proposed trial date. The court shall set that date as the tentative trial date unless, after providing the parties an opportunity to be heard, the court determines that the interests of justice require the setting of a different date. In that event, the district attorney shall set another tentative trial date during the final administrative setting. The trial shall occur no sooner than 30 days after the final administrative setting, except by agreement of the State and the defendant.

Nothing in this section precludes the disposition of a criminal case by plea, deferred prosecution, or dismissal prior to an administrative setting.

(c) Definite Trial Date. - When a case has not otherwise been scheduled for trial within 120 days of indictment or of service of notice of indictment if required by law, then upon motion by

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the defendant at any time thereafter, the senior resident superior court judge, or a superior court judge designated by the senior resident superior court judge, may hold a hearing for the purpose of establishing a trial date for the defendant.

(d) Venue for Administrative Settings. - Venue for administrative settings may be in any county within the district when necessary to comply with the terms of the criminal case docketing plan. The presence of the defendant is only required for administrative settings held in the county where the case originated.

(e) Setting and Publishing of Trial Calendar. - No less than 10 working days before cases are calendared for trial, the district attorney shall publish the trial calendar. The trial calendar shall schedule the cases in the order in which the district attorney anticipates they will be called for trial and should not contain cases that the district attorney does not reasonably expect to be called for trial. In counties in which multiple sessions of court are being held, the district attorney may publish a trial calendar for each session of court.

(f) Order of Trial. - The district attorney, after calling the calendar and determining cases for pleas and other disposition, shall announce to the court the order in which the district attorney intends to call for trial the cases remaining on the calendar. Deviations from the announced order require approval by the presiding judge if the defendant whose case is called for trial objects; but the defendant may not object if all the cases scheduled to be heard before the defendant's case have been disposed of or delayed with the approval of the presiding judge or by consent of the State and the defendant. A case may be continued from the trial calendar only by consent of the State and the defendant or upon order of the presiding judge or resident superior court judge for good cause shown. The district attorney, after consultation with the parties, shall schedule a new trial date for cases not reached during that session of court.

(g) Nothing in this section shall be construed to deprive any victim of the rights granted under Article I, Section 37 of the North Carolina Constitution and Article 46 of Chapter 15A of the General Statutes.

(h) Nothing in this section shall be construed to affect the authority of the court in the call of cases calendared for trial.

(1999-428, s. 1.)

Editor's Note. - Session Laws 1999-428, s. 4, made this section effective January 1, 2000.

Legal Periodicals. - For brief comment on section, see 27 N.C.L. Rev. 451 (1949).

For article on plea bargaining statutes and practices in North Carolina, see 59 N.C.L. Rev. 477 (1981).

CASE NOTES

Editor's Note. - The cases below were decided under former § 7A-49.3.

Prosecutor Controls Calendar. - Under North Carolina practice, the prosecutor controls the criminal

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Handout #2
April 4, 01
1:30

Worthless Check Program

The Worthless Check Program began as a pilot in 1997 in Brunswick, Rockingham and Durham Counties to improve collection of misdemeanor bad checks and to relieve the burden of handling bad checks from the court system. Operated out of the District Attorney's office, the program gives individuals who have written bad checks one last chance to avoid criminal prosecution. Merchants or others who have received a worthless check and who have already made some efforts themselves to collect can make use of the program. Offenders receive a letter and have a specified period of time to make restitution on the check and pay $50 program fee. If they fail to comply, either the merchant or the DA can swear out a warrant against the offender. Each DA sets criteria for cases eligible for the program.

The goals of the program are to collect worthless checks faster and to avoid the need for prosecution of worthless checks. This helps the offender but also relieves the workload of magistrates, District Court Judges and Clerks, District Attorneys and Law Enforcement.

The court system handles a considerable number of worthless checks each year. In CY 1999, there were 142,835 charges and 73,839 convictions for writing worthless checks statewide. In 1999-2000, District Courts handled 37,991 worthless check case waivers. A few Community Mediation Centers also handle worthless check complaints.

I. Current Authorized Budget $708,137

II. Program Locations

District	Counties	# Staff	Year Authorized
4	Onslow	2	2000
5	New Hanover, Pender	2	1999
7	Nash, Edgecombe, Wilson	4	2000
10	Wake	2	1998
12	Cumberland	2	2000
13	Bladen, Columbus, Brunswick	2	1997, 1999
14	Durham	2	1997
17A	Rockingham	2	1997

III. Program Activity and Cost Effectiveness

Year	Operating Programs (counties)	Participating Victims	Number Of Bad Chks Handled	Percentage Recovered	Restitution Collected
2000	8	1,165	21,050	39%	$887,873
1999	4	747	11,874	39%	$386,912

IV. Actions of the 1999-2001 General Assembly:

The program was funded as a pilot in 1997 and 1998.

- In 1999, the program was extended to District #5 (New Hanover & Pender) and to Bladen and Brunswick Counties in District #13 and was made permanent with total funding at $381,474 recurring (10 positions).

- In 2000, the program was extended to District #4 (Onslow), District #7 (Nash, Edgecombe, Wilson) and District #12 (Cumberland), adding 7 positions at a cost of $395,220.

- Also in 2000, AOC received $186,554 in funding ($135,419 ongoing) to develop a specialized information system and provide ongoing support to users.

V. Worthless Check Fee

People who cooperate with the program pay a $50 fee. (if the case went to court they would face $90 court fees). That fee, by G.S. 7A-308, is deposited in a special nonreverting fund to be appropriated by the General Assembly. As of February 28, 2001, $747,684 had accumulated in that fund. The Office of State Budget has included this fund in its list of accounts to use to help cover this year's state budget shortfall.

Estimated annual receipts, based on most recent quarter ($120,729 collected), are about $450,000 once all funded programs are fully operational. If these receipts were budgeted to the program the General Fund appropriation could be reduced.

VI. Authorization for new programs

Because the program was established as a pilot in a few specific counties in 1997, the authorizing legislation (Ch. 443, Sec 18.22 of 1997 Session Laws) must be amended each time to allow a new county to participate. Alternatively, the program could be authorized statewide and allow District Attorneys the discretion to implement the program even if there are not new personnel allocated.

VII. Report

The program reports annually on April 1 to the General Assembly.

VIII. Cost of Additional Programs

Each program is staffed by an investigator and a legal assistant, at approximate personnel cost of $112,613. Establishing a new program has also cost about $18,000 in equipment costs. Multicounty districts or large counties may require additional staff. The program works under the supervision of the District Attorney.

IX. Pending Legislation

HB 7 would clarify that the program can handle felony as well as midemeanor bad checks. The bill has been referred to House Judiciary II.

IX. Individual County Results

County	# Checks Handled	% Collected	Restitution Collected ($)
Bladen	941	46%	$ 43,636
Brunswick	2,497	36%	$117,607
Columbus	2,395	42%	$111,823
Durham	1,918	30%	$ 61,701
New Hanover	6,826	36%	$295,686
Pender	379	35%	$ 9,318
Rockingham	1,516	32%	$ 47,150
Wake	4,578	51%	$200,953
Onslow	*577*		
Cumberland	*88*		
Nash	*207*		
Edgecombe	*108*		
Wilson	*445*		

Source: Annual Report by AOC, April 2001

Calendar Year 2000 for established counties. For newer counties, results are first quarter of 2001.

Handout # 4
April 4, 2001
1:30

Court Staffing: Courts, Magistrates and Court Reporters

Joint Appropriations Subcommittee on Justice & Public Safety

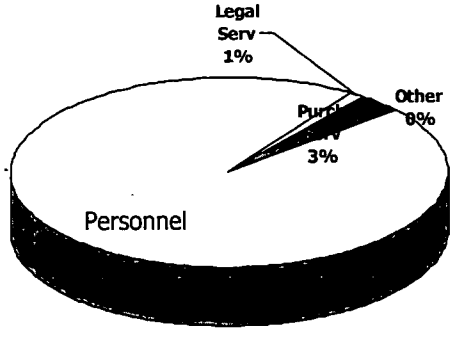
April 4, 2001

FRD

1

District Courts--Authorized Budget

- Budget includes Magistrates and $143,885 for District Ct Case Calendaring Project
- Personnel Costs make up 95% of Budget; $26.8 M for Judges, $29.8 M Magistrates and $2.5 M staff
- Legal Services Expenses include Emergency Judges ($493,862) and Jury & Witness Fees ($196,629)



$65.2 M

Annualization Hole: $482,301

2

Growth in Caseload, FY88/9 -- FY99/0

	87/8	88/9	89/90	90/1	91/2	92/3	93/4	94/5	95/6	96/7	97/8	98/9	99/0
Number of Magistrates	640	644	654	659	653	658	659	676	679	687	696	703	706
Total Caseload	514,710	556,890	603,328	610,286	629,589	607,989	620,977	632,836	634,291	657,933	656,479	648,053	634,337
Caseload per Magistrate	804	865	923	926	964	924	942	936	934	958	943	922	898
Number of Clerks	1,745.60	1,756.60	1,820.00	1,824.90	1,863.95	1,914.15	2,025.15	2,021.50	2,048.50	2,078.50	2,078.50	2,227.50	2,338.50
Total Caseload	2,197,045	2,415,328	2,493,245	2,485,191	2,541,175	2,451,457	2,541,072	2,674,853	2,716,758	2,788,167	2,815,357	2,866,960	2,826,601
Caseload per Clerk	1,259	1,375	1,370	1,362	1,363	1,281	1,255	1,323	1,326	1,341	1,355	1,287	1,209
Number of Prosecutors	262	268	287	294	304	325	338	338	346	406	460	464	473
Total Caseload	1,049,721	1,183,538	1,299,865	1,307,817	1,345,084	1,305,630	1,377,080	1,472,335	1,502,402	1,575,143	1,621,013	1,669,187	1,646,024
Caseload per Prosecutor	4,007	4,416	4,529	4,448	4,425	4,017	4,074	4,356	4,342	3,880	3,524	3,597	3,480
Number of District Court Judges	151	162	164	179	179	179	180	192	194	198	204	226	226
Total Caseload	871,665	982,139	1,066,847	1,052,315	1,070,924	1,020,143	1,104,660	1,176,347	1,203,405	1,259,185	1,291,031	1,342,096	1,325,101
Caseload per Judge	5,773	6,063	6,505	5,879	5,983	5,699	6,137	6,127	6,203	6,360	6,329	5,938	5,863
Number of Superior Court Judges	74	77	77	83	83	83	92	93	95	99	99	105	105
Total Caseload	72,383	81,615	89,195	90,790	99,438	91,575	93,387	89,308	93,883	101,567	104,267	104,353	99,453
Caseload per Judge	978	1,060	1,158	1,094	1,198	1,103	1,015	960	988	1,026	1,053	994	947

Number of magistrates is the number authorized at the end of each fiscal year. Number of clerks includes the Clerks of Superior Court and their assistants and deputies as authorized at the end of the fiscal year. Number of prosecutors includes the district attorneys and their assistant district attorneys as authorized at the end of the fiscal year. Numbers of judges are the numbers of judgeships authorized at the end of the fiscal year (including special superior court judgeships).

Total caseload for magistrates is represented by the number of non-motor vehicle filings. Total caseload for prosecutors includes all criminal and infraction filings, less those disposed by waiver of appearance. District court judge caseload is the number of district court filings less those disposed by clerks or magistrates, by voluntary dismissal, and those superseded by indictment. Superior court judge caseload includes all superior criminal and civil filings, less those disposed by clerks or by voluntary dismissal.

District Court Judges

- Major operating costs are interpreters ($655,326) and travel ($779,118)
- 1999-2000 Travel expenditures were $851,344 with $236,375 for conferences (3 DCJ, 1 Magistrate) Remainder was for judge & magistrate travel for court business.
- Current year includes $225,000 for contractual services, related to Magistrate Project

3

District Court--Selected Budget Items

	1999-2000	2000-2001
Interpreters	$829,239	$731,215
Travel	$851,344	$779,118
Emergency Judges	$394,881	$493,862

4

District Court Staffing

- 1998 study by Center for State Courts projected the need for 54 new Judges over 4 years (have added 31 in 3 years) based on growth in the most time consuming kinds of cases.
- Report highlighted the difficulty of determining absolute need for Judges with available info and suggested more detailed study (currently underway)
- Current workload rankings look at population and case filings net of those disposed prior to trial, with filings weighted 3X population and to reflect complexity of case (traffic...civil). Caseload:judge varies from 20,828(#21) to 11,068 (#6B)

5

District Court Staffing

- Currently there are :
  - 39 Chief District Ct Judges
  - 196 District Ct Judges
  - 58.25 Support Staff (Judicial Assistants)
  - 707.85 (fte) Magistrates
- Judge:Support ratio ranges from 2:1 to 6:0 with statewide average of 4.25:1 (1988 Study recommended 3:1)
- Special Programs add personnel as follows: Family Ct: 31; Custody Mediation 27.1; Arbitration 10.25
- Including these programs there are 126.6 non Judges working in the District Court setting

6

New District Court Judges by Session

1995	2
1996	4
1997	6
1998	13
1999	9
2000	9
	43 (22.4%)

7

District Ct Civil Case Management

- Operates in Districts 13 (Bladen, Brunswick, Columbus) 18 (Guilford), 30 (far West).
- Budget of $143,855 for Judicial Assistant in each district. Staff are involved in calendar prep and reviewing court files. Emphasis on clearing old cases and shortening disposition time for domestic and civil cases.
- Last evaluated in 1999. Found some progress reducing delays and backlogs but programs were still very new.
- Availability of automated case tracking system and alternative dispute resolution programs affects impact of this program

8

Magistrates

- Officer of District Court, appointed by Resident Superior Ct Judge at recommendation of Clerk of Court
- Statutes authorize jurisdiction; arrest and search warrants, bail, pleas/judgments in minor criminal cases, worthless check, Small Claims, etc
- Appeals of magistrate decisions are de novo

9

Magistrate Staffing

- Statutes specify min-max number in each district.
- There are currently 719 magistrates with 707.85 fte positions.
- 23 magistrates (20.5 fte) added in 3 years
- Discussion over years about changing jurisdiction Magistrate/District/Superior

10

New Magistrates by Session

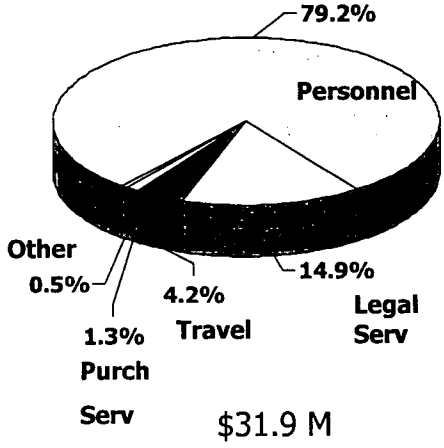
1995	2
1996	7
1997	8
1998	6
1999	3
2000	11

37 (5.4%)

11

Superior Courts--Authorized Budget

- Budget includes $4 M salary for court reporters and $200,000 for contractual ct reporters, $4.1 M for jury and witness fees , $143,000 for emergency judges, $102,679 for interpreters
- 2000-2001 travel budget is $1.35 M; Of this $679,000 is for Judges $7,000 subsistence allowance.
- 1999-2000 actual travel expenses were $1.3 M. Of this $104,000 was for training and conferences.



$31.9 M

12

Superior Court--Selected Budget Items

	1999-2000	2000-2001
Interpreters	$ 104,054	$ 102,679
Court Reporters	$4,211,195	$5,103,085
Emergency Judges	$ 100,573	$ 143,536
Travel	$1,327,680	$1,335,699

13

Superior Court Judges

- Currently there are :
  - 46 Senior Resident SCJ
  - 47 Superior Ct Judges
  - 12 Special SCJ
  - 47 Judicial & Legal Assistants
  - 41 Trial Ct Coord/Admin
- Judge:Support ratio ranges from .5:1 to 2:1 with statewide average of 1.06:1

14

New Superior Ct Judges by Session

1995	2
1996	4
1997	0
1998	1
1999	5
2000	0

12 (12.9%)

15

Court Reporters

- Combination of Official Court Reporters (82 assigned to district) and rovers (23)
- Cost of Court Reporter: $50,073. They provide their own equipment and materials.
- Reporters receive fulltime salary. For appeals they are also paid $2.35 per page for transcript with the cost borne by parties. State pays for DA's share ($0.60/page) and indigent defendant's share ($1.75)
- Vacancies: As of Feb 9th, 9 vacancies; 2 were 8 months old and 2 were 4 months old
- AOC has difficulty recruiting/retaining Court Reporters. Competition from private attorneys

16

Court Reporters

- AOC prefers not to depend on contract reporters (quality, availability). Rate of pay is $80/day in Court for contractor. Cost of Regular Court Reporter is about $200/day in court.
- For 1998-9, AOC reported canceling 23 weeks of regularly scheduled court and 20 special sessions. In some cases, cancellation was because of lack of reporter
- In 1998-9, AOC averaged 5 sessions of court using emergency judges per week. If these are supplements rather than substitutes for regular judges, there would not be a regular reporter available.

17

New Court Reporters by Session

1995	(34) *
1996	2
1997	8
1998	4
1999	8
2000	2

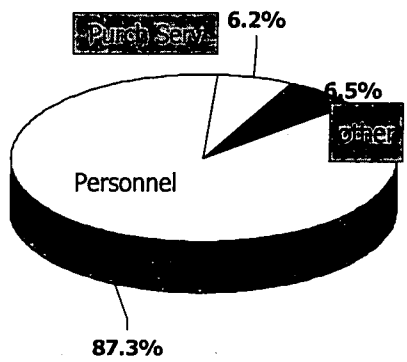
*Change to audio in District Ct

(10) (-8.6%)

18

Appellate Courts--Authorized Budget

- Personnel Costs make up 87% of budget
- Major operating costs are printing ($332,181) and travel ($52,747). Receipts from fees to General Fund
- 2000-2001 budget includes $40,000 for per diem judges, $25,000 of this for new Ct of Appeals Mediation Program (not yet approved by Supreme Ct)



$9.91 M

Annualization Hole: $449,858

19

Appellate Court Staffing 00-01

- SUPREME COURT
  - 7 Justices
  - 5 Clerks
  - 14 Research Assistants
  - 5 Librarians
  - 7 Executive Assistants
  - Total Staff: 42
- COURT OF APPEALS
  - 15 Judges
  - 8 Clerks
  - 30 Research Assistants
  - 7 Staff Attorneys
  - 15 Executive Assistants
  - Total Staff: 65

20

NORTH CAROLINA COURT OF APPEALS

FILINGS AND DISPOSITIONS DURING THE YEARS 1990-91 – 1999-00*

Fiscal Year	Filings	Dispositions
1990-91	1,740	1,829
1991-92	1,660	1,451
1992-93	1,690	1,465
1993-94	1,790	1,929
1994-95	1,906	1,796
1995-96	1,932	1,826
1996-97	2,088	2,018
1997-98	2,135	2,108
1998-99	2,352	2,194
1999-00	2,268	2,057

*Filings and dispositions shown here include appealed cases and petitions, but not motions.

FILINGS AND DISPOSITIONS — July 1, 1999 – June 30, 2000

Cases on appeal	Filings	Dispositions
Civil cases appealed from district courts	226	
Civil cases appealed from superior courts	641	
Civil cases appealed from administrative agencies	116	
Criminal cases appealed from superior courts	609	
Totals	**1,592**	**1,460**
Petitions		
Allowed		54
Denied		543
Remanded		0
Totals	**676**	**597**
Motions		
Allowed		2,728
Denied		507
Remanded		0
Totals	**3,351**	**3,235**
Total Cases on Appeal, Petitions, and Motions	**5,619**	**5,292**

MANNER OF CASE DISPOSITIONS — July 1, 1999 – June 30, 2000

Cases Disposed by Written Opinion

Affirmed	Reversed	Affirmed in Part, Reversed in Part	Other Cases Disposed	Total Cases Disposed
946	177	166	171	1,460

SUPREME COURT PROCESSING TIME FOR APPEALS DISPOSED BY OPINION*

(Total time in days from docketing to opinion)

July 1, 1999 – June 30, 2000

	Number of Cases	(Days) Median	(Days) Mean
Civil Domestic	1	—	157
Petitions for review granted that became civil domestic appeals	1	—	303
Juvenile	1	—	213
Petitions for review granted that became juvenile appeals	0	—	—
Other civil	22	171	202
Petitions for review granted that became other civil appeals	29	304	305
Criminal, defendant sentenced to death	18	348	397
Criminal, defendant sentenced to life imprisonment	1	—	326
Other criminal	4	184	202
Petitions for review granted that became other criminal appeals	14	342	332
Administrative agency decision	4	183	206
Petitions for review granted that became appeals of administrative agency decision	6	281	331
Total appeals disposed by opinion	**101**	**290**	**297**

* Only cases disposed by signed opinion or per curiam opinion are included here.

Handout # 5
April 5
1:30

TABLE 1

Analysis of Civil Case Backlogs

JUDICIAL DISTRICT 13

Pending Domestic Relations Cases That Are Greater Than 6 Months Old:
(Numbers in parentheses are the percentage of the total pending caseload)

	As of 3/31/97:		As of 3/31/98:		As of 6/30/99:	As of 6/30/00:
Bladen County:	62	(47.7%)	20	(17.5%)	29 (29.8%)	12 (7.1%)
Brunswick Co.:	327	(61.4%)	257	(58.4%)	235 (54.3%)	189 (45.5%)
Columbus Co.:	169	(54.5%)	165	(54.8%)	143 (44.4%)	185 (35.8%)
District Totals:	558	(57.3%)	442	(51.7%)	407 (47.8%)	386 (35.1%)

Pending General Civil Cases That Are Greater Than 18 Months Old:
(Numbers in parentheses are the percentage of the total pending caseload)

	As of 3/31/97:		As of 3/31/98:		As of 6/30/99:	As of 6/30/00:
Bladen County:	15	(10.5%)	0	(0%)	12 (11.8%)	2 (2.1%)
Brunswick County:	20	(8.1%)	47	(19.1%)	55 (21.8%)	13 (6.2%)
Columbus County:	9	(4.6%)	43	(20.9%)	24 (12.6%)	18 (8.1%)
District Totals:	44	(7.5%)	90	(16.6%)	91 (16.7%)	33 (6.3%)

JUDICIAL DISTRICT 18

Pending Domestic Relations Cases That Are Greater Than 6 Months Old:
(Numbers in parentheses are the percentage of the total pending caseload)

	As of 3/31/97:	As of 3/31/98:	As of 6/30/99:	As of 6/30/00:
Guilford County:	3,170 (68.3%)	3,252 (71.4%)	3,346 (65.6%)	3,229 (62.7%)
District Total:	3,170 (68.3%)	3,252 (71.4%)	3,346 (65.6%)	3,229 (62.7%)

Pending General Civil Cases That Are Greater Than 18 Months Old:
(Numbers in parentheses are the percentage of the total pending caseload)

	As of 3/31/97:	As of 3/31/98:	As of 6/30/99:	As of 6/30/00:
Guilford County:	1,331 (41.4%)	1,272 (45.6%)	824 (38.5%)	406 (23.4%)
District Total:	1,331 (41.4%)	1,272 (45.6%)	824 (38.5%)	406 (23.4%)

JUDICIAL DISTRICT 30

Pending Domestic Relations Cases That Are Greater Than 6 Months Old:
(Numbers in parentheses are the percentage of the total pending caseload)

	As of 3/31/97:		As of 3/31/98:		As of 6/30/99:		As of 6/30/00:	
Cherokee County:	52	(40.3%)	49	(47.1%)	38	(38.3%)	38	(43.1%)
Clay County:	16	(51.6%)	2	(14.3%)	6	(21.4%)	10	(35.7%)
Graham County:	4	(30.8%)	5	(29.4%)	7	(33.3%)	4	(14.8%)
Haywood County:	156	(40.0%)	129	(41.1%)	197	(50.7%)	131	(39.2%)
Jackson County:	106	(61.3%)	62	(42.5%)	39	(37.1%)	50	(34.9%)
Macon County:	57	(54.8%)	47	(42.0%)	31	(32.2%)	34	(36.9%)
Swain County:	26	(55.3%)	13	(40.6%)	15	(33.3%)	10	(33.3%)
District Total:	417	(47.0%)	307	(41.5%)	333	(42.5%)	277	(37.3%)

Pending General Civil Cases That Are Greater Than 18 Months Old:
(Numbers in parentheses are the percentage of the total pending caseload)

	As of 3/31/97:		As of 3/31/98:		As of 6/30/99:		As of 6/30/00:	
Cherokee County:	7	(11.3%)	5	(7.6%)	5	(10.6%)	9	(17.6%)
Clay County:	3	(33.4%)	3	(27.3%)	0	(00.0%)	0	(00.0%)
Graham County:	20	(74.1%)	0	(0.0%)	1	(7.7%)	1	(5.2%)
Haywood County:	21	(14.4%)	18	(9.7%)	27	(13.5%)	39	(19.5%)
Jackson County:	3	(2.3%)	7	(5.7%)	9	(7.0%)	10	(8.1%)
Macon County:	8	(15.1%)	5	(8.8%)	4	(5.9%)	6	(10.7%)
Swain County:	4	(12.9%)	6	(17.1%)	2	(7.1%)	2	(6.0%)
District Total:	66	(14.4%)	44	(8.8%)	48	(9.7%)	67	(13.7%)

TABLE 2

Analysis of Disposition Rates for New Cases

JUDICIAL DISTRICT 13

Domestic Relations Cases Disposed Within 1 Year:
(Numbers in parentheses are the percentage of the total disposed caseload)

	As of 3/31/97:	As of 3/31/98:	As of 6/30/99:	As of 6/30/00:
Bladen County:	282 (98.3%)	451 (89.7%)	626 (99.3%)	517 (95.9%)
Brunswick County:	519 (96.6%)	630 (85.1%)	984 (90.9%)	1,126 (90.2%)
Columbus County:	536 (79.1%)	581 (86.7%)	845 (93.2%)	1,045 (96.4%)
District Totals:	1,337 (89.0%)	1,662 (86.9%)	2,455 (93.7%)	2,688 (93.6%)

General Civil Cases Disposed Within 9 Months:
(Numbers in parentheses are the percentage of the total disposed caseload)

	As of 3/31/97:	As of 3/31/98:	As of 6/30/99:	As of 6/30/00:
Bladen County:	123 (87.9%)	216 (72.0%)	229 (93.9%)	217 (83.1%)
Brunswick County:	213 (82.9%)	275 (83.3%)	360 (81.8%)	390 (76.2%)
Columbus County:	204 (80.0%)	269 (85.4%)	319 (79.6%)	295 (79.9%)
District Totals:	540 (82.8%)	760 (80.4%)	908 (83.7%)	902 (79.0%)

JUDICIAL DISTRICT 18

Domestic Relations Cases Disposed Within 1 Year:
(Numbers in parentheses are the percentage of the total disposed caseload)

	As of 3/31/97:	As of 3/31/98:	As of 6/30/99:	As of 6/30/00:
Guilford County:	3,196 (63.3%)	3,510 (89.1%)	5,581 (86.0%)	6,990 (85.0%)
District Total:	3,196 (63.3%)	3,510 (89.1%)	5,581 (86.0%)	6,990 (85.0%)

General Civil Cases Disposed Within 9 Months:
(Numbers in parentheses are the percentage of the total disposed caseload)

	As of 3/31/97:	As of 3/31/98:	As of 6/30/99:	As of 6/30/00
Guilford County:	1,837 (76.9%)	2,069 (72.0%)	2,845 (75.3%)	2,655 (77.1%)
District Total:	1,837 (76.9%)	2,069 (72.0%)	2,845 (75.3%)	2,655 (77.1%)

JUDICIAL DISTRICT 30

Domestic Relations Cases Disposed Within 1 Year:
(Numbers in parentheses are the percentage of the total disposed caseload)

	As of 3/31/97:		As of 3/31/98:		As of 6/30/99:		As of 6/30/00:	
Cherokee County:	236	(90.4%)	209	(97.2%)	326	(95.0%)	317	(93.7%)
Clay County:	61	(93.8%)	62	(92.5%)	64	(100%)	91	(95.7%)
Graham County:	66	(98.5%)	60	(98.4%)	100	(98.0%)	103	(95.3%)
Haywood County:	641	(90.5%)	560	(87.5%)	897	(91.9%)	845	(88.4%)
Jackson County:	251	(88.7%)	225	(91.5%)	392	(87.8%)	416	(93.4%)
Macon County:	252	(90.3%)	238	(91.2%)	350	(91.8%)	404	(96.1%)
Swain County:	105	(97.2%)	93	(93.9%)	151	(92.6%)	159	(94.0%)
District Total:	1,612	(91.0%)	1,447	(91.1%)	2,280	(92.1%)	2,335	(92.2%)

General Civil Cases Disposed Within 9 Months:
(Numbers in parentheses are the percentage of the total disposed caseload)

	As of 3/31/97:		As of 3/31/98:		As of 6/30/99:		As of 6/30/00:	
Cherokee County:	57	(65.5%)	88	(80.0%)	104	(84.6%)	87	(80.6%)
Clay County:	29	(96.7%)	25	(89.3%)	26	(96.3%)	34	(100%)
Graham County:	20	(52.6%)	26	(100.0%)	33	(80.5%)	39	(88.6%)
Haywood County:	157	(84.4%)	168	(82.8%)	206	(77.7%)	205	(71.9%)
Jackson County:	159	(83.2%)	169	(83.3%)	210	(76.6%)	178	(73.9%)
Macon County:	53	(67.1%)	80	(87.9%)	105	(81.4%)	101	(84.9%)
Swain County:	24	(68.6%)	40	(88.9%)	50	(75.8%)	43	(78.2%)
District Total:	499	(77.2%)	596	(84.4%)	734	(79.4%)	687	(77.5%)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday April 5, 2001
8:30 am
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding
Representative Bill Culpepper
Representative R. Phillip Haire

II. PRESENTATIONS

- Overview of Sentencing Services
  Elisa Wolper, Fiscal Research Division

- Sentencing Services Programs Operated by Nonprofits

  Fayetteville Area Sentencing Center, Inc.
  Elizabeth (Susie) Gnann, Executive Director

  Redirections, Inc.
  Tony Gibbons, Executive Director
  President, NC Community Sentencing Association, Inc.

  ReEntry
  Phillip J. Lyons, President of Board of Directors

- Community Mediation Centers
  Scott Bradley
  Mediation Network of NC

- Overview of Alternative Dispute Resolution Programs
  Elisa Wolper, Fiscal Research Division
  Mark Van Der Puy, AOC

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Tuesday April 10 --am -Indigent Defense; State Bar, Legal Services, Center for Death Penalty Litigation
  Wed & Thurs Apr 11-12—Court Technology, Family Court, Drug Treatment Court, Guardian Ad Litem

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
April 5, 2001

The Joint Appropriations Subcommitee on justice and Public Safety met on April 5, 2001 in room 415 LOB at 8:30AM.Five Senate members were present. The following members of the House attended:

Rep. Bill Culpepper	Rep. Phillip Haire
Rep. Wayne Goodwin	Rep. John Hall
Rep. Larry Justus	Rep. Joe Kiser

Rep. Wayne Sexton

Rep. Phillip Haire opened the meeting. The first item on the agenda was an overview of sentencing services by Elyssa Wolper, staff. See handout titled *Sentencing Services Program Judicial Branch.*

Senator Frank Ballance took the chair.

Senator Thomas suggested that the number of eligible defendants and those contacted and plans accepted should be included in the chart on page 5. Rep. Kiser asked what is happening to bring salary levels to state emplyee levels. Ms. Wolper said legislation is now being prepared to that effect.

The next person on the agenda was Elizabeth Gnann. She called on Tony Gibbons of the NC Community Sentencing Association, Inc.. Mr. Gibbons distributed two handouts titled *Sentencing Services program* and *Sentencing Programs Operated by Not for Profit Organizations.* Both are attached. After discussion of the handouts, Ms. Gnann said that the mission under the sentencing commission is to provide information to the courts instead of simply being a diversion from prison. In response to Rep. Kiser, Ms Gnann said that the state matches funds for Community Partners at about 7%. There is no federal money included in these grants. All sentencing service programs are covered by grants. In response to Rep. Haire, page 6 of the handout indicates "defendants contacted" which only refers to defendant eligibility. In response to Rep. Sexton, Ms. Wolper will provide an amended copy of sentencing services Programs run by non profits.

In response to Rep. Sexton, Mr. Phillip Lyons, a volunteer for Re-entry, Inc. since 1983 stated that for every $1 spent on sentencing service programs, the state saves $4.

Ms. Wolper gave background on the mediation centers. $1.6 million dollars went to Community Mediation Centers as pass through grants. Ms. Wolper distributed a handout, *Growth in Funding to Dispute Settlement Centers*. That handout also shows the workload trends of the Community Mediation Centers.

Mr. Scott Bradley was next on the agenda. He distributed two handouts, *Mediation Network of North Carolina* and the *Annual Report on the funding and activities of the community mediation centers for the fiscal year 1999-2000.* Community Mediation was started in North Carolina in 1978. These centers provide services to youth and families that are non-criminal. Mr. Bradley said that the $1.6 million appropriated is less that 1/3 of the funding that is needed for community mediation.

Mr. Leander Forbes from the Resolve Program in Craven County was introduced. He stated that his program provides an eight week program of group sessions. He stated that there is a relative new trend in parents' willingness to give a child over to the prison system to be reared.

Senator Ballance adjourned the meeting at 9:55 AM.

Senator Frank Ballance
Vice Chair Senate Committee

Gloria Haywood
Committee Assistant Senate Committee

SENTENCING SERVICES PROGRAM
JUDICIAL BRANCH

2001 LEGISLATIVE UPDATE

Purpose

Sentencing Specialists prepare Sentencing Plans with detailed information on an offender's risks and needs and on the available resources to supervise and treat that offender. These plans are presented to the Judge and available to the defense and prosecution. The original intent of the program (1983 pilot) was to ease prison crowding and save money by diverting offenders from prison who could be supervised/treated in the community. New legislation in 1999 modified the program purpose to providing information to the courts to allow effective use of available non-prison resources. Along with this change of purpose came :

- a stricter targeting of clients to focus on felons in sentencing cells where there is a choice between active and intermediate sentences
- a stricter focus on offenders who have not yet entered a plea
- a requirement that programs adopt a plan of operation to be signed by Senior Resident Superior Ct Judge
- greater involvement of prosecutors (they can refer cases)
- the ability to recommend an active sentence if appropriate
- automatic presentation of the plan to the court, unless the defendant opts out of the program by a certain point
- having a sentencing plan no longer qualifies as an intermediate sanction under structured sentencing

Program Operation

Funding for the program was increased several times from 1993 through 1998 to allow it to expand statewide.

- Operates Statewide for a total of 37 programs covering 46 districts
- 8 programs covering 9 districts operated by state employees (Districts 2, 3B, 5, 6A/6B,9A,15A,16A,28)
- 2 programs operated by county government (13, 16B)
- 27 programs covering 35 districts operated by non profits

Staffing

- Currently 10.6 administrative staff, an increase in 2 since 1997. (Administrator, 2 Assistant Administrator for Operations, 4 Regional Administrators, Accounting Specialist and 2.6 Support Staff)
- Local state programs staffed by District Administrators, Sentencing Specialists and Administrative Assistants---total of 22 state positions and 111 employees of private nonprofits

Budget (Expenditures)

	Personnel	Grants	Total
1999-2000	$1,390,588	$ 3,686,850	$5,796,866
2000-2001	$1,523,766	$ 4,217,162	$6,021,613

About $180,000 of 1999-2000 grants and $195,000 of 1998-99 grants were unspent.

Costs per Plan

- Looking at the total 2000-2001 budget and the projected number of plans, costs will be as follows:
  Cost per case opened: $2,027
  Cost per plan presented: $3,047
  (Cost per plan presented has risen 13% since 1997-98)

- Costs reflect local and state administration of the program, cost of sentencing specialists, and assessments of defendants.

- Looking solely at direct personnel costs, assuming a fulltime sentencing specialist can present an average of 40 plans per year, at state salary levels each plan costs $892/plan

Capacity

Using the 40 plans/year average, capacity of the program is 2,880 plans.

Mix of Private Non Profits and State Employees

- Generally state programs have been established if there was not an appropriate interested nonprofit organization.

- In 1999-2000, state programs accounted for 26% of the plans prepared

- The cost of operating a program is generally lower in a nonprofit because of the lower compensation levels. However, in 1999 the cost per plan prepared was slightly higher in the nonprofits; $2,605 per plan vs. $2,579 in the state and county programs. State programs alone averaged $2,480.

- It would cost an estimated $542,860 to bring the salary levels in the nonprofits up to the comparable state employee pay levels.

Recent Legislative Action

- Increased funding to allow nonprofits to match state employee pay increases in 1999 and 2000 ($99,357 and $189,181)
- Added accounting specialist to state administrative staff in 1998
- In 1999, adopted legislation modifying purpose and operation of program and in 2000 adopted modification of program legislation to provide some protection on the uses of info gathered in preparing a plan

WORKLOAD TRENDS

	1995-96	1997-98	1999-00	2000-01
# Districts Covered	39	43	46	46
Clients Contacted	7,876	10,761	11,808	15,951
Cases Opened	2,480	3,594	2,828	2,970
Plans Presented	1,171	1,823	1,664	1,976
Plans Accepted	924	1,367		

2000-01 is projected based on first 6 months which showed an 18% increase over prior year

COMPARING MEASURES

	1997-98	2000-2001
Opened: Contacted	33.4%	18.6%
Presented: Contacted	16.9%	12.4%
Presented: Opened	50.7%	58.8%
Cost : Plan Presented	$3,050	$3,047

County or State Run Programs

District	1999-2000 Expend	Defend Contacted	99-00 plans prepared	
2	$113,658	234	15	State
3B	$143,294	391	52	State
5	$136,709	440	98	State
6A/B	$67,560	405	46	State
9A	$44,387	75	43	State
15A	$136,960	480	61	State
16A	$108,659	72	20	State
28	$196,306	51	47	State
13	$98,200	452	21	Cape Fear
16B	$73,629	178	31	Robeson
	$1,119,362	2,778	434	

Sentencing Services Programs Run by Nonprofits

District	1999-2000 Expend	Defend Contacted	99-00 plans prepared	
1	$85,883	160	56	Albemarle Sent Services
3A	$120,913	452	42	Eastern Carolina Judicial Resource
4A/B	$196,822	272	72	Pretrial Resource Center
7	$147,874	441	48	Eastern Carolina Judicial Resource
8A/B	$95,060	224	30	Eastern Carolina Judicial Resource
10	$110,011	160	46	ReEntry
11A/B	$169,893	462	68	11th Jud Dstrct ReEntry
12	$184,593	178	79	Fayeteville Area Sentencing Center
14	$205,134	1190	65	Durham Sentencing Services
15B	$182,194	93	45	Orange/Chatham Altern Sentencing
17A	$91,308	89	60	ReDirections
17B	$99,539	79	39	ReDirections
18	$51,512	654	10	One Step Further
19A	$263,259	384	93	Cabarrus Sent Services
19B	$77,178	226	28	One Step Further
19C	$119,829	235	32	Rowan Sent Services
20A/B	$86,727	445	43	20th Dist Sent Serv
21	$146,115	222	55	One Step Further
22	$132,141	351	103	Appropriate Punishment Options
23	$126,048	102	25	Repay
24	$79,088	119	19	Repay
25A/B	$82,857	745	21	Repay
26	$174,242	392	65	Mecklenburg Sent Services
27A/B	$143,481	523	98	ACPP, Inc
28	$187,299	51	65	Buncombe Alternatives
29	$137,844	221	59	Western Carolinians for Criminal Just
30A/B	$137,463	405	29	Western Carolinians for Criminal Just
	$3,634,307	8,875	1,395	

Sentencing Services Program

(G.S. 7A-770 through -777)

HISTORY: State funded since 1983; services provided statewide.

- Under Fair Sentencing, as Community Penalties, provided alternatives in lieu of & at less cost than incarceration
- With the advent of Structured Sentencing, provides judges with information for the "incarcerate or not incarcerate" decision
- Effective January 1, 2000 (SL 1999-306), Community Penalties became Sentencing Services

MISSION: Information, options, and resources for the courts.

Sentencing Services' statutory mandate:

- Provide information to assist judges in sentencing defendants in the intermediate/active (I/A) cells
- Assess a defendant's appropriateness for punishment in the community
- Identify & provide linkages with appropriate punishment & treatment resources

EFFECTIVENESS: Proven, research-based assessment of defendants.

- Sentencing Services is the only entity that provides judges, prior to sentencing, a proven research-based assessment of the defendant's risk to re-offend.
- Research during the past 12 years has shown that:
  - appropriate treatment can reduce recidivism by up to 30%
  - mismatching sanctions with level of risk increases recidivism
  - punishment alone, without treatment, actually increases recidivism
  - having a sentencing plan is associated with reduced rearrest for a new offense.
- For every 277 program participants who successfully complete probation, North Carolina saves, in prison costs, the annual Sentencing Services budget.
- Average cost of plan preparation ranges from $100 - $600 per plan.
- FY 99-00: Defendants Contacted: 11,777, Cases Opened: 2,812, Plans Prepared: 1,830, Plans Presented: 1,730.
- FY 00-01 Projection: Contacted: 15,951, Opened: 2,970, Prepared: 2,130, Presented: 1,976.

FUTURE: Increased impact.

Increasing capacity of Sentencing Services will result in:

- More information to judges in more cases
- Expanded use of effective punishment & treatment resources
- Reduced recidivism

LOCAL IMPACT: Community investment & partnership.

- Annual local matching funds of more than $300,000
- 18 nonprofit corporations serving 35 districts
- 2 county-operated programs in 2 districts
- More than 400 local volunteers on 37 Sentencing Services Boards
- 8 state-operated programs in 9 districts

SENTENCING SERVICES PROGRAMS OPERATED BY NOT-FOR-PROFIT ORGANIZATIONS

Parent Corporation Sentencing Services Program, *Office Site(s)*	Counties Served by Sentencing Services	Local Match	Additional Programs
Albemarle Community Penalties, Inc.			
1st District Sentencing Services, *Elizabeth City*	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	$ 6,796	--
Pretrial Resource Center, Inc.			
4th District Sentencing Services Program, *Jacksonville & Kenansville*	Duplin, Jones, Onslow, Sampson	$ 15,500	Deferred Prosecution Program Pretrial Release Program Day Reporting Center (CJPP)
Eastern Carolina Judicial Resource Center, Inc.			
Sentencing Services Program of Pitt County (District 3A), *Greenville*	Pitt	$ 10,500	Pretrial Release Program (CJPP)
7th District Sentencing Services Program, *Rocky Mount and Wilson*	Edgecombe, Nash, Wilson	$ 15,500	Outpatient Substance Abuse Treatment Program (CJPP)
8th District Sentencing Services Program, *Kinston and Goldsboro*	Greene, Lenoir, Wayne	$ 4,797	
9th District Community Penalties Program, Inc.			
9th District Sentencing Services Program, *Henderson*	Franklin, Granville, Vance, Warren	$ 11,405	--
ReEntry, Inc.			Capital Area Teen Court Pretrial Release Program Juvenile Court Programs Juvenile Court Psychologist
10th District Sentencing Services Program, *Raleigh*	Wake	$ 20,300	
Eleventh Judicial District, ReEntry, Inc.			
11th District Sentencing Services Program, *Smithfield & Lillington*	Harnett, Johnston, Lee	$ 12,480	Drug Education School, HALT Batterers Treatment Program, Drug Diversion Program
Fayetteville Area Sentencing Center, Inc.			
12th District Sentencing Services Program, *Fayetteville*	Cumberland	$ 18,000	--
Cape Fear Sentencing Services, Inc. (Brunswick County)			
Cape Fear Sentencing Services (13th District), *Leland*	Bladen, Brunswick, Columbus	$ 13,500	--
Durham Community Penalties, Inc.			
Durham Sentencing Services Program (14th District), *Durham*	Durham	$ 23,722	--
Orange/Chatham Alternative Sentencing, Inc.			
Orange/Chatham Alternative Sentencing (Dist.15B), *Hillsborough, Pittsboro*	Chatham, Orange	$ 9,500	Pretrial Release Program
Robeson [redacted]tencing Services (Robeson County)			
Robeson Se[redacted]cing Services Program (District 16B), *Lumberton*	Robeson[redacted]	$ 11,500	--

SENTENCING SERVICES PROGRAMS OPERATED BY NOT-FOR-PROFIT ORGANIZATIONS

Parent Corporation Sentencing Services Program, *Office Site*	Counties Served by Sentencing Services	Local Match	Additional Programs
ReDirections of Rockingham County, Inc.			
District 17A Sentencing Services Program, *Reidsville*	Rockingham	$ 10,500	Mediation Services Program
District 17B Sentencing Services Program, *Walnut Cove*	Stokes, Surry		
One Step Further, Inc.			
Sentencing Alternatives Center (District 18), *Greensboro*	Guilford	$ 15,500	Mediation Services/VORRP
Community Sentencing Alternatives (District 19B), *Asheboro, Carthag*	Montgomery, Moore, Randolph	$ 5,000	Conflict Resolution/Life Skills
Forsyth Sentencing Services (District 21), *Winston-Salem*	Forsyth	$ 7,000	Guilford County Teen Court
Cabarrus Community Corrections, Inc.			
Cabarrus Sentencing Services (District 19A), *Concord*	Cabarrus	$ 3,600	--
Rowan Sentencing Services (District 19C), *Salisbury*	Rowan	$ 8,500	
Southern Piedmont Community Corrections, Inc.			
20th District Sentencing Services, *Albemarle, Monroe & Rockingham*	Anson, Richmond, Stanly, Union	$ 2,392	--
Appropriate Punishment Options, Inc.			
22nd District Sentencing Services Program, *Statesville*	Alexander, Davidson, Davie, Iredell	$ 25,075	Iredell Day Reporting Center (CJPP), Iredell Jail Resource Pgm
Repay, Inc.			
23rd District Sentencing Services Program, *Morganton*	Alleghany, Ashe, Wilkes, Yadkin	$ 5,000	Women at Risk Program
24th District Sentencing Services Program, *Morganton*	Avery, Madison, Mitchell, Watauga, Yancey	$ 4,850	Conflict Resolution Program
25th District Sentencing Services Program, *Newton*	Burke, Caldwell, Catawba	$ 15,422	
Mecklenburg Sentencing Services, Inc.			
Mecklenburg Sentencing Services (26th District), *Charlotte*	Mecklenburg	$ 15,500	--
Alternative Community Penalties Program, Inc.			
District 27 Sentencing Services, *Gastonia & Shelby*	Gaston, Cleveland, Lincoln	$ 15,500	Day Reporting Center (CJPP) Pretrial Service Program (CJPP)
Western Carolinians for Criminal Justice, Inc.			
29th District Sentencing Services Program, (*Asheville), Hendersonville, Marion, Rutherfordton*	Henderson, McDowell, Rutherford, Transylvania and Polk	$ 7,500	Women at Risk Program
30th District Sentencing Services, *Waynesville, Franklin, Robbinsville*	Haywood, Jackson, Macon, Graham, Clay, Swain, Cherokee	$ 4,000	

STATE OPERATED SENTENCING SERVICES PROGRAMS

Sentencing Services Program, ***Office Site***	**Counties Served by Sentencing Services**	**Local Match**
2nd District Sentencing Services, *Washington*	Beaufort, Hyde, Martin, Tyrrell, Washington	County provides office space
Neuse River Sentencing Services (District 3B), *Havelock*	Carteret, Craven, Pamlico	County provides office space
5th District Sentencing Services, *Wilmington and Burgaw*	New Hanover, Pender	County provides office space
District 6A/6B Sentencing Services, *Windsor and Jackson*	Halifax, Bertie, Hertford, Northampton	County provides office space
District 9A Sentencing Services, *Yanceyville and Roxboro*	Caswell, Person	County provides office space
15A Sentencing Services, *Graham*	Alamance	County provides office space
16A Sentencing Services, *Laurinburg and Raeford*	Hoke, Scotland	County provides office space
Buncombe Alternatives (District 28), *Asheville*	Buncombe	County provides office space

Sentencing Services and their Community Partners

Match Funding Contributors*

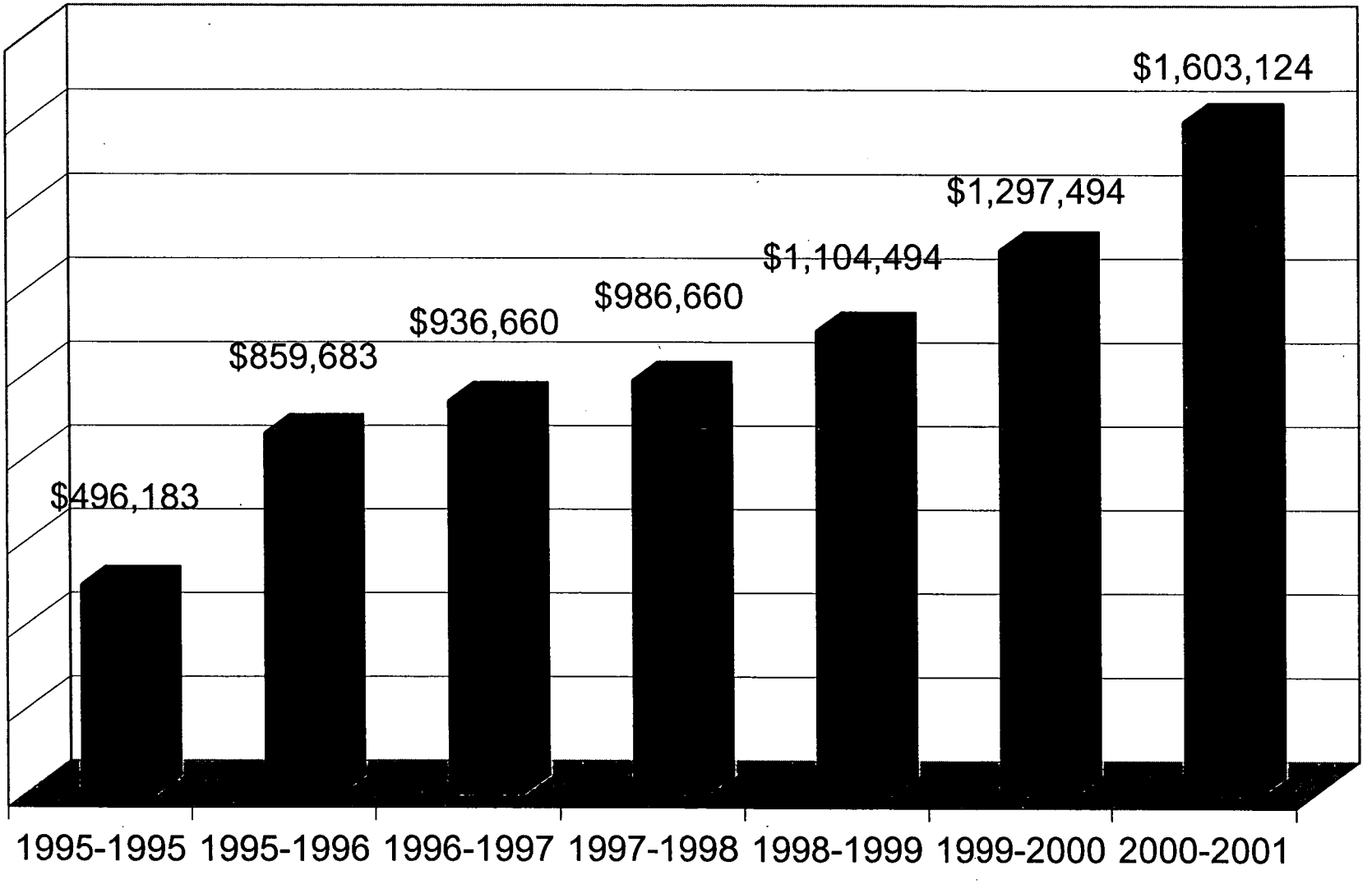
FY 00-01 Match Funds: $ 315,000 +

City of Durham
City of Jacksonville
County of Alamance
County of Beaufort
County of Bertie
County of Bladen
County of Brunswick
County of Buncombe
County of Burke
County of Caldwell
County of Camden
County of Caswell
County of Catawba
County of Chatham
County of Chowan
County of Columbus
County of Craven
County of Cumberland
County of Edgecombe
County of Forsyth
County of Franklin
County of Gaston
County of Gates
County of Graham
County of Granville
County of Guilford
County of Harnette
County of Haywood
County of Henderson
County of Hoke
County of Iredell
County of Lenoir
County of McDowell
County of Mecklenbug
County of Mitchell
County of Nash
County of Northampton
County of Onslow
County of Orange
County of Pasquotank
County of Pender
County of Perquimans
County of Person
County of Pitt
County of Randolph
County of Robeson
County of Rockingham
County of Rowan
County of Scotland
County of Stanly
County of Transylvania
County of Vance
County of Wake
County of Warren
County of Wayne
County of Wilkes
County of Wilson
Delta Sigma Theta Sorority, Inc.
Gaston County Bar Association
High Country United Way
Town of Carrboro
Town of Chapel Hill
Town of Hillsborough
Triangle United Way
United Way of Alexander County
United Way of Central Carolina/Mooresville-South Iredell
United Way of Chatham County
United Way of Cleveland County
United Way of Davie County
United Way of Gaston County
United Way of Greater Greensboro
United Way of Iredell County
United Way of Moore County
United Way of Randolph County
United Way of Rockingham County

Additionally, Sentencing Services Programs raise match funds through individual and business/corporate donations, fundraising events, foundations and fees for services. Our community partners also provide substantial non-cash support by donations such as office space, utilities, computer service and support, internet connectivity, accounting and bookkeeping services, office furniture, telephone systems, parking space, etc.

* List of contributors is not all inclusive

Growth in Funding to Dispute Settlement Centers



Workload Trends----Community Mediation Centers

	Counties	Clients	Referrals	Ct Refer	Resolved	Vol Hrs
1996-7	61	36,485	15,075	11,625	11,988	37,296
1997-8	65	42,670	15,030	10,591	12,278	36,070
1998-9	68	47,603	17,953	13,159	15,555	42,975
1999-0	73	58,939	16,698	12,742	15,016	39,249
% Growth	***19.7%***	***61.5%***	***10.8%***	***9.6%***	***25.3%***	***5.2%***

source: Annual Reports

Fiscal Research Division
Apr-01

Alamance County
Dispute Settlement Center
Burlington
Albemarle
[redacted]te Settlement Center
Camden & Nags Head
Blue Ridge
Dispute Settlement Center
Boone, Bakersville & Wilkesboro
Cabarrus County
Mediation Center
Concord
Carolina Dispute
Settlement Services
Raleigh & Durham
Charlotte-Mecklenburg
Dispute Settlement Program
Charlotte
Chatham County
Dispute Settlement Center
Pittsboro
Community Mediation Center
of Cape Fear
Wilmington
Conflict Resolution Center
of Catawba, Burke
and Caldwell Counties
Morganton
Cumberland County
Dispute Resolution Center
Fayetteville
Dispute Settlement Center
Kenansville
Dispute Settlement Center
of Moore County
Carthage
[redacted]thills Mediation Center
Rutherfordton & Columbus
Henderson County
Dispute Settlement Center
Hendersonville
The Mediation Center
Asheville
Mediation Center
of Eastern Carolina
Greenville, Rocky Mount,
New Bern & Wilson
Mediation Center of the
Southern Piedmont
Gastonia, Lincolnton & Shelby
Mediation Services
of Forsyth County
Winston-Salem
Mediation Services
of Guilford County
Greensboro & High Point
Mediation Services of
Rockingham County
Reidsville
Mountain
Dispute Settlement Center
Bryson City, Sylva, Waynesville
Qualla Boundary Office–Cherokee
Orange County
Dispute Settlement Center
Carrboro & Hillsborough
Piedmont Mediation Center
Statesville & Lexington
[redacted]andhills Mediation Center
Laurinburg & Raeford
Transylvania
[redacted]ispute Settlement Center
Brevard

Mediation Network of north carolina

P.O. BOX 241
CHAPEL HILL, NC 27514-0241
tel. 919.929.6333 / *fax* 919.933.4465
e-mail: mnnc@mnnc.org
web page: http://www.mnnc.org

North Carolina's Community Mediation Centers

Each year the Administrative Office of the Courts (AOC) collects data from the state's community mediation centers on their financial and programmatic activities. In recent years the AOC has compiled the information to submit in a report to the General Assembly. In their 2000 session the Legislature transferred the responsibility for compiling and reporting the information to the Mediation Network. Below is selected summary data that is included in the ***Annual Report on the Funding and Activities of the Local Community Mediation Centers for the Fiscal Year 1999-2000.***

I. ACTIVITIES

Counties served: 73
Total persons served via all services: 58,939
Cases referred for mediation/conciliation: 16,698
Cases referred by court officials: 12,742 (76%)
Cases referred from other sources: 3,956 (24%)
Criminal Cases Referred: 11,635 (70%)
Cases in which mediation/conciliation attempted: 15,016 (90%)
Cases resolved via mediation/conciliation: 11,906 (79%)
Persons served via mediation/conciliation: 29,227
Number of volunteers: 2,418
Hours served by these volunteers: 39,249

Services provided by volunteers: serving on boards of directors and advisory committees; providing mediation and conciliation services; providing facilitation, training and consultation services; providing court intake and court liaison services; providing community outreach and program development services; raising funds and engaging in promotional activities; providing clerical and other support services; providing professional services (e.g., accounting and other financial services); providing grounds keeping and maintenance services; receiving skills training and attending educational programs; providing foreign language interpreting and translating services.

II. CASETYPES

Most commonly referred criminal case types:

1. Assault: 3091
2. Consumer-Merchant (e.g., worthless check cases): 2820
3. Communicating Threats: 1506
4. Personal Property Vandalism/Theft: 915
5. Trespassing: 640
6. Harassment: 594

7. Juvenile Offense: 486
8. Injury to Real Property: 438

Most commonly referred non-criminal case types:

1. Consumer-Merchant: 1554
2. Domestic Relations: 1098
3. School Problems: 730
4. Assault: 192
5. Neighborhood: 177
6. Landlord – Tennant: 161

III. FINANCES

Total amount appropriated from Legislature: $1,272,494
Centers appropriation range: $23,000 to $95,000
Average appropriation: $48,942
Centers meeting funding ratio requirement: 26 of 26
Most significant funding source: State mediation appropriation
Other significant funding sources: city and county government; donations and in-kind contributions; IOLTA; non-State contracts, fees and grants including Governor's Crime Commission and local Juvenile Crime Prevention Councils (JCPCs); state grants; United Way.

Use of Total Funds:

Primary expenditure: employee salaries
Other significant expenditures: contractual services fees; insurance premiums; employee benefits; expansion costs; rent payments; supplies; travel costs; volunteer development costs.
Future Service Demands and Budget Requirements: The most frequently reported goal is the establishment or expansion of youth and family services.

Additional Services to Youth and Families

The Fiscal Year 1999-2000 saw a continuing increase in demand by communities for services for school-aged youth by community mediation centers:

- Juveniles and school-aged youth from ages 8 to 18 are eligible for these services;
- Undisciplined and delinquent youth can be referred or diverted from Juvenile Court at all levels: intake, pre-adjudication, adjudication, and disposition;
- Referrals can also come from: school personnel, law enforcement [including School Resource Officers], parents and other family members, community members and community agencies;
- All clients are individually screened and interviewed prior to acceptance;
- All services are confidential, voluntary, and without cost to the youth and family.

Youth Mediation

- Young people involved in conflicts [including family conflicts, disagreements between friends, conflicts among peers] meet with the other party(s) in a safe, confidential setting with trained mediators;
- All parties are given equal opportunity to speak and be heard, with an emphasis on suspending judgment, listening for understanding, and validating each participant's perspective;
- The parties create solutions which address the concerns of both, under the guidance of the mediator.

Truancy and Post-Suspension Mediation

- Offers a confidential opportunity for youth, parent/guardian, and school officials to become involved in creating a solution, with the help of a trained mediator;
- Helps identify the root causes of truancy, school attendance trauma and school-based misbehavior, and creates a clear plan toward improvement;
- Helps to establish and enhance relationships between child, family, and school;
- Helps resolve underlying issues that led to the suspension-related incident.

Family Conflict Resolution Training

- Equips individuals and families with communication and conflict resolution skills to better address their own conflicts; create clear understandings around needs, behaviors and consequences; and establish appropriate family boundaries;
- Youth [often juvenile offenders] participate with parents or guardians, siblings, and/or other interested family members;
- Youth and adults are able to observe, practice, discuss, and model skills in small and large group settings;
- Families participate in a series of 6–10 week interactive, group sessions led by mental health and conflict resolution specialists.

NCGS 7A-38.5 **[It] is in the public interest to encourage the establishment of community mediation centers, also known as dispute settlement centers or dispute resolution centers, to support the work of these centers in facilitating communication, understanding, reconciliation, and settlement of conflicts in communities, courts and schools, and to promote the widest possible use of these centers by the courts and law enforcement officials across the state.**

Alamance County
Dispute Settlement Center
Burlington
Albemarle
[illegible]te Settlement Center
Camden & Nags Head
Blue Ridge
Dispute Settlement Center
Boone & Wilkesboro
Cabarrus County
Mediation Center
Concord
Carolina Dispute
Settlement Services
Raleigh & Durham
Chatham County
Dispute Settlement Center
Pittsboro
Community Mediation Center
of Cape Fear
Wilmington
Community Relations
Committee / Dispute
Settlement Program
Charlotte
Conflict Resolution Center
of Catawba, Burke
and Caldwell Counties
Morgantown & Newton
Cumberland County
Dispute Resolution Center
Fayetteville
Dispute Settlement Center
of Moore County
Carthage
Duplin County
[illegible]e Settlement Center
Kenansville
Foothills Mediation Center
Rutherfordton & Columbus
Henderson County
Dispute Settlement Center
Hendersonville
The Mediation Center
Asheville
Mediation Center
of Eastern Carolina
Greenville, Rocky Mount,
New Bern, & Wilson
Mediation Center of the
Southern Piedmont
Gastonia, Lincolnton & Shelby
Mediation Services
of Forsyth County
Winston-Salem
Mediation Services
of Guilford County
Greensboro & High Point
Mediation Services of
Rockingham County
Reidsville
Mountain
Dispute Settlement Center
Bryson City , Sylva , Waynesville
Qualla Boundary Office–Cherokee
Orange County
Dispute Settlement Center
Carrboro & Hillsborough
[illegible]ont Mediation Center
Statesville & Lexington
Sandhills Mediation Center
Laurinburg & Raeford
Transylvania
Dispute Settlement Center
Brevard

Mediation Network of north carolina

P.O. BOX 241
CHAPEL HILL, NC 27514-0241
tel 919.929.6333 / *fax* 919.933.4465
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web page: http://www.mnnc.org

Mediation

Mediation is a private, usually voluntary, discussion and consensual decision-making process in which one or more impartial persons – the mediator(s) – assist people, organizations, and communities in conflict to work toward a variety of goals. The mediation process assists participants to:

- improve communication, understanding and empathy;
- improve relationships;
- work toward mutual understanding to resolve a problem or dispute;
- reach their own decisions;
- resolve underlying conflicts;
- prevent problems from recurring;
- minimize, avoid or enhance involvement in the legal/judicial system;

Role of the Mediator(s)

The primary responsibility for any resolution of a dispute rests with the participants. Mediators never give opinions on the issues in dispute. Mediators work to:

- facilitate communication among the participants;
- help participants explore mutual understanding;
- assist in defining and clarifying issues;
- maximize the exploration of alternatives;
- assist in exploring reconciliation and agreement.

****

Mediation Network of North Carolina offers a unique model of autonomous, locally based [mediation] centers that reflect the differing needs of their communities, and yet, also are able to nurture excellence and share resources and expertise statewide. They are a model of networking and collaboration...of how to harness grassroots innovation and capacity in the service of communities. They have become leaders in our field.

Margery Baker,
President, National Institute for Dispute Resolution (NIDR)
Washington, DC

North Carolina's community mediation centers are a private philanthropist's dream come true with their small dedicated staffs and their spirit, flexibility, and innovation.

Joseph Kilpatrick
Assistant Director, Z. Smith Reynolds Foundation
Winston-Salem, North Carolina

ANNUAL REPORT
ON THE FUNDING AND ACTIVITIES OF
THE COMMUNITY MEDIATION CENTERS
FOR THE FISCAL YEAR 1999-2000

PART I: INTRODUCTION

Pursuant to Chapter 67, Section 15(a), of the 2000 Session Laws, to follow is the report prepared by the Mediation Network of North Carolina, with assistance from the Administrative Office of the Courts (AOC), on the funding and activities of the local community mediation centers for the fiscal year 1999-2000.

The 2000 Session Laws transferred the responsibility for compiling and summarizing this information from the AOC to the Mediation Network of North Carolina. The form used by each center to report their funding and activities for FY 1999-2000 was prepared by the AOC. Mediation Network prepared most of this year's report using the previous AOC reports as a template. The AOC prepared one section as noted in Part VIII regarding centers' funding, *Community Mediation Centers – Funding Ratio Compliance for the FY 1999-2000* [pages 22-24].

During the past fiscal year, twenty-six local community mediation centers received a State appropriation.[1] This report summarizes and compiles the following information supplied by these twenty-six centers:

- types of dispute settlement services provided;
- clients receiving each type of dispute settlement service;
- number and type of referrals received, cases actually mediated, cases resolved in mediation, and total clients served in the cases mediated;
- total program funding and funding sources;
- itemization of the use of funds;
- itemization of the use of State funds;
- level of volunteer activity; and
- future service demands and budget requirements.

The report begins with an executive summary touching briefly on each of these subject areas. The body of the report then addresses these issues in greater detail.

The individual activity report of each center, which collectively are the basis for this summary report, are available for review at the Fiscal Research Division of the General Assembly. Readers with specific questions regarding a particular center should refer to that center's activity report for additional information.

[1] The Mediation Network of North Carolina also received a State appropriation during the fiscal year 1999-2000. *See* Part IV.

Although the General Assembly has been appropriating funds to support community mediation centers since 1979 when the first center formed in Orange County, it was not until 1999 that this support was formalized with the ratification by the General Assembly of House Bill 924. Enacted as Chapter 354 of the 1999 Session Laws, the bill added a new N.C.G.S. § 7A-38.5, subsection (a) of which provides as follows:

> ***[I]t is in the public interest to encourage the establishment of community mediation centers, also known as dispute settlement centers or dispute resolution centers, to support the work of these centers in facilitating communication, understanding, reconciliation, and settlement of conflicts in communities, courts, and schools, and to promote the widest possible use of these centers by the courts and law enforcement officials across the State.***

The remaining subsections of the 1999 statute include the following:

Community mediation centers may receive referrals from courts, law enforcement agencies, and other public entities;

Each chief district court judge and district attorney shall encourage mediation for any criminal district court action pending in the district when the judge and district attorney determine that mediation is an appropriate alternative **(emphasis added);** **and**

Each chief district court judge shall encourage mediation for any civil district court action pending in the district when the judge determines that mediation is an appropriate alternative **(emphasis added).**

PART II: EXECUTIVE SUMMARY

Summary Statement:

During the fiscal year 1999-2000, twenty-six State-funded community mediation centers served seventy-three (73) counties and more than 58,900 persons through a variety of programs. The predominant services provided by the centers remain mediation and conciliation. Both are methods of dispute resolution: in *mediation* a trained neutral mediator (or more often, co-mediators) assists the parties to a dispute in reaching their own resolution of the problem; a *conciliation* is a more informal discussion, often by telephone, that does not involve direct contact between the parties. During the past fiscal year, the centers mediated or conciliated nearly 12,000 disputes, most of which were criminal cases and most of which were referred by court officials. To support their efforts, the centers relied heavily on appropriations from the General Assembly, but also obtained significant additional funding from a variety of state and local sources. The centers also enjoyed the support of more than 2,400 volunteers who provided nearly 40,000 hours of service to the centers. As they look toward the fiscal year 2000-2001, the centers envision expanding their services in a variety of ways, with a particular focus on youth and family services.

General Information:

number of centers that received a State appropriation:	27 (incl. Mediation Network)
number of centers that provided services:	27 (incl. Mediation Network)
number of counties served:	73

See Parts III and IV below

Types of Dispute Settlement Services Provided and Clients Receiving Each Type of Service:

predominant services provided:	mediation and conciliation (all 26 centers)
other services provided:	training (22 centers) facilitation (13 centers) consultation (13 centers) various other (22 center)
total clients served:	58,939

See Part V below

Number and Type of Referrals Received:

cases referred for mediation or conciliation:	16,698
referrals from court officials:	12,742 (76%)
referrals from other sources:	3,956 (36%)
criminal referrals:	11,635 (70%)
non-criminal referrals:	5,063 (30%)
commonly referred criminal case types:	assault cases consumer-merchant matters communicating threats cases
commonly referred non-criminal case types:	domestic relations matters consumer-merchant matters
See Part VI below	school problems

Cases Actually Mediated or Conciliated, Cases Resolved in Mediation or Conciliation, and Total Clients Served in the Cases Mediated or Conciliated:

cases referred for mediation or conciliation:	16,698
cases in which mediation or conciliation was attempted:	15,016 (90%)
cases resolved via mediation or conciliation:	11,906 (79%)
persons served in the cases mediated or conciliated:	29,227

See Part VII below

Total Program Funding and Funding Sources:

total amount of State appropriations:	$1,297,494
range of appropriation amounts:	$23,000 (Duplin) to $90,000 (Eastern Carolina)
average appropriation amount:	$48,055
most significant funding source:	State mediation appropriation
total amount other funding sources:	$3,035,725
other significant funding sources:	city and county government
	donations and in-kind contributions
	IOLTA
	non-State contracts, fees and grants [e.g. GCC]
	State grants [e.g. OJJ/CBA/JCPC]
	United Way
total budget amounts:	$4,333,219

See Part VIII below

Funding Percentage Restrictions (or "Funding Ratios"):

each center raised the necessary non-State funds

See Part VIII below

Use of Total Funds:

primary expenditure:	employee salaries
other significant expenditures:	contractual services and professional services fees
	FICA, employee benefits
	expansion costs, rent payments, supplies, travel costs

See Part IX below

Use of State Funds:

primary expenditure:	employee salaries
other significant expenditures:	contractual services and professional services fees
	employee benefits, insurance premiums
	rent payments, supplies
	travel costs, volunteer development costs

See Part X below

Level of Volunteer Activity:

number of volunteers:	2,418
hours served by these volunteers:	39,249
services provided by volunteers:	serving on boards of directors and advisory committees
	serving as a corporate officer
	providing mediation and conciliation services
	providing facilitation, training and consultation services
	providing court intake and court liaison services
	providing community outreach and program development services
	raising funds and engaging in promotional activities
	providing clerical and other support services
	providing professional services (e.g., accounting and other financial services)
	providing grounds keeping and maintenance services
	receiving skills training and attending educational programs
	providing foreign language interpreting and translating services

See Part XI below

Future Service Demands and Budget Requirements:

most frequently reported goal:	establishment or expansion of youth and family services

See Part XII below

Comparison to the fiscal year 1998-1999:

counties served:	increase of 5 counties (+7%)
persons served:	increase of 11,336 persons (+24%)
total referrals received:	decrease of 1,255 referrals (-7%)
court referrals received	increase of 1,249 referrals (+11%)
cases resolved:	decrease of 1,666 cases (-14%)
percentage of cases resolved:	decrease from 87% to 79%
average appropriation amount:	increase of $7,148
total volunteers:	decrease of 211 volunteers (-8%)
volunteer hours served:	decrease of 3,726 hours (-9%)

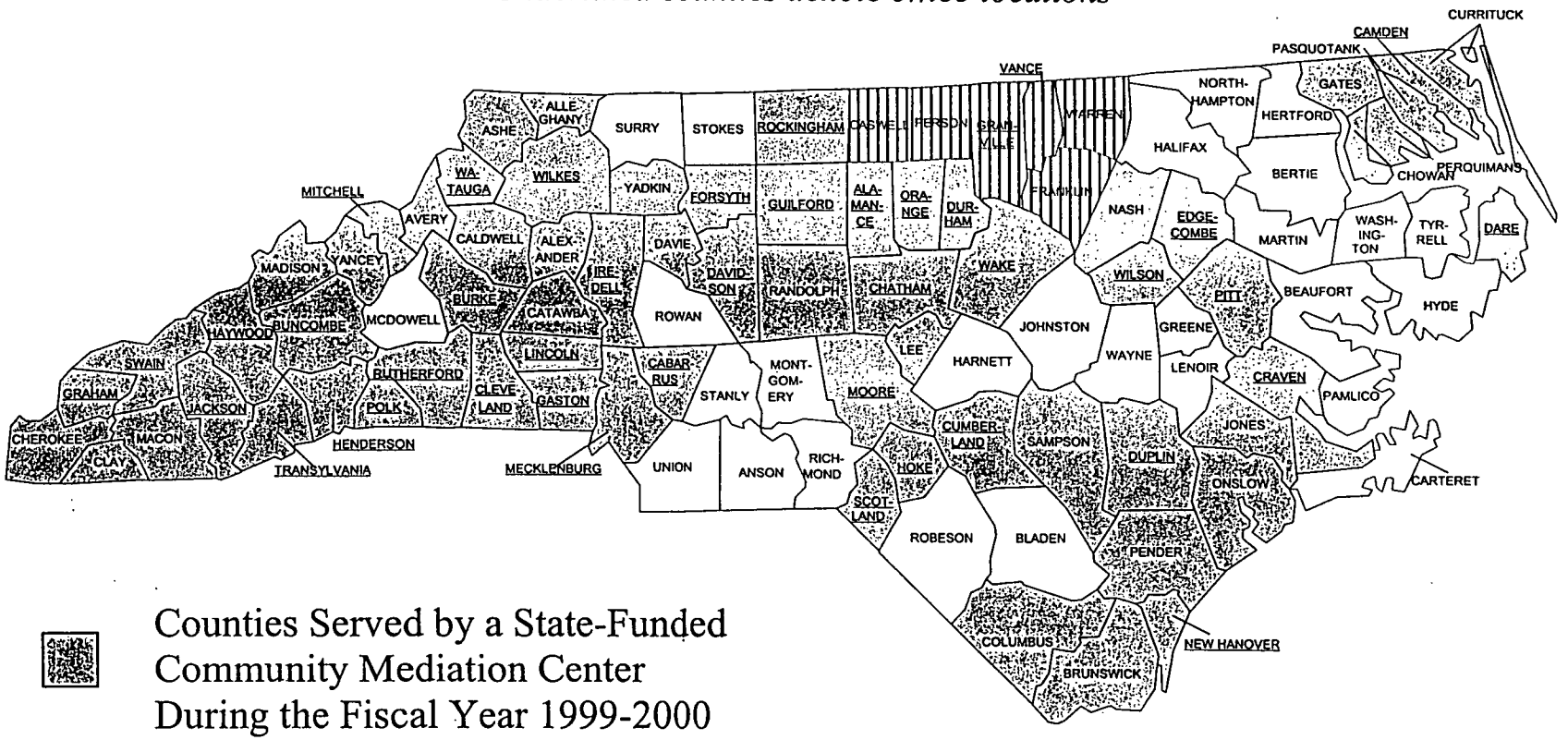
Each of the subject areas briefly summarized above is examined below in greater detail.

Additionally, the individual activity report of each center is available for review at the General Assembly's Fiscal Research Division. Readers with specific questions regarding a particular center should refer to that center's activity report for additional information.

Community Mediation Centers

Fiscal Year 1999-2000

Underlined counties denote office locations



Counties Served by a State-Funded Community Mediation Center During the Fiscal Year 1999-2000

Counties Added in FY 1999-2000

© Mediation Network of North Carolina, January 2001

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee

Date April 5, 2001

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
PHILLIP LYONS	PRESIDENT, REENTRY, INC.
Louise A. Davis	ReEntry Inc. ExDir Raleigh NC 27602
Scott Bradley	Mediation Network of NC
Miriam Saxon	AOC
Bob Hobgood	AOC
LEANDER FORBES, JR	MEDIATION CENTER OF EASTERN CAROLINA, NEW BERN, NC
Mark Van Der Put	AOC
Blythe Tennent	Mediation Center of Eastern Carolina, Greenville
Dean Speight	Carolina Dispute Settlement Services
Milton Lewis	" " " "
Anne Wimsatt	NCAOC

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
HASSHAN BATTS	The Conflict Resolution Center PO Box 5089 Morganton NC 28680
Patsy McCoy	Dispute Settlement Center P.O. Box 61 Kenansville, NC 28349
Dothula Baron	Dispute Settlement Center P.O. Box 61, Kenansville, NC
Glenda BARTON	DISPUTE SETTLEMENT CENTER PO BOX 61 KENANSVILLE NC
Glen Tim	Dispute Settlement Center P.O. Box 61 Kenansville, NC 28349
Dot Ehlers	11th Judicial District RoE Atz
Terry Hinton	9th District Sentencing Services
Christopher P. McPhatter	Eastern Carolina Judicial Resource Center, Inc, Sentencing Services Program
Joyce KUHN	ORANGE - CHATHAM ALTERNATIVE SENTENCING, Inc.
Riley Butler	Durham Community Penalties, Inc. / Durham Sentencing Services P.O Box 177, Durham NC 27702-0177
Susie Gnann	Fayetteville Sentencing Center 310 Green Street, Suite 110, Fayetteville NC 28301

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
LeAnn Wallace	AOC - Sentencing Service PO Box 2448 Raleigh, NC 27602
Don Jones	AOC - Sentencing Services
Doug Lance	ACPP, Inc. Sentencing Services, Pretrial Services, Day Reporting Center Gaston/Cleveland/Lincoln
DIANNE JONES	PRETRIAL RESOURCE CTR., INC., Anson, Lincoln (Sentencing Services, Pretrial Services, Supervision, Day Rept. Ctr, Deferred Prosecution) Jones
Joseph Blackburn	Right Turn of NC 2016 Wilkinson Blvd. Char. NC 28208
Cori N. Teotman	Right Turn of NC. 2016 Wilkinson Blvd Charlotte NC. 28208
Denise Truman	Right Turn of N.C. 2016 Wilkinson Blvd Charlotte NC 28209
Shara Partin	Guardian Ad Litem Ambassadors Alam. Co.
Ken Richards	Piedmont Mediation Center, Inc. P.O. Box 462 Lexington, NC 27292
Tony Gibbons	ReDirections 1311 Freeway Dr. Reidsville, NC 27320
Pam Nancy	APPROPRIATE PUNISHMENT OPTIONS, INC 224 WATER ST. STATESVILLE, NC 28677 - 22ND JUD. DIST. SENTENCING SERVICES

8:30 a.m. session

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday April 10, 2001
8:30 am and 1:30 pm
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- Overview of the Indigent Defense Budget

  Elisa Wolper, Fiscal Research Division

- Update on Office of Indigent Defense Services

  Malcolm Hunter, Director Office of Indigent Defense Services

- Summary of Funding of Nonprofits through Indigent Defense Budget

  Elisa Wolper, Fiscal Research Division

- Center for Death Penalty Litigation

  Ken Rose, Director
  Richard Rosen, President of Board of Directors

- Legal Services of North Carolina

  Melissa Pershing, Executive Director

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Wed Apr 11—Court Technology, Family Court, Drug Treatment Court, Guardian Ad Litem, Alternative Dispute Resolution
  Thurs Apr 12—Complete Review of AOC; Begin Crime Control & Public Safety

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Tuesday, April 10, 2001** at 8:30 a.m. in Room 415 LOB. Four (4) Senators were present. The following members of the House were present:

Rep. Bill Culpepper	Rep. Larry Justus
Rep. Phil Haire	Rep. Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton
Rep. John Hall	

A Visitors Registration Sheet is attached and made part of these minutes.

Rep. Bill Culpepper chaired the meeting. He began by recognition of the Pages, Greg Larkin (Representative McComas) and Brandon Carmichael (Senator Reeves), both of Wake County, North Carolina.

Representative Culpepper welcomed everyone and announced that the Committee would begin with a continuation on the Overview of the Indigent Defense Budget **(Handout #1)** by Elisa Wolper, Fiscal Research Division. Ms. Wolper explained today's focus would be on Indigent Defense concentrating on the state-run programs and the recommended increase in the Governor's Budget. During the afternoon, there will be two presentations from non-profits that receive funding through the Indigent Defense part of the Judicial Budget.

Following the handout, she explained the statute relating to obligation for indigent defense.

Question Representative Sexton. Exactly what determines "indigent status"? Is there a set income they follow? Exactly what is indigent?

Ms. Wolper explained the term indigent meant unable to pay for counsel. It is at the judge's discretion – at that point in time when counsel is needed – taken into consideration the estimation of cost involved in litigation and the person's ability to pay for counsel.

Representative Culpepper further explained that an affidavit is executed showing all income, assets, liabilities, etc., and the judge determines from that whether or not a person is indigent.

Question Representative Sexton. Who follows up on that to make sure everything is actually true?

There is an effort to recover at the conclusion of a case from the person who received assigned counsel, explained Ms. Wolper.

Representative Hall inquired with reference to the salaries (public defenders and district attorneys), were they all the same? Ms. Wolper explained that the individual offices have control over the salaries. Each office is allowed a set amount to hire attorneys and then they can choose within their office how to divide the amount. And it is the same for district attorneys and public defenders.

With reference to the Indigent Defense Commission, Representative Justus wanted to know who appoints the commission members? Ms. Wolper said that it was done by different sources -- some by the Legislature, constituent groups, etc. She said that there was a list of the members to be supplied later during the meeting.

She went on to explain that this commission was developed by the legislature. A director was hired in December 2000 and there were five authorized positions, not all positions have been filled. The commission will keep track of services provided and information obtained will be used to evaluate cost-saving mechanisms.

In reviewing cost trends on Page 6, these costs do not include the $3.2 million for support services (1999-2000). Transcript fees, expert witnesses, any amounts not paid to an attorney, are grouped under support services. Capital cases, in estimation, make up 21% of total Indigent Budget.

With reference to Page 7, this shows the increase in expenditures for indigent defense since 1995, with the figures for 2000-01 projected.

Question Senator Ballance. I assume you can track the indigent fees paid to counsel by county / district? I am interested in comparing fees paid in Districts 9, 6A and 6B. Staff said they could acquire the data per request.

On Page 8, Ms. Wolper explained that it was difficult to track these figures. As you may recall, the indigent fund last year ran out of money before the end of this fiscal year. And because of the impact Hurricane Floyd had on the budget and AOC having to give back money to the state to cover that costs, they did not have any available funds to cover that shortfall. If a bill arrived in May, it sat there until after the first working day after July 1st because there was no cash to pay those bills. Therefore, approximately $2.2 million has been paid this year to cover the expenses from the previous year.

Question Representative Kiser. That has been common all along, correct? Ms. Wolper commented that in most years the judicial branch used lapsed salary to make up a shortfall in the budget. But last year, they did not even have lapsed salary to make up the difference and things were deferred until the next fiscal year. Given current trends, based on 5-year average, you would need $56.45 million for the coming year's budget; based on 3-year average, you would need slightly less, $55.83 million.

In comparison as shown on Page 9, it appears there will be a $2.12 million shortfall. On Page 10 there is an alternative scenario showing a $3.43 million shortfall (no growth and fall short on the

budget). The last page shows how much lapsed salary has been used each year and the history of funds collected for counselor fees.

Question Representative Kiser. With reference to Page 5 under special counsel for mentally ill, 18,461 cases were handled and I feel compelled to relay a story. There was an individual who beat two elderly people to death on a Sunday night. The following Sunday night, I pulled him out of the road where he was trying to commit suicide. We committed him to Broughton that night, had his hearing on Tuesday and he was released. He went into Gaston County and killed another couple by beating them to death on the next Sunday night. My point is, it is impossible to handle that many hearings with that amount of staff. We have a problem here. We need to have better findings at these hearings.

Representative Culpepper asked if there were any more questions. There being none, the next presenter was introduced, Malcolm Hunter, Director of the Indigent Defense Services Commission. Handout #2 shows a breakdown of the members and their terms. It also shows from where they attained their appointments. Being a newly developed commission, Mr. Hunter stated that money cannot be conjured from nowhere, but he felt that the figures staff had presented are quite adequate.

Representative Sexton, question with reference to the last page, how do you expect to get $4.7 million from lapsed salaries in AOC when you only got $600,000 last year?

Response from Representative Culpepper. He explained that was when the Hurricane Floyd came along.

Response from Judge Robert Hobgood, AOC Director, we turned in $3.7 million back to the budget to assist.

Mr. Hunter expressed the desire to comment on concerns that members had been raising. First, the Broughton Hospital incident and the adequacy of counsel. I am concerned about that and we will be looking into ways for improvement. There's often an interaction between mental health unavailability and criminal justice, as you know very well. Irregardless of the fault, we need to make the hospitals available for those who dangerous and mentally ill. A lot of these people are trying to get into hospitals and the hospitals won't keep them.

Question Representative Justus. What's the relativity between legal counsel and the medical community in terms of psychologists and psychiatrists in those particular cases? Who is really responsible for those people being committed or not committed? It seems to me it would lie more with the medical community than the legal community.

If it reaches a hearing, it is a judge who makes the decision as to whether someone stays in; however, they rely heavily on medical opinion, said Mr. Hunter. To be honest, it is a shared responsibility.

Addressing Senator Ballance, Mr. Hunter stated that we do have the information you requested earlier on a county-by-county basis and will get that information to you. And, it is true that there

are differences from county to county and even from case to case. For example, the fees in Buncombe County can be significantly different from the fees in Cleveland County for the same kinds of cases. That is one of the things the Commission is concerned about and wants to try to straighten out. Capital case prosecutions do have a big impact on indigent fees, prosecution costs, courtroom availability, etc. North Carolina, in general, is a high prosecution state for the capital case; and statistically, we are prosecuting cases capitally at a higher rate than Texas, Florida, Virginia, and so we are among the handful of states prosecuting a large amount of our murder cases. That does have an affect on spending for prosecution and for defense counsel for indigents.

Representative Kiser asked with regard to the public defender's office, would a person be screened with a great intensity there then when an assigned counsel does it with regards to being indigent? Mr. Hunter said that in this state the decision regarding indigency is a judicial decision. The standard is very vague. It is not just poor people who cannot afford lawyers who get in trouble. Typically, most working persons who might get arrested for armed robbery and are being held in jail, probably have lost their jobs. Very few people would have $10,000 that is expected to cover the cost of a lawyer for representation. It is not just people who we think of in poverty. It is also the working class who live pay check to pay check, as many of us do.

Representative Kiser referred to the Ray Carruth case. Mr. Hunter said that any assets he may have are being aggressively pursued. His lawyers have never been paid. AOC has looked for assets everywhere. There are some that are tied up and the support for the baby is a priority also.

Judge Hobgood, Director AOC, reported that Ray Carruth's home was foreclosed and sold for less than the mortgage debt. There is a fund that would be available when he is 45 years of age and there is a lien upon that if there are monies in that fund at that time.

Representative Sexton reiterated the statement that when an average person does get into a locked-up situation for a crime they have committed, the assets listed such as boats, cars, are those assets liquefied? Mr. Hunter responded that it is a time thing as far as liquidation of assets. Can they be converted to cash, how long will they take, etc. On the other hand, something like a farm, which is worth $50,000 for example, they would not be indigent because they could borrow money on that type of asset.

Representative Justus asked how much additional cost has been added with the development of the Commission. Mr. Hunter responded $500,000.00. We will not spend that much this year. The purpose of the Commission is for cost saving management. Representative Culpepper reiterated the theory saying the state is going to "spend a little money to save a lot of money".

Mr. Hunter said one thing the Commission would like the legislature to do is to give the Indigent Defense Services Commission the authority to create some additional public defender positions and support staff positions. The Commission would only use them if the creation of such positions will, in turn, save money.

Representative Kiser asked about the staffing of these public defender offices. What if a public defender doesn't get enough cases to keep everyone busy in his office? What do they do if they

are not busy all the time? Mr. Hunter said that if they are not busy, then the State is paying for lawyers who are not fully employed. They would have full time jobs, but they would not be busy. Mr. Hunter agreed that we need to look at the efficiency of these offices.

Representative Kiser asked about the variation between Cumberland and Gaston. What would cause such a large variation between those two counties? Mr. Hunter said he could suggest a couple of things. All public defenders do not do exactly the same sort of things. You have to get a breakdown for example how many are felonies, misdemeanors, etc. to get a complete picture.

Representative Kiser asked for such a breakdown. Mr. Hunter responded yes but it would be limited information; however, next year he could guarantee that information would be readily available. That is part of what this Commission will be doing – generating data so that better decisions can be made with regards to spending money wisely.

Representative Justus asked about standardized reporting across the variants. Mr. Hunter indicated that was the goal. He was not sure how difficult it would be to gather but the reports would be standardized.

Senator Bingham on Page 4, public defenders $295/case; others average $317/case, are they taking into consideration benefits and retirement? Yes, it does include full salary and benefits. It includes support staff, but what it does not include is supporting services which are a separate budget item.

Mr. Hunter said another thing the Commission would like to do is to have pre-approval for at least considering the establishment of public defender offices in places where AOC studies show it would save money.

Senator Thomas commented that July 1st of this year is the effective date for this Commission to start up. The legislation to form the Commission is still "wet". I think we need to see if we are on the right track. Let's not propose changes and give pre-approvals until we see what occurs right now. Input from the local communities is also an important factor.

Mr. Hunter agreed that would be fair.

Representative Culpepper announced that time was up and the meeting would continue at 1:30 p.m. this afternoon.

Representative Bill Culpepper
Presiding Committee Chair

Sara Jane Lennard
Committee Assistant

8:30 a.m.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 4/10/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Ken Rose	Center for Death Penalty Litigation
Bob Boswell	AOC
Mac Hunter	AOC
Steve Lusk	AOC
Bob Hobgood	AOC
Bob Lodge	GAL Volunteer
Peg Dorer	NC Conference of DAs
[illegible]	Fraternal Order of Police
Michelle Frazier	NC Bar Assoc.
Debra Kon	ACLU

#1

Indigent Defense and Related Programs
Judicial Branch

Joint Appropriations Subcommittee on
Justice & Public Safety

April 10, 2001

Obligation for Indigent Defense

GS 7A-498.1 "Whenever a person is determined to be indigent and entitled to counsel, it is the responsibility of the State under the federal and state constitutions to provide the person with counsel and the other necessary expenses of representation."

Indigent Defense—What is Included

In North Carolina, indigent defense is provided by a combination of:

- Public defenders offices (state employees) and assigned counsel (private attorneys appointed by the court and paid by the state for representation)
- Office of Appellate Defender (state employees) which the courts can assign to cases on appeal
- Capital Case Pilot that uses state employees to handle some capital cases
- Special Counsel for the Mentally Ill to represent indigents facing involuntary commitment proceedings at North Carolina mental institutions
- Grants through the NC State Bar to support groups providing "Access to Civil Justice"
- Office of Indigent Defense Services to provide management of the system
- Contractual arrangements for indigent defense have not been authorized but will be permitted after July 1, 2001

TOTAL INDIGENT DEFENSE BUDGET

	1997-98	1998-99	1999-00	2000-01	2001-02*
Expenditures	$56,490,143	$58,415,382	$62,382,961	$66,075,003	$71,640,176
Receipts	$5,636,814	$6,188,736	$9,295,004	$6,546,008	$6,546,008
General Fund	$50,853,329	$52,226,646	$53,087,957	$59,528,995	$65,094,168
% Change Expend		*3.4%*	*6.8%*	*5.9%*	*8.4%*
% of Total Judical		*16.0%*	*15.2%*	*15.6%*	*17.3%*

* as Recommended by Governor's Budget

CURRENT INDIGENT DEFENSE BUDGET (Dec 31, 2000)

Program	1999-2000	2000-2001	% of Total	Positions
Assigned Counsel	$45,928,039	$47,016,944	71.2%	-
Public Defenders	$12,260,830	$14,089,219	21.3%	202
Grant to State Bar	$2,250,000	$2,250,000	3.4%	-
Appellate Defender	$1,068,894	$1,073,585	1.6%	14
Capital Case Pilot	$278,065	$408,660	0.6%	4
Special Counsel	$512,719	$830,373	1.3%	15
Indigent Defense Serv	$0	$310,211	0.5%	5
Setoff Debt Collection	$84,414	$96,011	0.1%	2
	$62,382,961	$66,075,003		240

Public Defenders

- Public Defenders offices are created by the legislature

- The Public Defender is appointed (4 year term) by the Senior Resident Superior Court Judge from names submitted by the local Bar. The PD's salary is set equal to the District Attorney and specified in each year's budget bill.

- Current Public Defenders (and 1999-2000 cases handled) in

3A---Pitt	3,291
3B---Carteret	488
12---Cumberland	2,524
14---Durham	6,403
15B--Orange/Chatham	1,885
16A--Scotland/Hoke	1,648
16B—Robeson	2,805
18---Guilford	7,540
26—Mecklenburg	12,042
27A—Gaston	5,019
28---Buncombe	4,084

- There are currently 11 Public Defenders, 120 Assistant Public Defenders, 26 investigators, and 45 Legal Assistants . This is an attorney: support staff ratio of 1.84:1 (DA's have a ratio of 1.06:1)

- In the 1997-2000 Legislative Sessions, 16 Assistant PD and 6 support positions were authorized.

- The AOC studied the cost-effectiveness of Public Defenders in 1998-99, comparing their costs to assigned counsel.
  - estimated statewide savings of $2.5 Million
  - cases in districts with Public Defenders averaged $295/case while those in other districts averaged $317/case
  - public defenders were cheaper than assigned counsel would have been in 7 of the 11 districts

Appellate Defender

- Has been appointed by Chief Justice but will be appointed by Indigent Defense Commission
- Total staff of 18, including capital case pilot
- Appointed by the court after conviction in trial courts
- Capital Case Pilot established in 1998 to use state employees on capital cases.
- In first year, provided 3,840 hours of representation on 11 capital cases in 10 counties

- First year showed some small cost savings

Special Counsel for Mentally Ill

- Located at Broughton, Cherry, Dix, and John Umstead
- 11 Attorneys, 4 support staff (4 positions added 2000)
- Handled 18,461 hearings in 1999-2000 at average cost of $27.77. This was an increase from 13,635 cases in 1998-99.

Office of Indigent Defense Services

- Commission appointed Sept 2000 to provide management of indigent system
- Director hired December 2000
- 5 Authorized Positions
- Most powers effective July 1, 2001

Cost Trends

1993-4 vs 1999-00	Increase in #	Increase in Avg Cost	99-00 Avg Cost
Assigned Counsel			
Capital Cases	4.3%	86%	$9,213
Other Adult	57%	14.1%	$ 284
Juvenile	58%	16%	$ 203
Public Defenders	33%	4%	$ 257

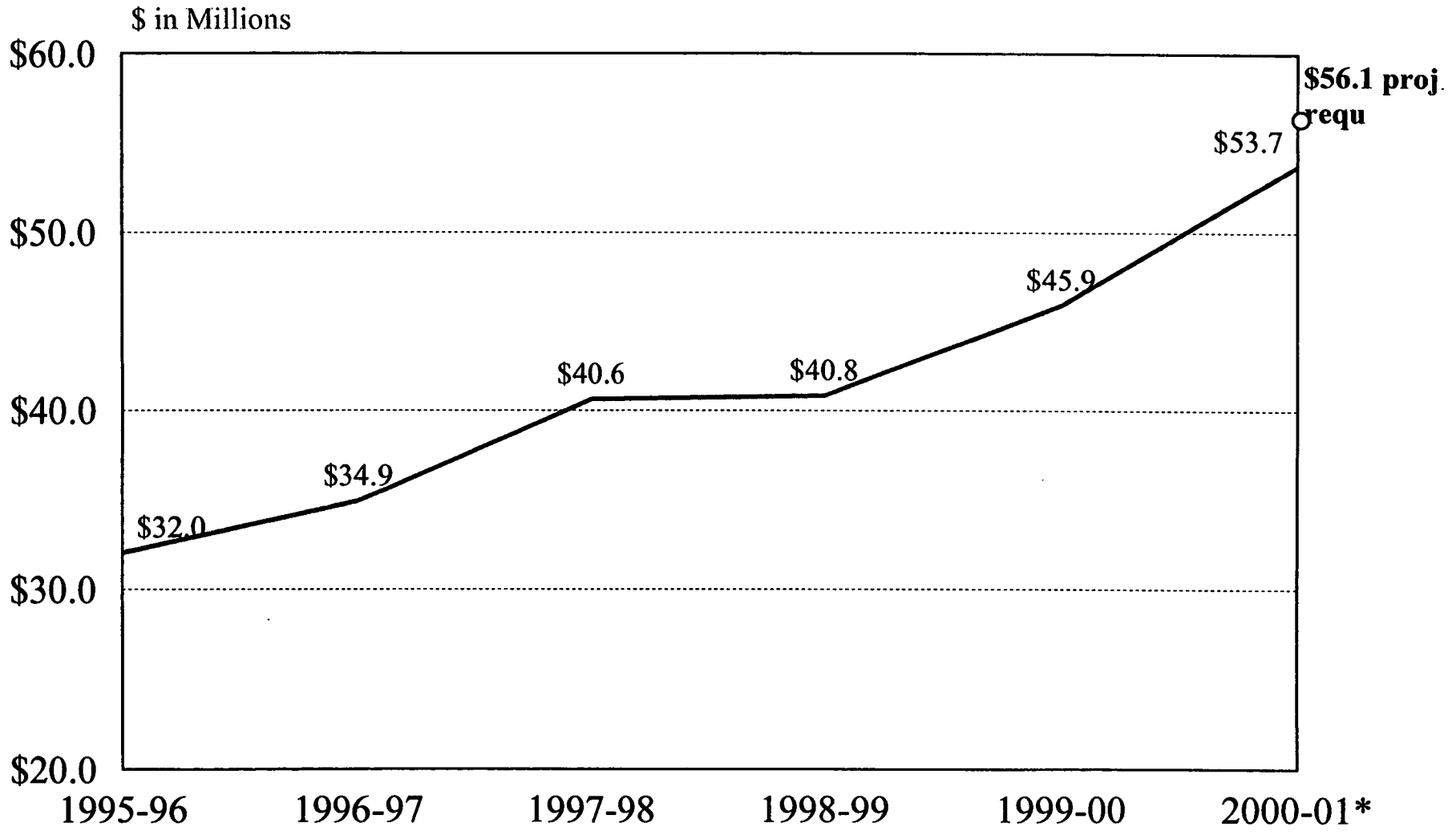
(costs do not include support services, $3.2 M in 1999-2000)

Total Cost of Capital Cases (estimated)

Assigned Counsel	$10,079,534	
15% of Public Defenders	$ 1,839,123	
50% of Support services	$ 1,609,000	
40% of Appellate Defender	$ 427,557	
Capital Case Pilot	$ 278,065	
TOTAL	$14,233,279	(21% of total Indigent Budget)

Judicial Department

Actual Expenditures for Indigent Defense - Private Attorney Fees Only*



*FY 2000-01 projected availability based on Governor's Budget

Actual Obligations by Fiscal Year---Assigned Counsel

	$ (Millions)		% Growth	Note
Fiscal Year				
1993-94	$24.53			
1994-95	$28.86		17.7%	
1995-96	$33.01		14.4%	
1996-97	$33.88		2.6%	
1997-98	$40.63		19.9%	
1998-99	$42.70		5.1%	inc $1.8 M paid in 99-00
1999-00	$46.26		8.3%	inc $2.2 M paid in 00-01
2000-01*	$51.55	note: based on 53.7-2.2	11.4%	
2001-02	$56.45			*Based on 5 year avg: 9.5%*
	$55.83			*Based on 3 year avg: 8.3%*

Assigned Indigent Counsel

Requirements vs. Availability for 2001-02

Proposed Budget 2000-01 Authorized	$40.62	
Proposed Increase	$5.56	per Governor's Budget
Counselor Fee Judge	$6.75	Based on 00-01 projected a $0.75 increase over 00-01
AVAILABILITY	$52.93	
Budgeted Lapsed	$0.40	per 1999-2001 budget
Potential Additional Lapsed	$0.35	Based on Public Defenders
MAXIMUM AVAILABILITY	$53.68	
Projected Requirements	$55.80	
Projected Shortfall	($2.12)	

Requirements vs. Availability for 2001-02 (w/o Growth in exp. or GF)

Proposed Budget 2000-01 Authorized	$40.62	
Counselor Fee Judge	$6.75	Based on 00-01 projected a $0.75 increase over 00-01
Budgeted Lapsed	$0.40	per 1999-2001 budget
Potential Additional Lapsed	$0.35	Based on Public Defenders
MAXIMUM AVAILABILITY	$48.12	
1999-2000 Requirements	$51.55	
Projected Shortfall	($3.43)	Not allowing for any growth

Use of Lapsed Salary for Indigent Defense

Fiscal Year	Amount	Notes
1993-94	$1,125,000	Elimination of negative balance in Certified Budget
1994-95	$682,444	
1995-96	$2,140,524	
1996-97	$2,170,111	Including $1 M from OSBM
1997-98	$4,950,315	
1998-99	$4,308,144	
1999-00	$600,742	
2000-01*	$4,700,000	$2.2 to cover payments held from 99-00

History of Counselor Fee Judgements

Fiscal Year	Amount	Notes
1993-94	$3,998,163	
1994-95	$4,050,153	
1995-96	$4,569,280	
1996-97	$5,181,992	
1997-98	$5,518,626	
1998-99	$6,087,441	
1999-00	$6,608,799	new automated system with Dept Revenue (38% of collections)
2000-01*	$6,750,000	better estimate available after April 15

#2

Members of Indigent Defense Services Commission	
Members with four-year terms *Adam Stein, Chair* Appointed by Speaker of House *Superior Court Judge Melzer Morgan, Vice-Chair* Appointed by Chief Justice *Dr. James Clotfelter* Appointed by Governor *Steve Allen* Appointed by President Pro Tem. of Senate	Members with three-year terms *Professor Rhoda Billings* Appointed by IDS Commission *Richard Roose* Appointed by State Bar *Henry Boshamer* Appointed by Public Defenders Association
Members with two-year terms *Joseph Cheshire* Appointed by Bar Association *Frank Martin* Appointed by IDS Commission *Mary Ann Tally* Appointed by Academy of Trial Lawyers	Members with one-year terms *District Court Judge Gary Locklear* Appointed by IDS Commission *Professor Grady Jessup* Appointed by Black Lawyers Association *Claire Rauscher* Appointed by Women Lawyers Association
Director: Malcolm R. (Tye) Hunter	

1:30 p.m.
Session

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday April 10, 2001
8:30 am and 1:30 pm
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- Overview of the Indigent Defense Budget

  Elisa Wolper, Fiscal Research Division

- Update on Office of Indigent Defense Services

  Malcolm Hunter, Director Office of Indigent Defense Services

- Summary of Funding of Nonprofits through Indigent Defense Budget

  Elisa Wolper, Fiscal Research Division

- Center for Death Penalty Litigation

  Ken Rose, Director
  Richard Rosen, President of Board of Directors

- Legal Services of North Carolina

  Melissa Pershing, Executive Director

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Wed Apr 11—Court Technology, Family Court, Drug Treatment Court, Guardian Ad Litem, Alternative Dispute Resolution
  Thurs Apr 12—Complete Review of AOC; Begin Crime Control & Public Safety

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Tuesday, April 10, 2001** at 1:30 p.m. in Room 415 LOB. Five (5) Senators were present. The following members of the House were present: Rep. Culpepper and Rep. Haire, Co-Chairs; Representatives Goodwin, Hall, Justus, Kiser, and Sexton.
A Visitors' Registration Sheet is attached and made a part of these minutes.

Representative Phillip Haire called the meeting to order in the absence of Representative Culpepper who would be forthcoming. Representative Haire welcomed everyone back and announced that the committee would welcome questions of Mr. Hunter, Director of the Indigent Defense Services Commission, regarding his presentation at the morning meeting. There were no further questions at this time.

Elise Wolper, staff Fiscal Research, announced that the remaining non-profits, whose funding flows through the Indigent Defense Budget, would be making presentations. Ms. Wolper referred to Handout #1, **History of Grants to Nonprofits**. She explained that the primary funding shown goes to two organizations and then flows to a third. The next two pages shows additional information pertaining to Legal Services of North Carolina and the Center for Death Penalty Litigation, and there are two representatives from each here today to give you more detail.

Question Senator Bingham. What is the funding source IOLTA?

Ms. Wolper explained that IOLTA is interest earned on trust accounts handled by attorneys for their clients. A board decides where that money goes.

Senator Bingham inquired about the total percentage as far as federal funding? Ms. Wolper explained that the presenters could probably better answer those questions.

Representative Kiser asked about the distribution of a newsletter to 700 attorneys. Are they selected? Ken Rose with the Center for Death Penalty Litigation replied to the question stating the newsletters were sent to appointed attorneys for capital cases.

Representative Culpepper asked Mr. Kenneth Rose, Director of the Center for Death Penalty Litigation, to come forth with his presentation. Handout #2, **Center for Death Penalty Litigation**, and Handout #3, **List of Board of Directors**, were given to the Committee Members for reference. Mr. Rose talked briefly about the services offered. He asked the members to please consider renewing the funding of $590,000 (monies received the previous year). This money is used for attorneys at the trial level through consultations, training, manuals, and assisting the attorneys on-site with their cases. It also helps provide at least three trainings a year for attorneys. They hold annually a capital college where attorneys bring their actual capital cases to the center and essentially go over their cases and practice them. These services are essential to insure adequate assistance of counsel in these very difficult and serious cases; and

without the availability of the Center's consultation services, it would be near impossible for attorneys to provide the level of care that is required in capital cases. This is available to every attorney appointed in a capital case.

Mr. Rose then introduced Rich Rosen who is the current president of their Board. The Chair, Representative Culpepper, opened the floor for questions.

Question Senator Jordan. You said a college and training is offered three or four times a year. Where is that held? Mr. Rose informed them that the college was always held in Raleigh at the Academy of Trial Lawyers Building and the trainings were held at various places around the state.

Mr. Rosen added that the Center provides constitutionally required minimum level of counsel for defense in capital cases. All activities are monitored very closely. We are confident that money received from the State is being well-spent and, at the same time, economically spent. He then stated he would be happy to answer any questions.

Question Representative Hall. How are board members selected?

Response from Rich Rosen was that after the board was formed in 1995, as people vacated, the board would choose new members as provided in the by-laws.

Question Representative Hall. Then it is not done geographically?

That is correct, it is not. We do try to cover the state; however, we are light in eastern North Carolina.

Question Representative Goodwin. In addition to the extremely important role placed in promoting confidence in representation of those who are capital defendants, can you explain briefly for us how the Center's assistance actually saves the state money?

Mr. Rosen replied that it cuts down on the amount of time lawyers have to spend per case as they receive training, learn how to efficiently operate, and a lawyer who receives assistance can complete his case in less time, thus more economically. We also do a very good job of drawing volunteers who work for free on capital cases. For example, UNC Law School has law students through a project who do research and litigation investigations, and this assistance is free to the state.

Do you think that you also lessen the cases of appeals from your assistance inquired Representative Goodwin?

We would hope that it would lower the amount of time that would be spent on post conviction challenges. There is no proof of that. It is my assumption that it would be true.

Representative Culpepper asked for additional questions. There being none, he thanked the presenters from the Center for Death Penalty Litigation.

Next, Representative Culpepper welcomed and introduced Melissa Pershing, Executive Director, Legal Services of North Carolina.

Ms. Pershing asked that two informational sheets be distributed (Handouts #4 & #5) and introduced some of the supporters present today: Jim Maxwell, former president Durham Academy Trial Lawyers and current president N.C. Bar Association; Dick Taylor, CEO, N.C. Academy Trial Lawyers; Anne Winner, Lobbyist; John McMillan, Lobbyist; Chris Marks, Deputy Director; Jim Barrett, Executive Director; Michelle Colfield, Director Public Service Activities, NC Bar Association; and Michelle Frazier, Director Governmental Affairs, NC Bar Association.

Currently there are five programs funded by the state. This is a non-profit organization which provides free legal assistance to low income families in civil matters only. They handle no criminal matters. They serve all 100 counties from community-based urban and rural from east to west. The people served are called "income eligible clients". These people live at 125% of the federal poverty level. For a family of four, that is an annual income of $21,313. Twenty percent of the clients are elderly. Usually the clients are referred by another non-profit in the community. We call these type of cases "basic needs". A large part consists of family law and almost all involve some type of family domestic violence or child abuse. We do some affordable housing work and a large amount of disaster assistance. We also do consumer law such as predatory lending, unfair trade practices, consumer credit issues, income issues (Social Security, Medicare, Medicaid, veterans benefits). Seventy percent of the cases are resolved without ever going to court.

We have an independent CPA annual audit which we have to turn into the federal government with information on cases and on all funding sources. Last year, the Office of the Inspector General randomly audited our program going through all cases files and only one error was found. That was an error in the closing of a file. So we can offer the kind of oversight and compliance which can assure you that the money is being well-spent.

The largest obstacle is lack of resources. It should be one attorney per 5,000 persons – in North Carolina it is one attorney per 15,000 persons. We have approximately 1-1/2 attorneys per county. In 1996, the federal government cut our funding by almost one-third and it has remained relatively flat ever since. In 1997 we had a good year with the General Assembly when our funds were almost doubled, but then we had a 25% cut in 1999.

Our starting salary is $28,000 for a brand new attorney right out of law school. And that was just increased last year from $26,000. With that in mind, it is, as you can see, very difficult for us to recruit attorneys, particularly in rural areas. North Carolina has the one of the lowest legal services funding at $1.98/poor person for legal services. Neighboring states in comparison are: Maryland $7.27/poor person; Virginia $5.60/poor person; Tennessee $3.49/poor person; Florida $3.30/poor person; South Carolina $2.51/poor person and Georgia at $2.38/poor person. Additionally, all of these states have all or some portion of their money coming from dedicated funding of court or filing fees.

We respectfully request that this committee retain our current funding level in general and consider dedicating a portion of existing filing fees as noted in Senate Bill 536 which is sponsored by Senator Clodfelter.

Representative Kiser stated that he has a constituent who has a problem with a lot being improperly cleared. She is being charged for the mistake and does not have the money to hire an attorney. Would she be eligible?

Ms. Pershing agreed but it would depend on (a) qualification at the poverty level discussed and/or (b) eligibility under laws for the elderly. The constituent would need contact Catawba Valley Legal Services in Morganton.

Jim Barrett, Executive Director of Pisgah Legal Services in Asheville, again thanked the committee for their time today. In this position, you see very sad and distressing cases that are desperate on a daily basis. Unfortunately, they cannot all be helped, but that is why we are here today so that you will see the need to continue the funding.

Question Senator Bingham. Do you have to turn a lot of people down and/or have a waiting list?

Mr. Barrett said that they do turn a lot of people down and that they have to be screened very carefully. We deal mainly with the worse cases that come to us, or the ones where we can do the most good. As far as the waiting list, what we do is tell them to return next week or refer them to the private bar as we have one or two attorneys who come in every week and volunteer their services. We use more than 200 volunteer attorneys.

Comment Senator Ballance. These people are very emotional about there problems and have a great need.

Comment Representative Culpepper. I was thinking that the people who come in our offices are the ones who need help the worse and they are always the ones who can least afford it. I see it all the time so this is a wonderful thing that you do.

Jim Maxwell, President N.C. Bar Association, asked the Chair for the floor to comment. First, he wanted to say that North Carolina's Center for Death Penalty Litigation has a first rate reputation in handling capital cases and that is something for which we should be proud. Secondly, Legal Services has done an outstanding job in all respects, but particularly so with the ravages from Hurricane Floyd. Speaking of Floyd, many of those eligible now for legal services were not prior to the occurrence of Floyd. Hurricane Floyd created a whole new class of people in this state with long range impact. Thus, we request you to seriously consider SB536 regarding dedicated funding.

Elisa Wolper of Fiscal Research stated that she had a follow-up from the morning to give to the members (Handout #6). This handout resulted from questions asked earlier regarding data from different public defenders' offices.

After reviewing this information, Representative Culpepper asked for questions. There being none, the meeting adjourned.

Representative ~~Bill~~ Culpepper
Presiding Committee Chair

Sara Jane Lennard
Committee Assistant

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee

Date 4/10/01

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
JIM MAXWELL	PRES. - N.C. BAR ASSN.
Michelle Cofield	N.C. Bar Assoc. Staff
Michelle Frazier	NC Bar Assoc
John McMillan	MF & P.A.
Melissa Pershing	ED - Legal Services of NC
Jim Barrett	ED - Pisgah Legal Services
Tye Hunter	IDS
Richard Rosen	UNC Law School
Ken Rose	Center For Death Penalty Litigation
Bob Hobgood	AOC
Bob Boswell	AOC

1.30

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Chris MANKS	Legal Services of NC inc

#1

History of Grants to Nonprofits

	To State Bar	To Resource Center	State Bar to Legal Serv	State Bar to Center for DPL
1996-97	$1,250,000	$0	$1,000,000	$250,000
1997-98	$2,500,000	$0	$2,000,000	$500,000
1998-99	$2,210,000	$0	$1,640,000	$570,000
1999-00	$2,250,000	$0	$1,660,000	$590,000
2000-01	$2,250,000	$0	$1,660,000	$590,000

In 1997-98, $250,000 of Center's funding was direct rather than through State Bar

All funding is currently recurring

FRD April 2001

FUNDING TO NONPROFITS FOR INDIGENT SERVICES

Legal Services of North Carolina

- Established in 1976, with State funding since 1989
- GS 7A-474.1 reads "the General Assembly of North Carolina declares it to be its purpose to provide access to legal representation for indigent persons in certain kinds of civil matters. The General Assembly finds that such representation can best be provided in an efficient, effective, and economic manner through Legal Services of North Carolina, Inc., and the geographically based field programs in this State receiving funds under the Legal Services Corporation Act
- Funding administered through the NC State Bar Justice System Committee
- In addition to staff attorneys, Legal Services coordinates pro bono work by 3,500 private attorneys
- In CY 2000, Legal Services of NC provided counsel/brief service/advice to 10,677 clients and handled 6,895 other cases. Additional cases handled by North Central, Pisgah, Legal Aid of the Northwest and LS of Southern Piedmont.
- Staff of 297 individuals
- In addition to $1.66 M from the General Assembly, Legal Services receives $15 Million (Federal Funding and IOLTA are largest sources)

Center for Death Penalty Litigation

- Started with private funding in 1995 and later became part of Office of Appellate Defender as the NC Resource Center until 1995

- In addition to $590,000 from the General Assembly, Center received $557,643 as fees for serving as appointed counsel for indigents in capital cases. Their total 99-00 budget was $1.1 Million with 80% going to personnel.

- State funding is for training and consultation for attorneys handling capital cases. In 1999-2000, 23,097 staff hours were recorded under this project.

- During the 1st half of 2000-01, the Center consulted with attorneys in 64 cases in 37 counties. They also provide 3-4 trainings per year and distribute a newsletter to 700 attorneys.

- Center has staff of 18 including 11 attorneys, 2 investigators, 3 paralegals and 2 support staff.

#2

CENTER FOR DEATH PENALTY LITIGATION

The Center for Death Penalty Litigation ("Center") was formed as a non-profit agency in 1995, with the assistance of a grant provided by the North Carolina General Assembly through the North Carolina State Bar. The purpose of the grant is to promote competence in the representation of indigent capital defendants in this state, which continues to be a bi-partisan concern to lawmakers and the public. The Center is requesting a $590,000 grant; the same amount as we received last year. This continued funding is needed for the following reasons:

- In the past five years, an average of nearly 23 inmates each year have been added to the State's Death Row. According to U.S. Department of Justice and Census Bureau statistics, the per capita sentencing rate in North Carolina is four times that of Virginia, and nearly twice the rate of Texas.

- Since the Center was established, the population on Death Row has more than doubled, to its current level of 217.

- The services the Center provides are varied. Staff attorneys provide in-house consultations with appointed counsel, telephone consultations, and at times travel to the site of the cases to assist with preparation.

- The Center produces manuals and other training materials for defense attorneys in capital cases.

- The Center sponsors three to four trainings per year. The Center's Capital College, which is held twice a year, permits attorneys to bring to the college a pending capital trial to which they have been appointed. Evaluations of these trainings, as well as the Center's other trainings, have been in the excellent range.

- The Center produces a bi-monthly newsletter that is distributed to nearly 700 practitioners in North Carolina. The newsletter is filled with the most up-to-date state and federal rulings in capital cases, tips for practice and stories of successful capital trials in the state.

- Last fiscal year, the Center provided consultation and training services that exceeded the grant by $70,000. This overage is taken from the Center's general funds.

- Our assistance saves attorneys time (and thus, money for the State) and serves to increase the quality of representation. The Center helps provide a higher level of confidence in North Carolina's ability to provide adequate representation to persons faced with capital prosecutions.

Kenneth Rose, Director, Center for Death Penalty Litigation (919) 956-9545

#3

CENTER FOR DEATH PENALTY LITIGATION BOARD OF DIRECTORS

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FACT SHEET: Legal Services Programs serve all 100 counties in North Carolina

1 - Western North Carolina Legal Services (Sylva)
(Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain, Qualla Indian Boundary)

2 - Appalachian Legal Services (Asheville)/
also have Pisgah Legal Services (Non-LSC-funded)*
(Buncombe, Henderson, Madison, Polk, Rutherford, Transylvania)

3 - Legal Services of the Blue Ridge (Boone)
(Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, Yancey)

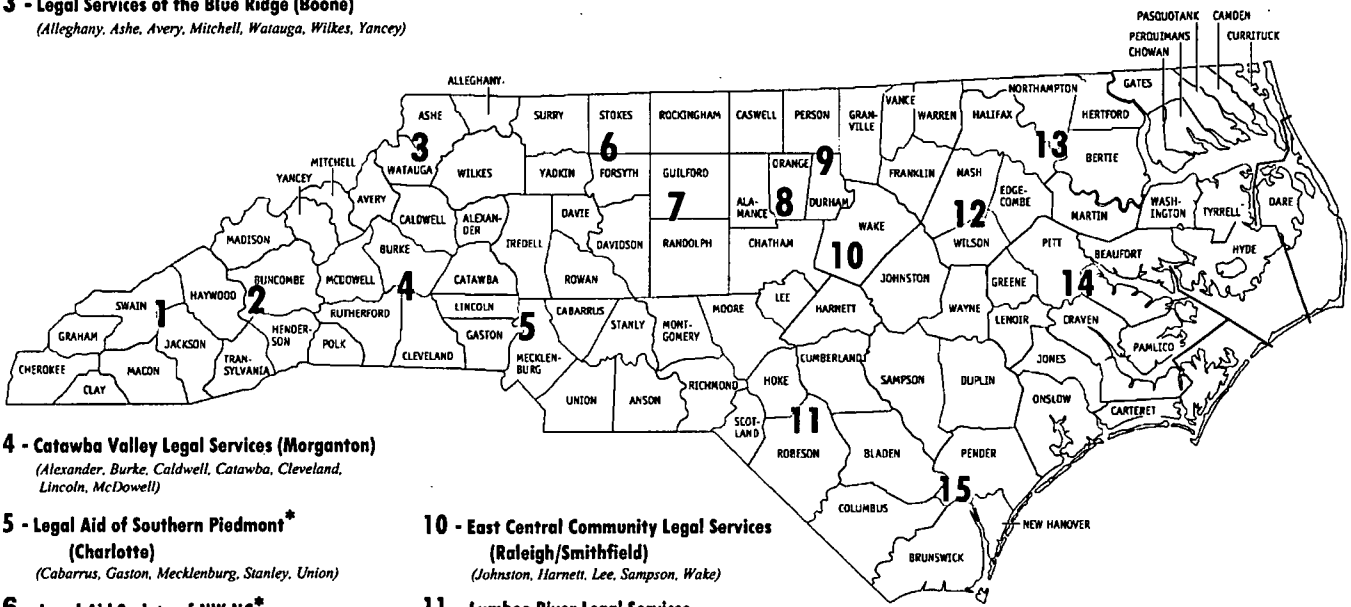
7 - Central Carolina Legal Services (Greensboro/Lexington)
(Davidson, Guilford, Montgomery, Randolph, Rockingham, Rowan)

8 - North State Legal Services (Hillsborough/Wadesboro)
(Alamance, Anson, Caswell, Chatham, Moore, Orange, Richmond)

9 - N. Central Legal Assistance Program* (Durham)
Durham, Franklin, Granville, Person, Warren, Vance)

13 - Legal Services of the Coastal Plain (Ahoskie)
(Bertie, Camden, Chowan, Currituck, Dare, Gates, Halifax, Hertford, Northampton, Pasquotank, Perquimans)

14 - Pamilco Sound Legal Services
(New Bern/Greenville)
(Beaufort, Carteret, Craven, Hyde, Jones, Martin, Pamlico, Pitt, Tyrell, Washington)



4 - Catawba Valley Legal Services (Morganton)
(Alexander, Burke, Caldwell, Catawba, Cleveland, Lincoln, McDowell)

5 - Legal Aid of Southern Piedmont*
(Charlotte)
(Cabarrus, Gaston, Mecklenburg, Stanley, Union)

6 - Legal Aid Society of NW NC*
(Winston-Salem)
(Davie, Forsyth, Iredell, Stokes, Surry, Yadkin)

10 - East Central Community Legal Services
(Raleigh/Smithfield)
(Johnston, Harnett, Lee, Sampson, Wake)

11 - Lumbee River Legal Services
(Pembroke/Fayetteville)
(Cumberland, Hoke, Robeson, Scotland)

12 - Eastern Carolina Legal Services
(Wilson/Rocky Mount/Goldsboro)
(Edgecombe, Greene, Lenoir, Nash, Wayne, Wilson)

15 - Legal Services of the Lower Cape Fear
(Wilmington)
(Bladen, Brunswick, Columbus, Duplin, New Hanover, Onslow, Pender)

* **Independent programs (4)**

- Legal Services programs are community-based, **nonprofit** organizations that **help low-income families** break the cycle of poverty, decrease their burden on society, obtain relief from unfair consumer practices, and/or provide protection from violence for themselves and their children.
- **Legal Services's clients typically include**:
  - **Victims of domestic violence**, who are seeking safety for themselves and their children.
  - **Disadvantaged children**, who have been denied the mental and physical healthcare and education that they so need to grow into productive adults.
  - **The elderly**, who are sometimes preyed upon by the ruthless and who need assistance with benefits.
  - **The disabled and homeless**, who need special consideration.
  - **Working, single and two-parent families,** who are struggling to pay for childcare, housing, food and healthcare for their children on low-wage jobs.
  - **Natural disasters victims**, who suffer as a result of weather events, such as Hurricane Floyd, Hurricane Fran and/or Hurricane Hugo.
- Legal Services' involvement and legal help are **necessary to complement the efforts** of family shelters, social services, children's organizations, community development corporations and other nonprofit and governmental organizations in North Carolina.
- Legal Services programs are only able to provide **one attorney for every 15,000 eligible clients** in North Carolina, whose general population has one attorney for every 500 persons.

Eligibility Guidelines for Clients* of Legal Services in North Carolina

Size of Family Unit	Maximum Income
One	$ 10,438
Two	$ 14,063
Three	$ 17,688
Four	$ 21,313

* 125% of Federal Poverty Guidelines (Year 2000), as established by the U.S. Department of Health & Human Services

FACT SHEET: What Legal Services brings to the citizens of North Carolina.

- **Legal Services brings dollars to North Carolina.**

  Through its community education efforts and availability across the State, Legal Services' staffs in North Carolina assist low-income North Carolinians with concerns about federal benefits, such as social security, disability and housing. These efforts both help ensure access to justice for low-income North Carolinians and bring additional monies to the state.

Legal Services in NC receives funding from several sources:

- 50% from the Legal Services Corporation (federal)
- 12% from the NC General Assembly (state)
- 12% from IOLTA (Interest On Lawyers' Trust Accounts)

The remaining funds come from Title III funds for Older Americans, United Way, local governments, individual attorneys foundations and other grants.

- **Legal Services leverages its resources through coordination with private attorney volunteers.**

  Working in partnership with the NC Bar Association and local bar groups, Legal programs actively recruit, train, mentor, supervise and co-counsel with volunteer (*pro bono*) attorneys to help them handle the many complex and changing legal issues unique to the practice of civil poverty law. These partnerships with Legal Services staff help ensure access to justice for low-income families and further leverage the dollars that are invested in Legal Services.

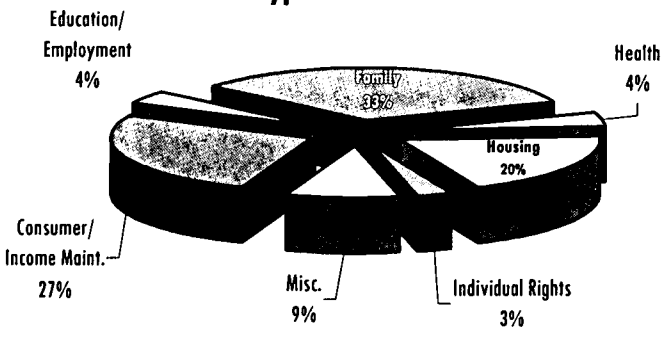
- **Legal Services is a remarkably efficient means of giving low-income families a "hand-up" (not a "hand-out") and saves the taxpayers money.**

  When someone living near the poverty line faces a single problem, that problem often creates a domino effect. One-time events — plant closings, lapse of health insurance, a used car that turns out to be a "lemon" or a family crisis — can have a devastating impact. If not addressed immediately, more difficult problems can result: unemployment, homelessness, domestic violence and family instability. In turn, these crises place a far greater burden on society in the form of increased costs for health care, law enforcement and public welfare. Legal Services is a cost-effective means of stopping the downward spiral — and the resulting consequences. Legal provides critical help to eligible clients and saves the taxpayers money.

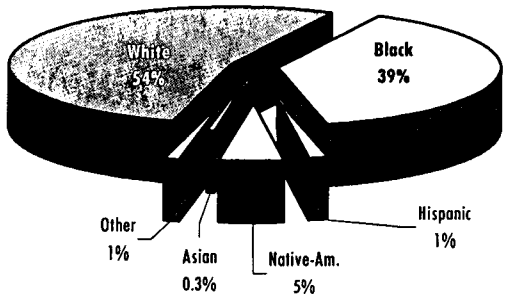
- **Legal Services eases the pressure on the overburdened court system in North Carolina by resolving greater than 70% of its cases outside of the courtroom.**

  Having access to Legal Services means that such clients are not appearing in court on their own behalf (*"pro se"*), but have an experienced attorney to represent them, thereby providing for a more efficient, effective use of the judicial system. [Note: The American Judicature Society says that cuts of federal funding to legal services in 1996 was one of the contributing factors to the rise of pro se representation in courts across America.]

Types of Cases



Ethnicity of Clients*



*LSNC only

Consumer/Income Maintenance
Advises clients on consumer law cases, such those dealing with loans, installment purchases, contracts, warranties, unfair sales practices, credit access. Advises clients on income issues, such as Social Security, SSI, food stamps, unemployment compensation, veterans benefits, workers compensation

Education/Employment
Helps clients seek access to educational opportunities. Provides assistance with juvenile cases, such as delinquency, abuse and/or neglect, dependents. Assists clients with employment rights, such as job discrimination, wage claims, CETA.

Family
Most utilized area by clients. Assists with family law cases, such as domestic violence (spouse and child abuse), custody & visitation, child and spouse support, guardianship & conservatorship, adoption, parental rights termination, divorce/separation/annulment, paternity.

Health
Advises clients on health benefits, such Medicaid, Medicare, lost benefits.

Housing
Helps clients with housing concerns, such as federally subsidized housing, homeownership or property, landlord or tenant relations.

Individual Rights
Advises clients on rights and/or benefits concerns, such as mental health, physical disabilities, immigration & naturalization.

Miscellaneous
Assists clients with various other legal matters, such as wills, powers of attorney, living wills, Indian/tribal law.

#6

DATA ON INDIVIDUAL PUBLIC DEFENDER'S OFFICES

	1999-00 Cases Handled	# Attorneys	Cases:Atty	Cost:Case	Savings 98-99	Savings (Dist Avg)
3A---Pitt	3,291	9	365.7	$232	$254,009	$449,670
3B---Carteret	488	2	244.0	$460	($42,173)	($9,352)
12---Cumberland	2,524	15	168.3	$482	($106,136)	$204,484
14---Durham	6,403	15	426.9	$196	$913,676	$2,517,389
15B--Orange/Chatham	1,885	7	269.3	$377	($60,346)	$88,219
16A--Scotland/Hoke	1,648	5	329.6	$295	$77,491	$100,694
16B---Robeson	2,805	9	311.7	$344	($185,616)	($183,843)
18---Guilford	7,540	20	377.0	$247	$288,054	$785,418
26---Mecklenburg	12,042	27	446.0	$226	$556,613	$334,323
27A---Gaston	5,019	12	418.3	$225	$703,924	$865,444
28---Buncombe	4,084	10	408.4	$227	$103,776	$68,140
ALL PUBLIC DEFENDERS	47,729	131	364.3	$257	$2,503,272	$5,220,586

Source: Cost per case and cases handled from 1999-2000 AOC Annual Report
Cost savings from January 2000 Study by AOC of Cost Effectiveness of Public Defender's Offices in 1998-99
Mix of cases varies according to each district's policy.
Cost savings based on comparison with cost of using assigned counsel at statewide avg cost for similar caes
(Cost savings estimates are higher if district average costs are used)
New cost savings estimates available in May 2001.

FRD April 2001

JUSTICE & PUBLIC SAFETY

DATE: 4/10/01

SENATE PAGES:

NAME Brandon Carmichael

HOME Raleigh

SPONSOR Sen Eric Reeves

NAME _____

HOME _____

SPONSOR _____

HOUSE PAGES:

NAME GREG LARKIN

HOME RALEIGH

SPONSOR REP. McCOMAS

NAME _____

HOME _____

SPONSOR _____

NORTH CAROLINA HOUSE OF REPRESENTATIVES
SUBCOMMITTEE MEETING NOTICE
2001-2002 SESSION

You are hereby notified that the **APPROPRIATIONS Subcommittee on Justice and Public Safety** will meet as follows:

DAY & DATE: **Wednesday, February 21, 2001**

TIME: **8:30 AM**

LOCATION: **Room 415, Legislative Office Building**

:

This will be an organizational meeting. No bills will be considered.

Respectfully,

Representative Culpepper
Representative Haire
Co-chairs

I hereby certify this notice was filed by the committee clerk at the following offices at 12:30 pm on Tuesday, February 20, 2001

___Principal Clerk
___Reading Clerk - House Chamber

Sara Jane Lennard (Committee Assistant)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday April 11, 2001
8:30 am and 1:30 pm
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative Bill Culpepper
Representative R. Phillip Haire

II. PRESENTATIONS

- Alternative Dispute Resolution Programs
- Family Court Programs
- Drug Treatment Courts
- Business Court
- Guardian Ad-Litem Program
- Overview of Court Technology

  Elisa Wolper, Fiscal Research Division

- Status of Major Court Technology Projects

  Cliff Layman, Deputy Director for Technology
  Administrative Office of the Courts

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Thursday Apr 12--Overview of Department of Crime Control and Public Safety; NC VAN (Non-Profit)
  Tuesday April 17—Continue Crime Control and Public Safety
  Wednesday April 18 --Begin Department of Juvenile Justice and Delinquency Prevention

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
April 11, 02

The Joint appropriations Subcommittee on Justice and Public Safety met on April 11, 2001 in room 415 LOB at 8:30AM. Four Senate members were present. The following House members attended:

Rep. Phillip Haire	Rep. Wayne Goodwin
Rep. John Hall	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

Senator Luther Jordan presided over the meeting. First on the agenda was Elyssa Wolper, staff. Ms. Wolper distributed a handout, *Judicial Branch Alternative Dispute Resolution* from which she spoke.

In response to Rep. Haire, Mark Van Der Puy from the AOC Custody Program said mediators are staff. They are well trained and have a two year training progression. They are trained in divorce and domestic violence as well. Mediators that are state employees operate in 26 judicial districts. In two districts, these services are contracted out but the state still provides the training. In response to Rep. Kiser, the contracted services and those provided by state are about equal in terms of cost effectiveness. North Carolina requires one to have a master's degree in social work to become a custody mediator.

Page 3 of the handout indicates pending legislation (HB 668) which will raise fees to $120. That is just about equal to the budget needs for superior court mediators. Additional revenue will be generated if HB 668 is ratified. In response to Rep. Sexton, the worthless check program is thought to be statewide and about 98% effective. Follow up data will be provided. Rep. Goodwin commented that the mediation and arbitration programs are really working and worthwhile. In response to a question by Sen. Ballance, the rationale for the custody mediation is to resolve disputes rather than to spare judges.

A handout, *Disposition of Civil Cases in Superior Court 1999-2000* was distributed.

The next agenda item was Ms. Miriam Saxon of Family Court. Ms. Saxon distributed a handout titled *Family Court Program* from which she spoke. Senator Ballance commented that the kinks in the family court programs should be worked out.

Mr. Randy Monchick, Drug Treatment administrator distributed a handout titled *North Carolina Drug Treatment Court*, from which he spoke. Mr. Monchick said drug treatment referral could be made pre-trial or post-sentencing. Rep. Haire wondered why there are so many programs. Senator Ballance said we do not appropriate money for drug treatment and it is very needed. Judge Hobgood stated that 40% of the criminal calendar is directly drug related. Drug treatment saves lots of money and he endorses the

program. In response to Sen. Thomas, a comparison between those who go through drug treatment court and those who go through regular court cannot be made because all who go through drug treatment court are addicts. The funding for drug treatment is 10% administrative and 90% for treatment.

As follow up, AOC needs to clarify federal funds and how they plan to use lapsed salaries to cover shortfall.

Senator Jordan adjourned the meeting at 10:00AM.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Senate Committee Assistant

Judicial Branch
ALTERNATIVE DISPUTE RESOLUTION

Joint Appropriations Subcommittee on Justice & Public Safety

April 5, 2001

ALTERNATIVE DISPUTE RESOLUTION

DISTRICT COURT

Court Ordered Arbitration (#1720) in 68 Counties **$1,140,982**

(12% of arbitration cases are Superior Court filings)

- Claims ≤ $15,000, not domestic or estates, other restrictions
- Assigned to arbitration after pleadings or appeal of small claims decision
- Usually 1 hour sessions. If successful, court enters judgment. If not, parties appeal de novo
- Authorized statewide in 1989. Expansion of resources in 1995 ($202,929) 1997 ($164,329) and 1998 ($100,000) , adding 7.25 fte
- Currently 15.5 State positions in 17 districts
- Implemented with existing court resources in ten other districts
- State pays arbitrators $75/hour; total 2000-1 authorized payments of $422,563
- 1999-2000 cost per arbitrated case: $253.89
- Grant request pending to evaluate program

Custody Mediation (#1710) **$1,542,815**

- Custody and visitation issues (not related financial issues)
- Goals to provide alternative to adversarial process, work for children's best interest and reduce re-litigation
- If successful, results in parenting agreement reviewed by attorneys, signed by parents and entered as an enforceable order by Court
- Proceedings not admissible in court
- Uses staff mediators under supervision of Chief Dist Ct Judge
- Began 1983, authorized statewide (phases) in 1989. Expansions in 1995 ($280,000) 1997 ($225,000), 1998 ($150,000)
- Currently 55 counties in 28 District Ct districts with 27.1 State positions in 21 districts
- AOC conducted evaluation of 1995-96 program in 3 districts. Found no impact on processing times, but did see reduction in trial rate, more specific agreements (less re-litigation), higher satisfaction of parties and attorneys.
- 1999-2000 cost per mediated case: $289.53

<u>DISPUTE RESOLUTION COMMISSION</u>

- 14 members appointed by Governor, Legislature, Bar, etc
- Established 1995 to oversee certification of mediators, to monitor mediator activity and to consider revisions to rules governing programs
- 1.5 positions to administer Mediated Settlement Conference (Secretary and Administrator, each .75 time)
- An additional secretary position added with Family Financial Pilot

District Ct Mediated Settlement "Family Financial" (#1716) **$ 45,893**

- Authorized 1998 as pilot (through April 2001) to mediate equitable distribution, alimony and child support cases. Made recurring in 1999
- Currently in Districts 5, 6A, 7, 8, 12, 14, 20, 23, 25, 30
- Parties choose and pay mediators
- Pending legislation (HB 668) to make program permanent and statewide, including up to $200 fee for certification (referred to Finance)
- April 2000 report by AOC based on surveys of participating districts. Surveys showed support and estimated success rate of 70-75%

Superior Court Mediated Settlement Conference (#1715)

$ 117,171 exp
$ 105,845 *rec ytd*
$ 62,324 GF

- Piloted 1991, Authorized statewide in 1995
- Civil cases, some district variations on rules and kinds of cases referred
- Parties select and pay mediators ($125 per case plus $125/hr)
- Mediation between discovery and trial dates
- If successful, case ends up voluntary dismissal or consent
- Other state costs primarily rent and travel
- Mediators pay $120 fee for certification
- Intent is for program to be receipt supported
- If receipts are larger than expenses, remaining revenue reverts to General Fund

OTHER

Court of Appeals Mediation Program **$ 25,000**

- Authorized July 2000
- Cost is to pay retired Justices to mediate cases post-disposition/ pre-appeal
- Program needs to be approved by Supreme Court before it can be implemented

Grants to Dispute Settlement Centers **$1,603,124**

- 27 Centers covering 73 counties

Worthless Check Program **$ 708,137**

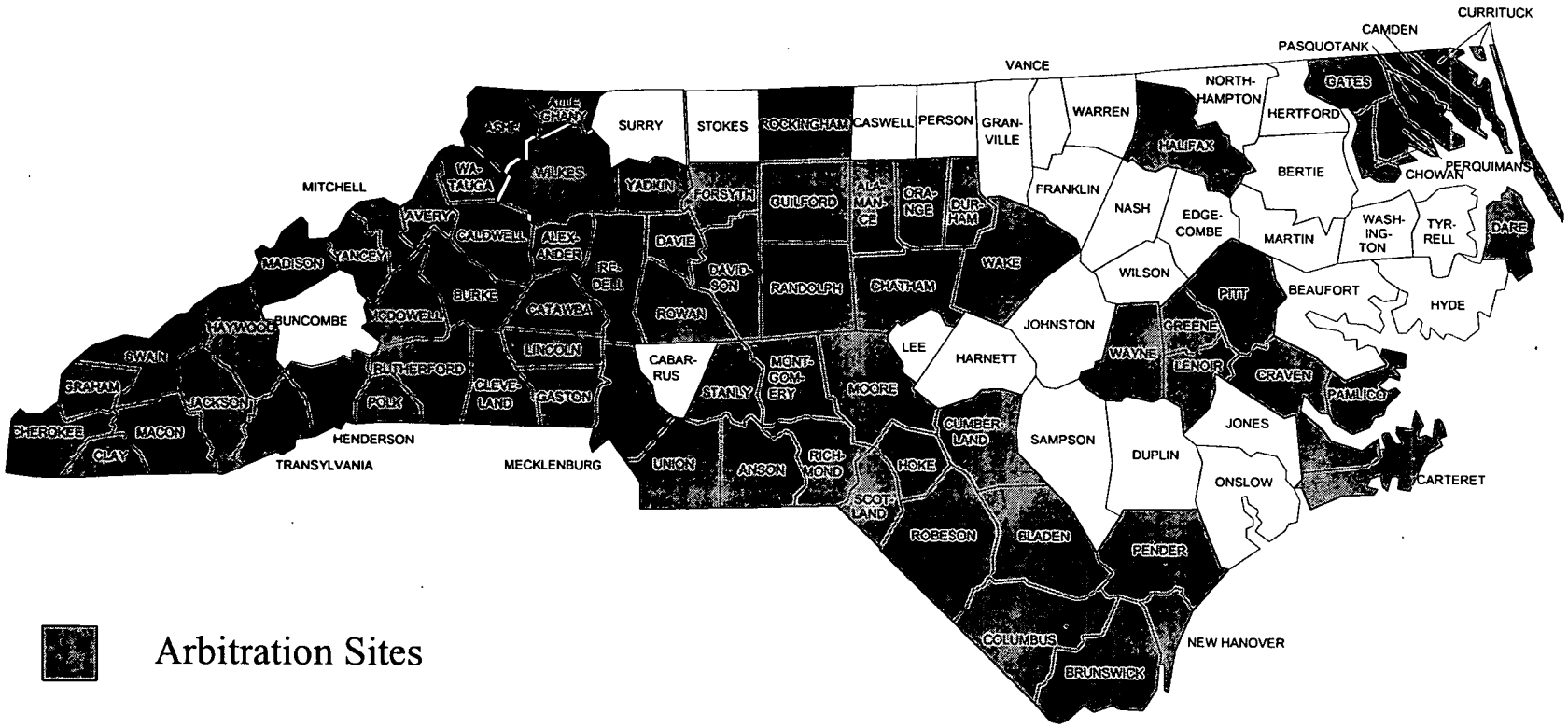
- 17 State positions in 8 Districts—DA investigator and legal assistant in each district

TOTAL STATE INVESTMENT IN ADR	$5,077,277

Administrative Office of the Courts

Arbitration Sites

February 2001

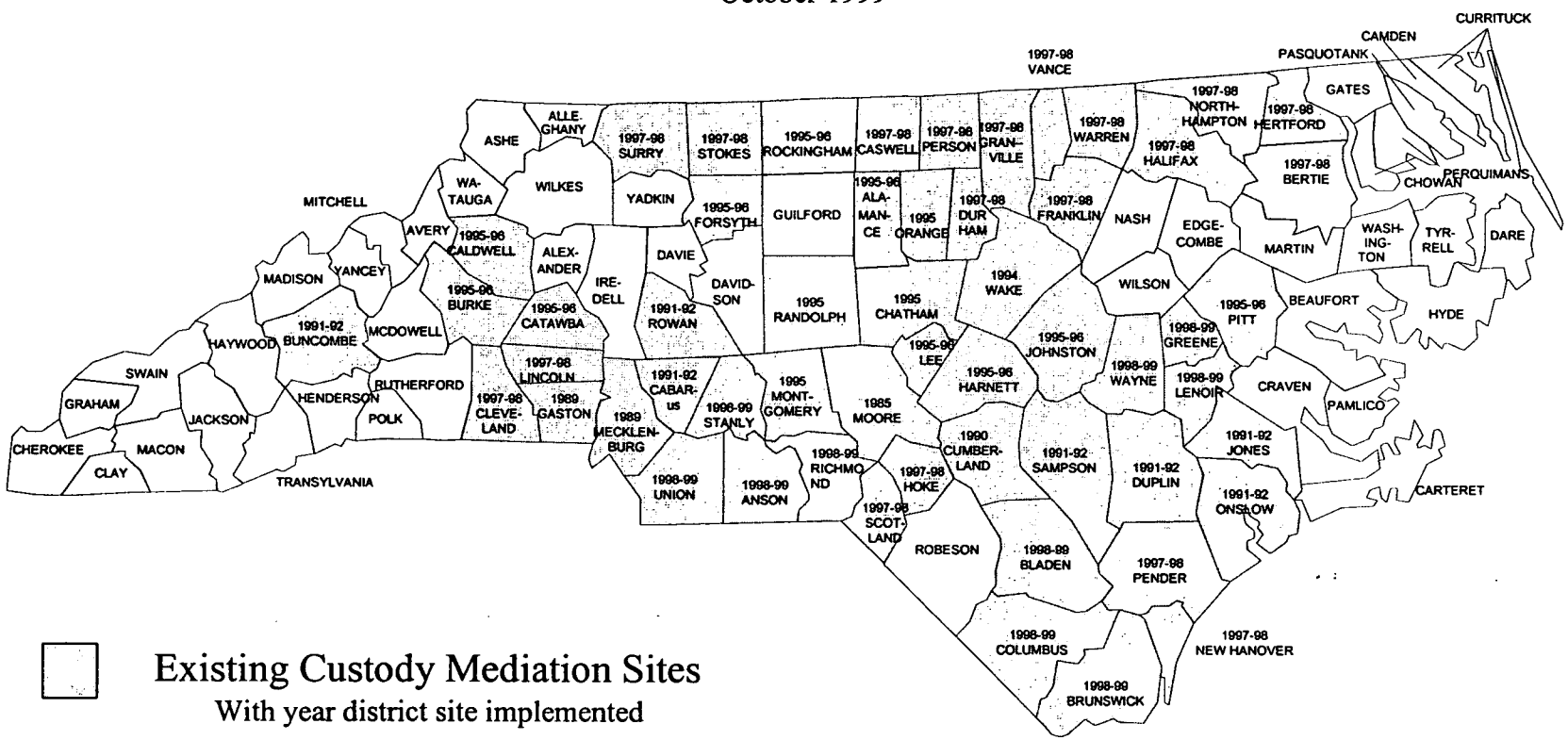


Arbitration Sites

Administrative Office of the Courts

Custody and Visitation Mediation Program

October 1999



Existing Custody Mediation Sites

With year district site implemented

Court Ordered Abritration Program

	Assigned/Noticed	Arbitrated	%	Appeals	Trials	Trial % of Arb	Median Age Cases these	Median Age Statewide
1999-2000	6,741	4,494	66.7%	1,245	368	8.2%	89 days	98 days
1998-1999	7,173	4,928	68.7%	1,457	304	6.2%		
1997-1998	6,341	4,624	72.9%	1,488	230	5.0%		

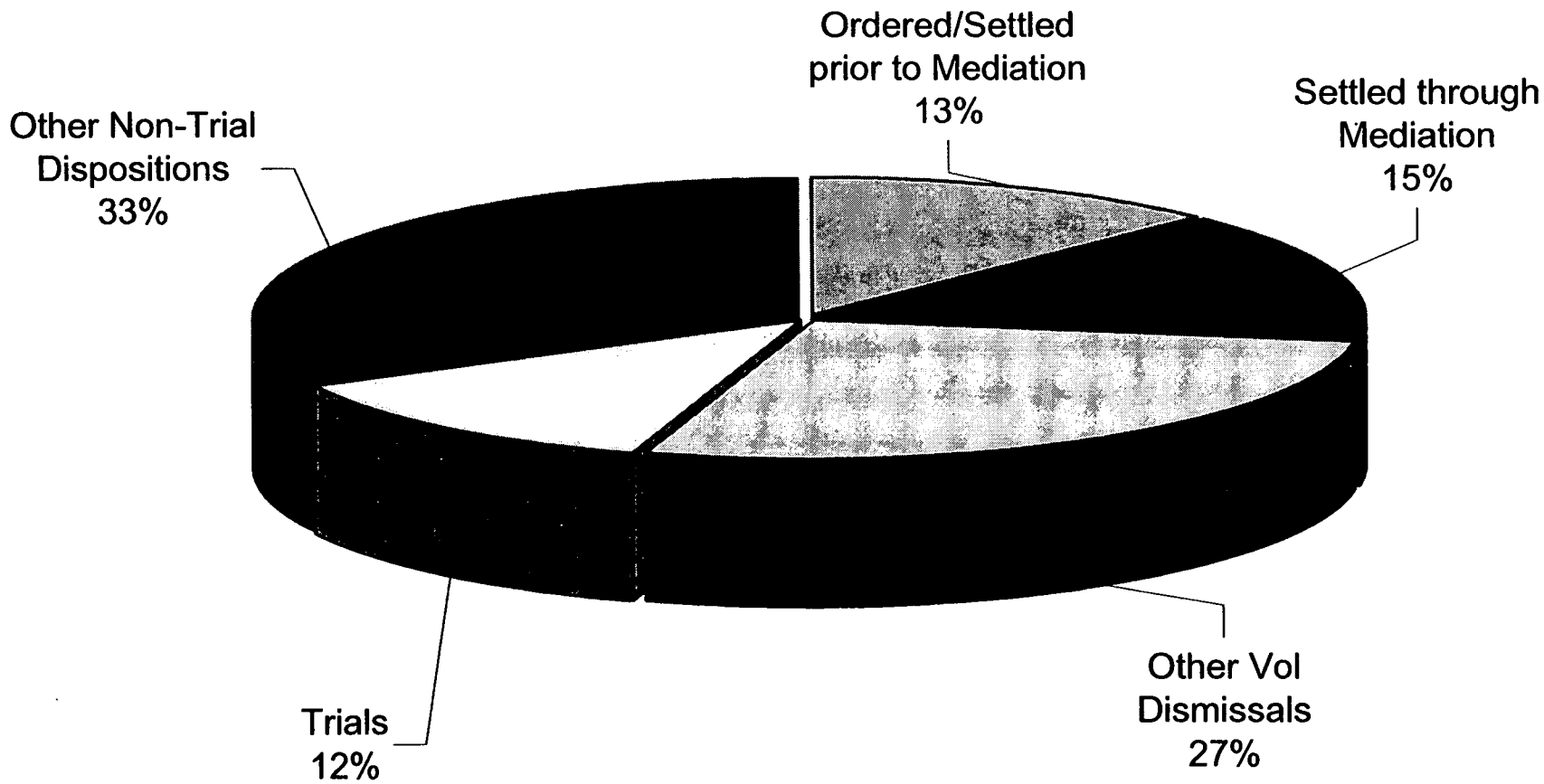
Child Custody and Visitation Mediation Activity

	Referred	Mediated	%	Agreement	% of Med
1999-2000	7,557	4,708	62.3%	2,164	46.0%
1998-1999	6,179	3,694	59.8%	1,789	48.4%

Disposition of Civil Cases in Superior Court 1999-2000

Civil Filings	24,693
Civil Dispositions	23,770
Disposition Rate	*96.3%*
Dispositions by Jury Trial	694
Dispositions by Judge Trial	2,276
Trial Rate	*12.5%*
Superior Ct Cases Noticed for Arbitration	163
Superior Ct Cases to Mediated Settlement Conference	11,294
Ordered to Mediation/Settled prior to	*2,978*
Resolved through Mediation	*3,583*
Other Vol Dismissal	6,491
Not Resolved through Mediated Sett	3,122
Success rate of Mediated Settlement	53.4%
Successful Mediations/Dispositions *(resolved prior to or through mediation)*	27.6%

Superior Ct Civil Dispositions by Type (99-00)



FAMILY COURT PROGRAM

- Goals are (1) to have all court matters affecting the family handled by the same specially trained judge ; (2) to provide better and quicker management of cases through District Court; (3) to help refer families in the court system to appropriate community resources; (4) maximize the use of alternative dispute resolution

- Recommended by the Court Futures Commission and the Governor's Juvenile Commission

- Established in 1998 as a pilot in 3 districts as part of the Juvenile Justice Act ;14 (Durham), 26 (Mecklenburg), 20 (Anson, Stanly, Union and Richmond)

- Original legislation specified 15 kinds of cases including the following: child abuse, neglect and dependency, delinquent/undisciplined youth, termination of parental rights, divorce, equitable distribution, alimony, child custody and support, paternity, adoption, domestic violence (civil)

- In 1999, pilot programs made recurring and extended to 3 additional districts;12 (Cumberland), 5 (New Hanover/Pender) and 6A (Halifax) .

- Districts 8 (Wayne, Lenoir, Caswell) and 25 (Burke, Caldwell, Catawba) added in 2000-1.

- Program coordinates with Custody Mediation, Divorce Education and Family Financial Pilot programs as well as the federally funded Court Improvement Programs

- Program is staffed by Coordinator and Case Managers with the goal of 1 Case Manager per 3 Family Court Judges

- AOC has developed an interim automated case management/calendaring system (Casewise) to assist the Family Court program. They are designing (grant funded) a broader system better suited for multicounty districts.

- The 1999 legislature provide $75,000 to the AOC to develop a program of education for parents involved in custody/visitation cases. They developed a 2-part program which has been implemented in all Family Court districts. First level classes are mandatory and provided by Judicial Dept staff. A second level of class may be offered through contractors who can charge fees.

	1998-1999	1999-2000	2000-2001 Auth
Total Budget	$318,218	$901,109	$1,647,333
# Districts	3	6	8
# Staff	14	23	31

Of current budget, 78% is for personnel expenses, 8% for travel.

Current staff includes 8 Administrators, 21 Case Managers and 2 Judicial Assistants

Administrators are paid $47,291 and Case Managers are paid $36,451

Site	Staffing	Feb 2001 Cases Referred to ADR	Feb 2000 Cases Resolved ADR	Day One Conferences	Number Attending Parenting Classes	Referrals to Other Agencies
#14 (Durham)	1 Admin 3 Case Mgrs	42	27	14	25	108
#26 (Mecklenburg)	1 Admin 4 Case Mgr 2 Judicial Assistants	163	28	16	196	471
#20 (Anson, Richmond, Stanly, Union)	1 Admin 3 Case Mgrs (had other staff from federally funded Court Improvement Project through June 30, 2000)	192	131	2	50	139
#5 (New Hanover and Pender)	1 Admin 2 Case Mgrs	66	11		62	
#6A (Halifax)	1 Admin/Case Manager	9	8		11	11
#12 (Cumberland)	1 Admin 3 Case Mgr	88	13	12	29	31
# 8 (Wayne, Lenoir, Caswell)	1 Admin 3 Case Mgr					
#25 (Burke, Caldwell, Catawba)	1 Administrator 3 Case Mgrs					

North Carolina Drug Treatment Court

Judicial Branch

Joint Appropriations Subcommittee on Justice & Public Safety

April 11, 2001

NC DRUG TREATMENT COURT PROGRAM

Legislative History

- Drug Treatment Court works with nonviolent addicted offenders to use the court system to supervise substance abuse treatment and other sanctions

- Pilot authorized during 1994 Crime Session and the first 5 sites (Mecklenburg District, Person/Caswell District, Warren Superior, Forsyth Superior and Wake Superior Courts) implemented during 1996. Program was made permanent in 1998.

- Expansion in 1998-99 to Mecklenburg Superior Court, Wake District Court, Vance County and Durham County and in 1999-00 to New Hanover

- The 1998 Legislature initiated programs in Bladen/Brunswick (#13), Gaston (#27A), Henderson/McDowell(#29) and Burke/Caldwell/Catawba (#25). Only District #25 pursued the planning process.

- The 1999 Legislature approved funding to initiate a planning process in Districts 3B (Craven/Carteret/Pamlico), 11 (Johnston/Harnett/Lee), 18 (Guilford) and 28 (Buncombe). These programs applied for but did not receive federal implementation funding in 2000. Based on AOC policy to avoid seeking nonrecurring funding for recurring programs, these programs have not applied for federal funding this year.

- The 2000 Legislature increased nonrecurring funding for existing programs by $100,000

Budget Information

Trends in General Fund Budget

Fiscal Year	1997-98 Actual	1998-99 Actual	1999-2000 Actual	2000-2001 Auth	2001-2002 rec
GF Budget	$912,374	$991,067	$1,272,962	$1,602,502	$1,142,502
# Programs	5	9	10	10	10

Reduction for 2001-2002 is adjusting for $100,000 nonrecurring in 2000-2001 and to reflect a $360,000 reduction in contractual services included in Governor's recommended budget

- Current Budget is 23% personnel costs and 71% contractual services

- Program is operated in most cases as contracts with local entities. Local programs are staffed by a Program Coordinator and Case Managers. Funding is provided to contract with substance abuse treatment providers.

- Each local program establishes a fee to be collected by offenders and sets policy on its use. In CY2000, $80,839 was collected

Selected Activity Measures CY 2000

	Programs	Admits	Grads	Active Yr End	Retention %	Notes
Mecklenburg *AOC*	District Ct—preplea and post-sentence, DWI court, Family DTC, Superior Ct Post Sentence	168	60	154	69%	
Wake *Carolina Correctional*	Superior Ct and District Ct post sentence, Juvenile DTC	76	10	47	48%	
Forsyth *CenterPoint*	District Ct preplea and post-sent	47	26	47	74%	
Person/Caswell *County*	District Ct post sentence	42	8	27	66%	
Warren *County*	District Ct Post sentence	13	2	13	79%	
New Hanover *County*	District Ct Post Sentence	28	3	24	69%	
Durham *AOC*	District Ct post sentence, Juvenile			15		

Statewide Program Measures

	1999	2000
Admissions	311	374
Graduations	71	109
Active Year End	256	312
Retention Rate	68%	66%

Federally Funded Programs

- Federal Funds were used to fund the planning process in Districts 3B, 11, 18 and 28 during 1999-2000

- The following districts are currently involved in federally funded planning efforts: 4 (Onslow), 12 (Cumberland), 15B (Orange/Chatham), 19B (Randolph), 19C (Rowan—Juvenile), 21 (Forsyth—Juvenile), 25 (Catawba) and 26 (Mecklenburg-Juvenile)

- Federal Funds have been used to develop a statewide management information system and evaluation and to develop pilot juvenile and family drug treatment courts

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 4/11/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Mark Van Der Pas	AOC
Miriam Saxon	AOC
Ilene Nelson	AOC
Bob Lodewaard	GAL volunteers
Randy Monchick	AOC
Steve Lusk	AOC
NELS ROSELAND	OSBM
Seth Bodker	Mediation Network of NC
Ilene Nelson	GAL - AOC
Bob Wobgood	AOC
Brian Francis	Mcck Cnty

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday April 12, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative R. Phillip Haire, Presiding
Representative Bill Culpepper

II. PRESENTATIONS

- Guardian Ad Litem Program - introduced Ms. Nelson (Handout only)

  Ilene Nelson, Program Administrator

- Overview of Court Technology

  Elisa Wolper, Fiscal Research Division

- Status of Major Court Technology Projects

  Cliff Layman, Deputy Director for Technology
  Administrative Office of the Courts

- Overview of Department of Crime Control and Public Safety

  Kelly Little, Fiscal Research Division

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Tuesday April 17-- Continue Crime Control and Public Safety
  Wednesday April 18 --Begin Department of Juvenile Justice and Delinquency Prevention – Secy. Sweat, Overview, Programs
  Thursday April 19- - Juvenile Programs

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on Thursday, **April 12, 2001** at 8:30 a.m. in Room 415 LOB. Five (5) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair
Rep. Phil Haire, Co-Chair
Rep. Wayne Goodwin
Re. John Hall
Rep. Larry Justus
Rep. Joe Kiser
Rep. Wayne Sexton

Rep. Culpepper called the meeting to order and introduced the Pages.

Rep. Haire arrived from a Finance Committee Meeting and began with the introduction of Ms. Eileen Nelson, Program Administrator of the Guardian Ad Litem Program who handed out **(Handout #1)** a review of the Guardian Ad Litem Program. Ms. Nelson introduced two volunteers who were attending the meeting – Shari Hardin from Alamance County and Claudia Kadas from Wayne County.

Elisa Wolper, Staff, called attention to answers from questions from previous meetings as well as a short summary of the North Carolina Business Court - **(Handout #2).** She proceeded with a quick overview of some budget issues in the Information Services Division. **(Handout #3).**

Rep.Kiser asked if we could increase court fees and dedicate to a specific service? Ms. Wolper stated that is was a question for the Legislature and can be done. Rep. Haire commented it went into the general fund. Rep. Kiser said he understood that and thought that was the intent and to make it stick.

Rep. Haire introduced Cliff Layman, Deputy Director for Technology Administrative Office of the Courts who made a presentation on the Status of Major Court Technology Projects **(Handout #4).**

Rep. Hall asked if Mr. Layman's division was in charge of all technology services? Mr. Layman replied most of them. Rep. Hall asked if they knew where all the laptops were and who has them. Mr. Layman said that they had a record of that. Rep. Hall asked how many laptops are where? Mr. Layman said that information could be provided.

Sen. Thomas asked if people were able to play games on these laptops? Mr. Layman answered yes. Sen. Thomas asked if they could disable the games and would they? Mr. Layman said they actually pre-image what's on the software so that people do not have the ability to add other computer programs and they are working on that.

Rep. Kiser said that as long as he has been around, they keep funding technology and every time he sees a presentation, we seem to be further behind. When will we ever catch up? and how long does the equipment last before it is replaced? Mr. Layman said that they have been running uphill for thirty years. The pace of technology is moving along so quickly that it is impossible to be right up there on the front line – we do lag behind and do our best to catch up. Rep. Kiser asked if Mr. Layman had any idea where we stand in North Carolina compared to other states? Mr. Layman answered that we were ahead of many states and having a unified court system makes a difference and many states do not have this. Feels we are much more effective than many other states – ahead of many states in quite a few areas. We have a Business Court that is a model for the nation. We have a long way to go and are trying to close the battle and provide the best technology that's possible with the money that we have available.

Rep. Haire asked if there were Clerks of Courts who refuse to automate or is it just that there is no money? Mr. Layman stated that the system hasn't been developed yet and have just received the money. He thinks that if the automation is made available, people will use it. They still need to replace 800 green screens, 2,000 printers, 400 PC's. The life expectancy of a PC is about 3 years, which is the industry standard.

Mr. Layman talked of a statewide warranty depository and Rep. Kiser asked if an officer would be able to get this information if his car is equipped with a computer? Mr. Layman said that he would need mobile data, but it is being done now by airway.

Rep. Sexton asked for an explanation of what is going on with the worthless check program. Mr. Layman said that originally they had a mandate to write for two counties and this had to be done very quickly to meet that mandate. It was never meant to be a statewide program, but they will be rewriting that program so it could be used statewide. Will have a joint project with ITS and will use new tools and ITS resources.

Next, Ms. Kelly Little, Staff, gave a presentation **(Handout #5)** on Crime Control and Public Safety. She announced that John Williams of Sec. Beatty's staff was present to answer any questions.

Rep. Hall asked where the Boxing Events were held? Ms. Little did not have the answer, but would get back to him. Rep. Haire said he thought just anywhere in the state where they want to have one.

Rep. Sexton asked if the Boxing Commission had someone on site for these 67 "Toughman" Events. Ms. Little replied that they issue the licenses to the participants and have a representative at each event. Rep. Sexton asked how this worked. Ms. Little called on Mr. Williams to explain. He said that applications for the events usually come in about thirty days in advance and if no staff is available, then the date is out. Rep. Kiser asked if three people supervise each match? Mr. Williams said the ALE agents administer breathalyzers to the participants. There also is a physician present for a physical examination and to testify that they are physically fit.

Rep. Sexton asked if the Federal Government were pulling their share with Butner Public Safety in relation to the number of Federal facilities there? Ms. Little said there is no Federal Funding for the police and fire protection there.

Rep. Kiser asked if with the local and community calls, does the state pick up responsibility for those places outside of Butner. Ms. Little replied that yes, they respond to these calls if they are within the 36 mile jurisdiction. Rep. Kiser asked if the people who live there pay ad valorem taxes? Ms. Little said no, they don't. Rep. Haire asked if the State owned it and Ms. Little replied yes. Rep. Haire said that is the reason they don't have to pay taxes on it.

Under Emergency Management on page 18, Rep. Haire asked if the $303,604,074, was a balloon that happened because of Floyd? Ms. Little replied in the affirmative.

Rep. Sexton asked if there would be more detail on nuisance abatement. Ms. Little will cover in more detail next week.

Ms. Little completed the presentation, and there being no further business, the meeting was adjourned.

Rep. Phil Haire, House Presiding Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 4/12/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Scott Peters	AOC
Richard Sattler	AOC
Cliff Thayer	AOC
Clare Nelson	GAL / AOC
Jon Williams	CCPS
Randy Manchick	AOC
Steve Lusk	AOC
Anthony Whitmore	AOC
Shara Partin	GAL - Alam. Co.
Claudia Kadis	GAL Ambassador
Brad Fowler	GAL AOC
Michelle Frazier	NC Bar Assoc.
Deb Ross	

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Steve Shaber	Poyner + Spruill
Thomas V. Bennett	NCCFTF
Jeanette King	CCPS
Shawn Lemmond	CCPS

JUSTICE & PUBLIC SAFETY

DATE: 4/12/01

SENATE PAGES:

NAME Ann Ansley

HOME Sanford, NC

SPONSOR Sen. Howard Lee

NAME

HOME

SPONSOR

HOUSE PAGES:

NAME Emily Ross

HOME Bath, NC

SPONSOR Rep. Edwards

NAME

HOME

SPONSOR

Handout #1
April 12, 01

Guardian ad Litem Program

Zero-Based Budget Review

Ilene Nelson, Administrator

1. *A description of those discrete activities that comprise the agency and a justification for the existence of each activity by reference to statute or other legal authority*

The Guardian ad Litem Program is mandated to do only one activity and that is to provide representation and advocacy for every child who comes into the court system alleged to have been abused or neglected through a petition filed by the Department of Social Services. Only 3% of the children reported to the Department of Social Services as abused or neglected come into the court system. The 15,364 cases represented by the Guardian ad Litem Program (GAL) in FY 1999-2000 are those 3%. The other 97% of the children can remain safely within the home with effective services to the family. Only when the child cannot be safely maintained within the home does a petition get filed. These cases are the most difficult and complicated.

The Guardian ad Litem Program was created by the General Assembly in 1983 following the requirement of Federal Law P.L. 93-247. North Carolina General Statutes §7B-1200-1204 creates the Program under the Administrative Office of the Courts. N.C.G.S. §7B 601 provides that when in a petition a juvenile is alleged to be abused or neglected, the court shall appoint a guardian ad litem (GAL) to represent the juvenile. If the GAL is not an attorney, then an attorney shall be appointed in the case in order to assure protection of the juvenile's legal rights throughout the proceeding. The GAL remains in the case until a permanent plan has been achieved for the juvenile and approved by the court. The duties of the GAL are spelled out in the same section and include:

- To investigate to determine the facts, needs of the juvenile and the available resources within the family and community to meet those needs
- To facilitate, when appropriate, the settlement of disputed issues
- To offer evidence and examine witnesses at adjudication
- To explore options with the court at disposition and conduct follow-up investigations to insure that the orders of the court are being properly executed
- To protect and promote the best interests of the juvenile

The child is a party to all actions and the GAL is her/his advocate and representative. This is a legal proceeding. Each party has an attorney to protect his/her legal interest. It creates a level playing field for all parties to be heard; and without the GAL, the child's voice would not be heard.

2. *For each activity, a quantitative estimate of any adverse impacts that could reasonably be expected should the activity by discontinued, together with a full description of the methods by which the adverse impact is estimated.*

During FY99-00, the GAL Program represented 15,364 children through a volunteer corps of 3,503 Guardians ad Litem and just fewer than 100 attorneys. The Program's annual budget (FY01) is $7.28 million. This is a total cost of $474 dollars per year per child including all the administrative costs and attorneys' fees. The advocacy of the GAL, which focuses exclusively on the needs of the child, helps move these children out of the system into a permanent safe home. Not only is this important to the child, it saves money for the entire system. Compare the **annual** cost per child for GAL representation of $474 with the **monthly** cost of foster care payments of $315 (0-5 years.), $365(6 to 12 years) and $415(13 years and older) plus all the service, transportation, medical and clothing costs for the child. Each case in the court system needs an average of 3.5 hearings per year. New cases need more. If the GAL Program does not exist, there is no one charged with the duty to inform the court about what is in the child's best interest nor is there anyone charged to advocate for those interests so that the court makes orders to ensure each child's best interest.

The GAL Program operates on a joint model of representation. The volunteer GAL is jointly appointed with the attorney advocate in most cases. (If no volunteer is available, the attorney is appointed alone on the case.) Last year, the volunteers of the GAL Program gave the state of North Carolina over $11 million worth of service. This $11 million represents a calculation based on the number of hours donated times the value of those hours as analyzed by personnel. Not only did they give the state this value of service, the entire system benefited from having a community voice in the judicial system. Our model is a true public/private partnership.

In 1996, General Assembly created the Guardian ad Litem Study Commission. The Commission authorized a study of five groups of persons: District Court Judges, County attorneys, County DSS personnel, GAL volunteers and GAL attorneys to determine the perceptions and value of the Guardian ad Litem Program as part of its study of the overall Program. The results of these surveys demonstrated strong support for the Program. Highlights of the study's findings include:

- An overwhelming majority of judges (96%) said GAL services were necessary to adequately serve the best interest of abused and neglected children and that they rely on these services heavily in all phases of abuse, neglect and child protection cases.
- The judges indicated that they relied more heavily on the GAL volunteers (72%) than on expert witnesses (63%), DSS workers (61%), the GAL attorney (59%) or the DSS attorney (48%).
- More than 80% of judges felt the GAL services were more than helpful in three out of the four key phases of the court process, and more than 88% of the judges felt this way about the GAL's role in dispositional phases. Judges felt strongly that the GAL volunteers and attorneys performed their duties well.

- 96% of the judges felt that the GAL provided a valuable service to both the children and to the court process.
- 92% of the judges felt that there was very little duplication with other programs.
- In answer to the question of whether the GAL volunteer and attorney should both be involved, 87% said yes.

Given the demands of dockets on judges, it is imperative that their decisions be informed by GALs who focus on the best interest of each child-client. There are many cases to be heard on any one day and only the GAL has only the child's best interest to advocate for in those proceedings. More than 3500 community citizens volunteer with the GAL because they want to make a difference. Based on the study by the General Assembly and other anecdotal information, the quality of judicial decision-making would suffer without the GAL. These volunteers do make a difference. In addition, more court time would be necessary because many agreements are reached outside of court through the facilitation of the GAL. The voice of the child would be silenced and there is an increased likelihood that children would spend more time in the limbo of foster care.

3. *For each activity, an itemized account of expenditures that would be required to maintain the activity at the minimal level of services required by the statutory authority together with a concise statement of the quantity and quality of services required at the minimal level.*

Currently, the GAL Program is operating at a minimum level right now rather than at an optimal level. Eight-six field staff (77.5 FTE) work in thirty-six district offices and eighteen satellite offices across the state in order to recruit, screen, train and supervise the volunteers and work with the attorneys to ensure that each child has the advocacy the statute requires. As one can see from the numbers, this is far too few staff to maintain the broad network mandated by the statute. While **3,503 community citizens volunteered** in 1999-2000, the Program needs another 1,000 volunteers to advocate for every child. Twenty-five percent of the cases only have an attorney because we have insufficient staff to fully recruit the necessary volunteers and then provide the supervision and support necessary to retain them. The Legislative study indicated that most judges think that both a volunteer and an attorney are necessary. An attorney alone on a case is unable to do the investigations necessary to gather the information that enables the court to make well-informed judicial decisions. Although **volunteers provide $11 million worth of service**, it takes staff to support all the activity. Based on national standards, we should have forty-eight more volunteer supervisors to adequately meet the minimum necessary to provide the advocacy required in §7B 601. The cost per child of $474 per year speaks to the minimal nature of the cost for the service. We are unable to meet our own guidelines for best practice with this level of expenditure.

The General Assembly in 1998 passed the Adoption and Safe Families Act, an important piece of legislation to ensure that children do not grow up in foster care and that a permanent safe home is provided for every child within a reasonable period of time. It established a number of timelines that necessitate many more hearings that should facilitate quicker

permanence and reduce the length of a child's stay in foster care. While this is important and critical to the best interest of the child, no additional funds were provided to the GAL Program to pay for the additional attorneys, staff and volunteer time needed to meet all the guidelines established.

4. *For each activity, an itemized account of expenditures that would be required to maintain the activity at current levels of service, together with a concise statement of the quantity and quality of services provided.*

The current budget of $7.28 million does not cover the cost of providing the mandated service to our 15,364 child-clients. To meet national guidelines, the Program needs forty-eight additional supervisory staff at a cost of just over $2 million. However, for every dollar spent on paid staff, the volunteer staff gives almost two dollars worth of service. Volunteer recruitment has become flat due to inadequate staff to recruit, screen, train and supervise more volunteers. The quality of case advocacy suffers when no volunteer is on the case. Volunteers who advocate for one or two cases devote their energies exclusively to the child(ren) to whom they are assigned and are able to bring the sense of urgency needed for each child to the court. That GAL Volunteer also provides the court with invaluable information as evidenced by the Legislative Study's survey. According to the survey, 62% of judges rely more on the volunteer than on an expert witness while 72% said they relied heavily on the volunteer. Ninety-six percent (96%) said the GAL Program was essential to the functioning of the court system and its ability to do its job for abused and neglected children.

5. *A ranking of all activities that shows the relative contribution of each activity to the overall goals and purposes of the agency at current service levels.*

The primary activity of the staff of the GAL Program is to recruit, screen, train and supervise the activities of the volunteers who advocate each child's best interest. These activities include guiding the investigation, assisting in the creation of court reports, attending court and facilitating the teamwork between the attorney and the volunteer. The team model created by the Program of a volunteer paired with an attorney has been touted as the best model of representation around the country and is being encouraged as the model of choice by the National Court Appointed Special Advocate's Association. There is a low cost to produce the product. All activities of the GAL Program are focused on securing advocacy for every child-client assigned to our Program. Our model of paired representation is not only the most effective for children but also the most cost effective because volunteers do the entire fact gathering. Because of the inadequate number of current staff to recruit, screen and train volunteers, attorneys alone carry a number of cases. This method not only costs more money; it also does not produce the same quality of advocacy. It is essential to have sufficient staff to maintain the goals and activities mandated for the Program and the child-clients that it serves.

Handout # 2
April 12, 01

MISCELLANEOUS FOLLOW-UP ITEMS ON

JUDICIAL TOPICS

1) Magistrates by County

2) Revised data on Sentencing Services Programs

3) Comparison of Contract and State programs for Custody Mediation

4) Cases Assigned to Family Court by District

5) Update on North Carolina Business Court

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY

April 12, 2001

THE NORTH CAROLINA JUDICIAL BRANCH

MAGISTRATES BY COUNTY

01/11/01

COUNTY	DIST	FTE	POSITIONS
Alamance	15A	11	11
Alexancer	22	4	4
Alleghany	23	2	2
Anson	20	5	5
Ashe	23	4	4
Avery	24	4	4
Beaufort	2	5.05	6
Bertie	6B	5	5
Bladen	13	5	5
Brunswick	13	9	9
Buncombe	28	15	15
Burke	25	7	7
Cabarrus	19A	9	9
Caldwell	25	7	7
Camden	1	3	3
Carteret	3B	8	8
Caswell	9A	4	4
Catawba	25	10	10
Chatham	15B	7	7
Cherokee	30	4	4
Chowan	1	2	2
Clay	30	2	2
Cleveland	27B	8	8
Columbus	13	9	9
Craven	3B	10	10
Cumberland	12	19	19
Currituck	1	4	4
Dare	1	6	6
Davidson	22	10	10
Davie	22	3	3
Duplin	4	9	9
Durham	14	13	13
Edgecombe	7	6.5	7
Forsyth	21	15	15
Franklin	9	7	7
Gaston	27A	16	16
Gates	1	2	2
Graham	30	2	2
Granville	9	7	7
Greene	8	3	3
Guilford	18	24.4	25
Halifax	6A	12	12
Harnett	11	10	10
Haywood	30	6.75	7
Henderson	29	6.5	7
Hertford	6B	6	6

THE NORTH CAROLINA JUDICIAL BRANCH

MAGISTRATES BY COUNTY

01/11/01

COUNTY	DIST	FTE	POSITIONS
Hoke	16A	5	5
Hyde	2	3	4
Iredell	22	9	9
Jackson	30	5	5
Johnston	11	11.3	12
Jones	4	2	2
Lee	11	5.5	6
Lenoir	8	7	7
Lincoln	27B	6	6
Macon	30	3.5	4
Madison	24	4	4
Martin	2	5	5
McDowell	29	4.5	5
Mecklenburg	26	26.5	27
Mitchell	24	4	4
Montgomery	19B	4	4
Moore	19B	6.5	7
Nash	7	10	10
New Hanover	5	11	11
Northampton	6B	6.1	7
Onslow	4	11	11
Orange	15B	9	9
Pamlico	3B	3	3
Pasquotank	1	4.75	5
Pender	5	4.8	5
Perquimans	1	3	3
Person	9A	4	4
Pitt	3A	10.5	11
Polk	29	3	3
Randolph	19B	10	10
Richmond	20	6	6
Robeson	16B	14	14
Rockingham	17A	9	9
Rowan	19C	9	9
Rutherford	29	7	7
Sampson	4	7	7
Scotland	16A	5	5
Stanly	20	5	5
Stokes	17B	5	5
Surry	17B	8.75	9
Swain	30	2.75	3
Transylvania	29	4	4
Tyrrell	2	3	3
Union	20	7	7
Vance	9	6	6
Wake	10	18.5	19

THE NORTH CAROLINA JUDICIAL BRANCH

MAGISTRATES BY COUNTY

01/11/01

COUNTY	DIST	FTE	POSITIONS
Warren	9	3.5	4
Washington	2	4	4
Watauga	24	5	5
Wayne	8	9.2	10
Wilkes	23	6	6
Wilson	7	7	7
Yadkin	23	4	4
Yancey	24	3	3
		707.85	719

Sentencing Services Programs Run by Nonprofits (1999-2000)

District	Expend	Defend Contacted	Plans prepared	$/plan prep	
1	$85,883	160	56	$1,534	Albemarle Sent Services
3A	$120,913	452	42	$2,879	Eastern Carolina Judicial Resource
4A/B	$196,822	272	72	$2,734	Pretrial Resource Center
7	$147,874	441	48	$3,081	Eastern Carolina Judicial Resource
8A/B	$95,060	224	30	$3,169	Eastern Carolina Judicial Resource
9	$110,011	206	46	$2,392	9th District Sent Services
10	$169,893	160	68	$2,498	ReEntry
11A/B	$184,593	462	79	$2,337	11th Jud Dstrct ReEntry
12	$205,134	178	65	$3,156	Fayeteville Area Sentencing Center
14	$182,194	1190	45	$4,049	Durham Sentencing Services
15B	$91,308	93	60	$1,522	Orange/Chatham Altern Sentencing
17A	$99,539	89	39	$2,552	ReDirections
17B	$51,512	79	10	$5,151	ReDirections
18	$263,259	654	93	$2,831	One Step Further
19A	$77,178	384	28	$2,756	Cabarrus Sent Services
19B	$119,829	226	32	$3,745	One Step Further
19C	$86,727	235	43	$2,017	Rowan Sent Services
20A/B	$146,115	445	55	$2,657	20th Dist Sent Serv
21	$132,141	222	103	$1,283	One Step Further
22	$126,048	351	25	$5,042	Appropriate Punishment Options
23	$79,088	102	19	$4,163	Repay
24	$82,857	119	21	$3,946	Repay
25A/B	$174,242	745	65	$2,681	Repay
26	$143,481	392	98	$1,464	Mecklenburg Sent Services
27A/B	$187,299	523	65	$2,882	ACPP, Inc
29	$137,844	221	59	$2,336	Buncombe Alternatives
30AB	$137,463	405	29	$4,740	Western Carolinians for Criminal Just
	$3,634,307	9,030	1,395	$2,605.24	

FRD *Revised April 10, 2001*

County or State Run Programs 1999-2000

District	Expend	Defend Contacted	Plans Prep		Cost/plan prep	
2	$113,658	234		15	$7,577.20	State
3B	$143,294	391		52	$2,755.65	State
5	$136,709	440		98	$1,394.99	State
6A/B	$67,560	405		46	$1,468.70	State
9A	$44,387	75		43	$1,032.26	State
15A	$136,960	480		61	$2,245.25	State
16A	$108,659	72		20	$5,432.95	State
28	$196,306	51		47	$4,176.72	State
13	$98,200	452		21	$4,676.19	Cape Fear
16B	$73,629	178		31	$2,375.13	Robeson
	$1,119,362	2,778		434	$2,579.18	

Total Plans Prepared All Programs 9	1,829
Projected Plans Prepare	2,130

Sentencing Services Program
FY 00-01 Program Budgets and Matching Funds Requirements

District	FY 01 Total Budget*	Fiscal Capacity	Match Amount Required	Percent of Budget
1	$ 94,972	15.2	$ 6,500	6.84%
2	$ 118,773	7.3	$ 3,500	2.95%
3A	$ 135,177	23.9	$ 7,500	5.55%
3B	$ 149,742	19.4	$ 6,500	4.34%
4A&B	$ 205,436	11.1	$ 5,500	2.68%
5	$ 142,861	26.3	$ 8,500	5.95%
6A&B	$ 70,600	5.1	$ 2,500	3.54%
7A&B/C	$ 167,252	18.5	$ 6,500	3.89%
8A&B	$ 114,076	14.0	$ 5,500	4.82%
9	$ 125,986	11.3	$ 5,500	4.37%
9A	$ 53,706	11.9	$ 5,500	10.24%
10	$ 191,891	61.0	$ 15,500	8.08%
11A&B	$ 202,535	18.3	$ 6,500	3.21%
12	$ 227,456	61.0	$ 15,500	6.81%
13	$ 67,948	13.0	$ 5,500	8.09%
14	$ 202,336	46.6	$ 12,500	6.18%
15A	$ 153,723	30.6	$ 9,500	6.18%
15B	$ 105,180	31.4	$ 9,500	9.03%
16A	$ 113,549	7.1	$ 3,500	3.08%
16B	$ 118,099	11.9	$ 5,500	4.66%
17A	$ 111,097	21.2	$ 7,500	6.75%
17B	$ 65,722	18.8	$ 6,500	9.89%
18	$ 310,544	66.2	$ 15,500	4.99%
19A	$ 104,108	31.3	$ 9,500	9.13%
19B	$ 142,068	23.5	$ 7,500	5.28%
19C	$ 129,335	25.6	$ 8,500	6.57%
20A&B	$ 174,024	15.9	$ 6,500	3.74%
21	$ 176,290	59.8	$ 14,500	8.23%
22	$ 157,274	25.5	$ 8,500	5.40%
23	$ 85,907	12.7	$ 5,500	6.40%
24	$ 92,441	8.9	$ 4,500	4.87%
25A&B	$ 199,597	24.8	$ 7,500	3.76%
26	$ 221,270	100.0	$ 15,500	7.01%
27A&B	$ 213,919	25.7	$ 8,500	3.97%
28	$ 205,140	37.7	$ 10,500	5.12%
29	$ 148,788	20.9	$ 7,500	5.04%
30A&B	$ 140,937	9.5	$ 4,500	3.19%

* Total budget includes state and matching funds for contract programs, and state funds only for state operated programs.

Match Table

Fiscal Capacity	Match Amount Required
2	$ 1,500
4	$ 2,500
6	$ 3,500
8	$ 4,500
10	$ 5,500
15	$ 6,500
20	$ 7,500
25	$ 8,500
30	$ 9,500
35	$ 10,500
40	$ 11,500
45	$ 12,500
50	$ 13,500
55	$ 14,500
> =60	$ 15,500

Match for sentencing services programs is calculated based on each district's fiscal capacity, but is capped at $15,500.
"Fiscal Capacity" is the capacity of a county to financially contribute to a project, where 0 is the least and 100 is the greatest capacity. This score is based on three factors: population, per capita income, and tax valuation.

Source: NC Department of Commerce, Division of Community Assistance

Scores are estimated for Cumberland and Wake Counties.
The scores of the counties in multi-county judicial districts have been averaged to yield a score for the district.

Custody and Visitation Mediation Program

Comparison of expenditures for contract sites and those of state operated sites – since there are two contract sites we have compared sites with the same amount of mediator and administrative time.

Contract Site:		**State Site:**
Cost in 2000-2001 District 28	$51,420	
(Projected 3% increase in 2001-2001 budget)	$52,962	$54,530 2001-2002 projected recurring costs
2000-2001 contract site District 27A & B	$71,016	
(Projected 3% increase in 2001-2001 budget)	$73,146	$78,192 2001-2001 projected recurring costs

In the sites where the mediators work directly for the state they are compensated significantly more in salary and benefits and handle all the administrative tasks of the program. In the contract sites some funds are used by the contracting organization to provide support and oversight of the program, in addition to mediator compensation.

Cases Assigned to Family Courts:

	Domestic Filings: (FY 1999-2000)	Juvenile Filings: (FY 1999-2000)	Totals:*
14th District:	3,237	815	**4,052**
20th District:	3,551	1,457	**5,008**
26th District:	9,408	2,939	**12,347**
5th District:	3,411	1,727	**5,138**
District 6A:	805	275	**1,080**
12th District:	5,960	2,220	**8,180**
District 8:	3,303	1,111	**4,414**
District 25:	5,770	1,820	**7,590**

(Districts are listed in the order in which Family Court was started, with Districts 14, 20, and 26 being funded in 1999; Districts 5, 6A, and 12 starting in 2000, and Districts 8 and 25 establishing Family Courts in 2001.)

* These filing statistics cover the core of the Family Court cases, but they do not include separate domestic violence civil filings or involuntary commitments, which are also assigned to Family Court.

NORTH CAROLINA BUSINESS COURT

- Established in 1996 provides a specialized court to handle complex business litigation. It is also a electronic courtroom that allows electronic filing and automated courtroom equipment. Cases are sent to the Business Court by the Chief Justice, usually at the request of the litigants under Rule 2.1. Unlike other exceptional cases, the Court is required to write opinions.

- One of 4 states with specialized business court (3 pending)

- Cases are heard (and fees paid) in the county filed unless parties agree to a change in venue.

- Staffed by 1 Special Superior Court Judge, 1 Law Clerk and 1 Administrative Assistant

- Included in Superior Court budget

- Annual Cost: About $300,000 for personnel and rent

- Legislative Action:
  1997: Funded Law Clerk
  1998 $85,000 for equipment and furniture NR
  Funded administrative assistant
  1999 Funded facilities lease, $52,000 NR
  2000 Funded facilities lease, $44,000 NR

- Foundations funded much of the electronic equipment (estimated cost $150,000) and the 1st year's rent

- To date:
  - Involved in 129 cases
  - 66 cases closed; 11 judgments and 55 settlements
  - 44 active cases plus 7 on appeal
  - 37 written opinions (11 in CY 2000)

Business Court Cases Filed by County

COUNTY	NUMBER OF CASES	PERCENTAGE OF TOTAL CASES
Bladen	1	1%
Buncombe	2	2%
Burke	1	1%
Caldwell	1	1%
Catawba	2	2%
Cumberland	1	1%
Durham	3	2%
Forsyth	10	7%
Gaston	3	2%
Guilford	21	16%
Halifax	1	1%
Johnston	1	1%
Lenoir	1	1%
Lincoln	1	1%
Mecklenburg	26	19%
New Hanover	3	2%
Onslow	3	2%
Orange	4	3%
Pitt	1	1%
Randolph	4	3%
Rowan	1	1%
Transylvania	1	1%
Wake	35	27%
Warren	1	1%
Wilkes	1	1%
Total in 25 Counties	**129**	**100 %**

Source; Business Court Annual Report, April 1, 2001

Handout #3
April 12, 01

Information Services---Judicial Branch

Funding Trends

	1998-1999	1999-2000	2000-2001	2001-2002	2001-2002*
General Fund Expend	$13,149,912	$14,345,988	$18,322,480	$17,507,180	$18,926,628
% of Total AOC Budget	4%	4.1%	4.7%	4.6%	

* If annualization ($1.42 Million) was included

2001-2 Budget reflects Information Services $815,300 portion of AOC's $3.6 M proposed cut.

(For information technology projects that are specific to a particular area of AOC (eg Magistrates) contractual services items are usually charged against that fund code.)

Budget Breakdown---Selected Items

	2000-2001 Authorized	%
Personnel Expenses	$7,810,695	41.9%
Contractual Services	$1,637,473	8.8%
Software/Equip Maintenance	$5,458,916	29.3%
Telecommunication Data Charges	$1,707,126	9.2%

Recent Legislative and Related Actions

1997 Legislature provided $5.7 M in a reserve (15 positions) for Court Technology systems (Magistrate System, Casewise) . An additional $3.6 M nonrecurring and $319,236 recurring was provided for more general equipment replacement

1998 Legislature directed AOC to develop a long range technology plan and provided $500,000 to fund it. Legislature also authorized AOC to use up to $500,000 in available funds for equipment replacement

1999 Legislature provided initial funding ($350,000) for a disaster recovery program.

2000 An early proposal in the 2000 Session increased court fees and earmarked the funds (estimated $6.1 Million) for court technology. While funds were not earmarked, the JPS subcommittee aimed to provide an equivalent amount of resources to court technology. Budget included 33 positions, $4.3 Million recurring and $3.3 nonrecurring. ***If recurring items had been annualized in continuation budget, recurring impact was $5.7 Million***

Major Projects included: Implementation of Magistrate System, Automation of Civil Abstracts, redesign of system for the Worthless Check Program, Disaster Recovery, a Migration Manager, Computer Operators, facilities improvement and equipment replacement.

Use of Contractual Services

Information Systems has used contractual services in several areas; (1) contract programmers or consultants to fill short-term needs such as system design; (2) to cover vacancies in the short term; (3) to add personnel with nonrecurring funding (eg from technology fee fund); (4) to outsource certain functions such as PC installation; (5) contracts for equipment maintenance. Several expansion items from 2000 specifically included contractual services rather than permanent personnel.

Equipment Replacement

The 2000 Budget provided $2.78 M nonrecurring and $835,679 recurring for equipment replacement, enough to replace almost all equipment 6 years or older. The cost of replacing all equipment 4 years or older (industry standard) was an estimated $8.97 M .

A Special Provision (SL 2000-67 Sec 15.7) directed Office of State Budget to include equipment replacement in the Continuation Budget. The original Continuation Budget included an increase of $3.4 Million for computer equipment and $1.3 M for office equipment, enough to replace thin client terminals and file servers every 5 years, fax and printers every 4 years and PCs every 3 years.

The 2001-2002 recommended budget includes $835,679 recurring for equipment replacement.

Court Information Technology Fund

Earmarking

Established in 1999, collects proceeds from fees charged by AOC to vendors for remote access to court records . Fee (10 cents/hit) is based on reasonable cost recovery (7A-343.2). AOC reports to Governmental Operations twice a year (February and August) on collections and intended use of proceeds.

Collections History

Total Collections since Dec 1999:	$ 1,752,516
Collections To Date Fiscal Year:	$ 1,149,996
Average Monthly Collection:	$ 143,750
Projected Annual Collection:	$ 1,725,000

Uses of Proceeds:

5 time-limited positions (reported April 2000)	$ 442,030	annualized costs
1 time-limited position (reported Aug 2000)	$ 103,687	annualized costs
New Technology Equipment (reported Aug 2000)	$ 336,700	
2 time-limited positions (reported Feb 2001)	$ 175,564	annualized costs
New Technology Equipment	$ 761,005	

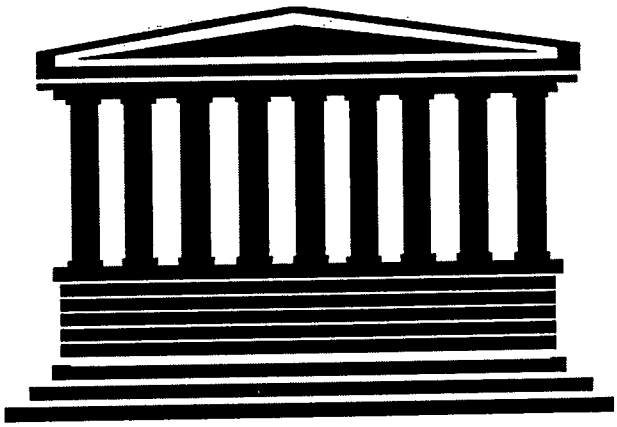
Positions were added for web development, the magistrate system, assisting government access to court information, WAN specialist and a computer operator.

If current pace and commitments continue, AOC will have about $800,000 to be allocated from this fund in their August 2001 report.

Handout # 3 4
April 12, 01

Administrative Office of the Courts
Technology Services Division

AOC Technology Overview



Appropriations Subcommittee on Justice and Public Safety

April 12, 2001

Cliff Layman
Deputy Director, Technology Services Division

Strategic Information Systems and Technology Plan

Background

- In 1998, the General Assembly authorized the AOC to develop a five-year information technology plan
- Contract was awarded to GartnerGroup in February 1999
- Final Report (*as of July 1999*) completed December 15, 1999

Strategic Information Systems and Technology Plan

"IT in the court system is adequately funded and staffed for a late 1980s mainframe-based operation, but not for modernization. If the goal is using modern technology across the board – every employee with a modern workstation and capabilities – the resources are inadequate."

--GartnerGroup: Strategic Information Systems and Technology Plan; December 1999

Resource Needs: Gartner Estimates

(in millions of dollars)

	FY 98-99	Year 1	Year 2	Year 3	Year 4	Year 5
Base Budget	$17	$27-$32	$27-$32	$32-$37	$32-$37	$32-$37
Increase Over 98-99		$10-$15	$10-$15	$15-$20	$15-$20	$15-$20

Total Increase of $65 - $90 million over five years

Strategic Information Systems and Technology Plan

Progress Review

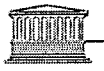
On January 23, 2001, GartnerGroup delivered a document highlighting the progress AOC has made toward implementing the Strategic Information Systems and Technology Plan

Strategic Information Systems and Technology Plan

"It is very gratifying to see the Plan used so well. The Plan is well understood, and is serving its purpose . . .

. . . The AOC has made a quantum leap forward in the last year, and now must sustain the momentum."

-- GartnerGroup: Progress Review: Strategic Information Systems and Technology Plan; January 2001



Strategic Information Systems and Technology Plan

Accomplishment Highlights

- AOC Re-Organization
- Project Management Office
- Firewall Implementation
- Frame Relay Upgrade
- Disaster Recovery Contract
- Equipment Replacement
- 24 x 7 Helpdesk

Resources for Court Technology

2000-2001 Expansion Budget

$4,301,726 Recurring Funds

$3,297,387 Non-Recurring Funds

Appropriations Subcommittee on Justice and Public Safety

Resources for Court Technology

2000-2001 Expansion Budget	*Non-Recurring*	*Recurring*
Implement Magistrate System	$199,949	$1,543,867
Computer Operations Support	$12,570	$100,828
Improve Office Facilities	$150,000	$0
Reserve for Disaster Recovery	$33,162	$741,755
Equipment Replacement	$2,780,242	$835,679
Migration Manager Position	$7,151	$116,435
Support for Worthless Check Programs	$51,135	$135,419
Judgment Abstract System	$63,178	$623,998
Support Redesign of Legacy Systems	$0	$203,745
	$3,297,387	$4,301,726

Total Funding **$7,599,113**

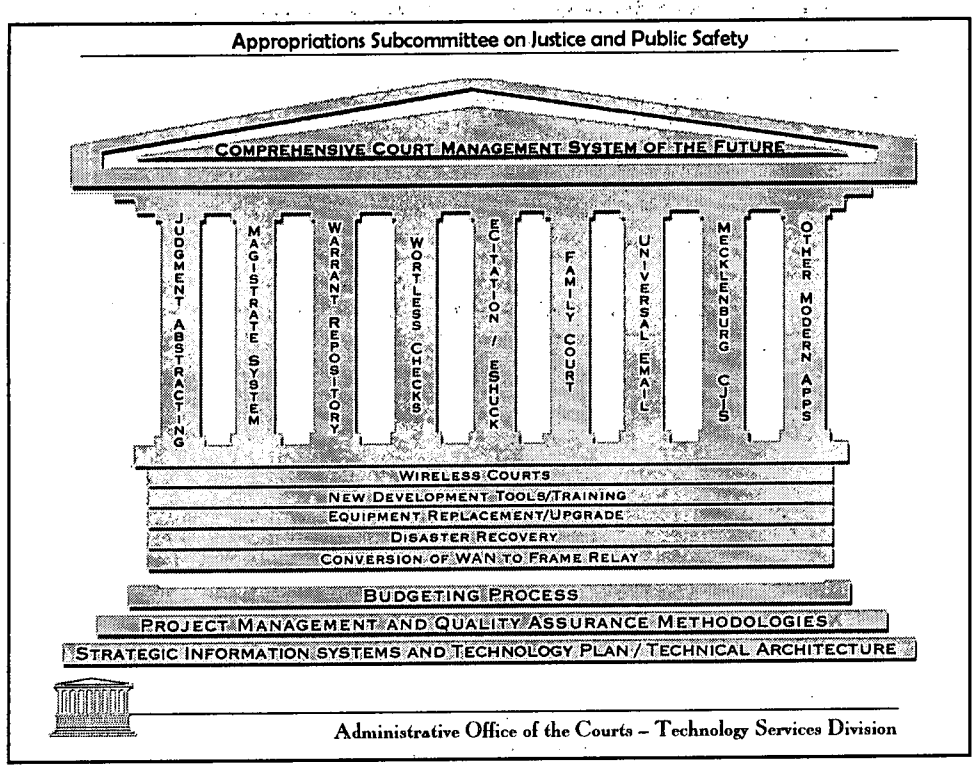
Administrative Office of the Courts – Technology Services Division

Current Projects

- Infrastructure Development
- Judgment Abstracting
- Equipment Replacement
  - More than 800 green screens, 2000 printers, and 400 PCs still need replacing
- Complete Magistrate System Rollout
- Statewide Warrant Repository *(Grant Funded)*
  - Only funded through 25% of programming
- Disaster Recovery Plan and Hotsite Contract
- Worthless Check System Re-write
- Family Court System Development *(Grant Funded)*
  - Only design efforts funded through August 2000

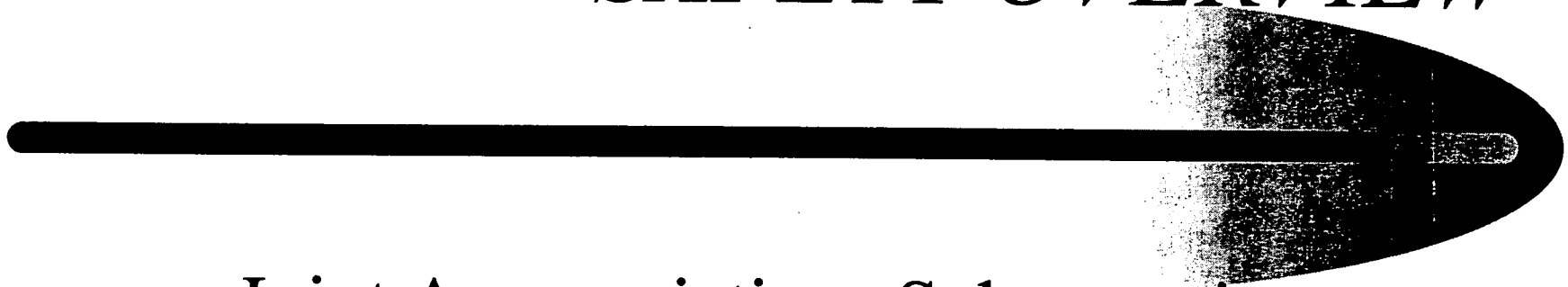
Critical Technology Needs

- Increase Bandwidth and Enhancement of the Telecommunication for Internet Connectivity
- Wide Area Network Security
- Helpdesk Support
- Casewise Support
- Local Area Network/Personal Computer Support Group
- Wireless Technology


Appropriations Subcommittee on Justice and Public Safety
Comprehensive Court Management System of the Future
Judgment Abstracting
Magistrate System
Warrant Repository
Wortless Checks
Ecitation / eBruck
Family Court
Universal Email
Mecklenburg CJIS
Other Modern Apps
Wireless Courts
New Development Tools/Training
Equipment Replacement/Upgrade
Disaster Recovery
Conversion of WAN to Frame Relay
Budgeting Process
Project Management and Quality Assurance Methodologies
Strategic Information Systems and Technology Plan / Technical Architecture
Administrative Office of the Courts – Technology Services Division

Handout # 5

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY OVERVIEW

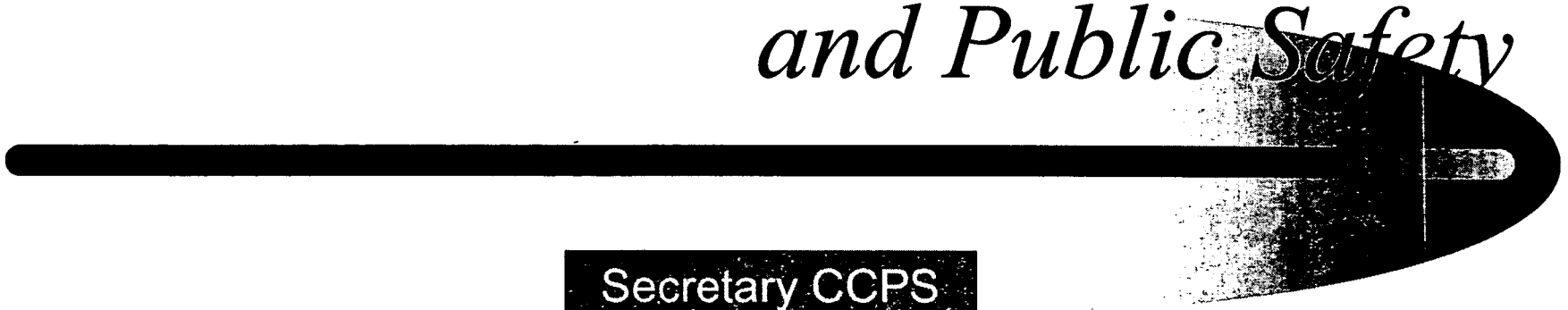


Joint Appropriations Subcommittee
on Justice and Public Safety

April 12, 2001

Handout # 5

Department of Crime Control and Public Safety



Secretary CCPS

Administrative Officer

Asst. Sec. CCPS

Chief Deputy Sec.

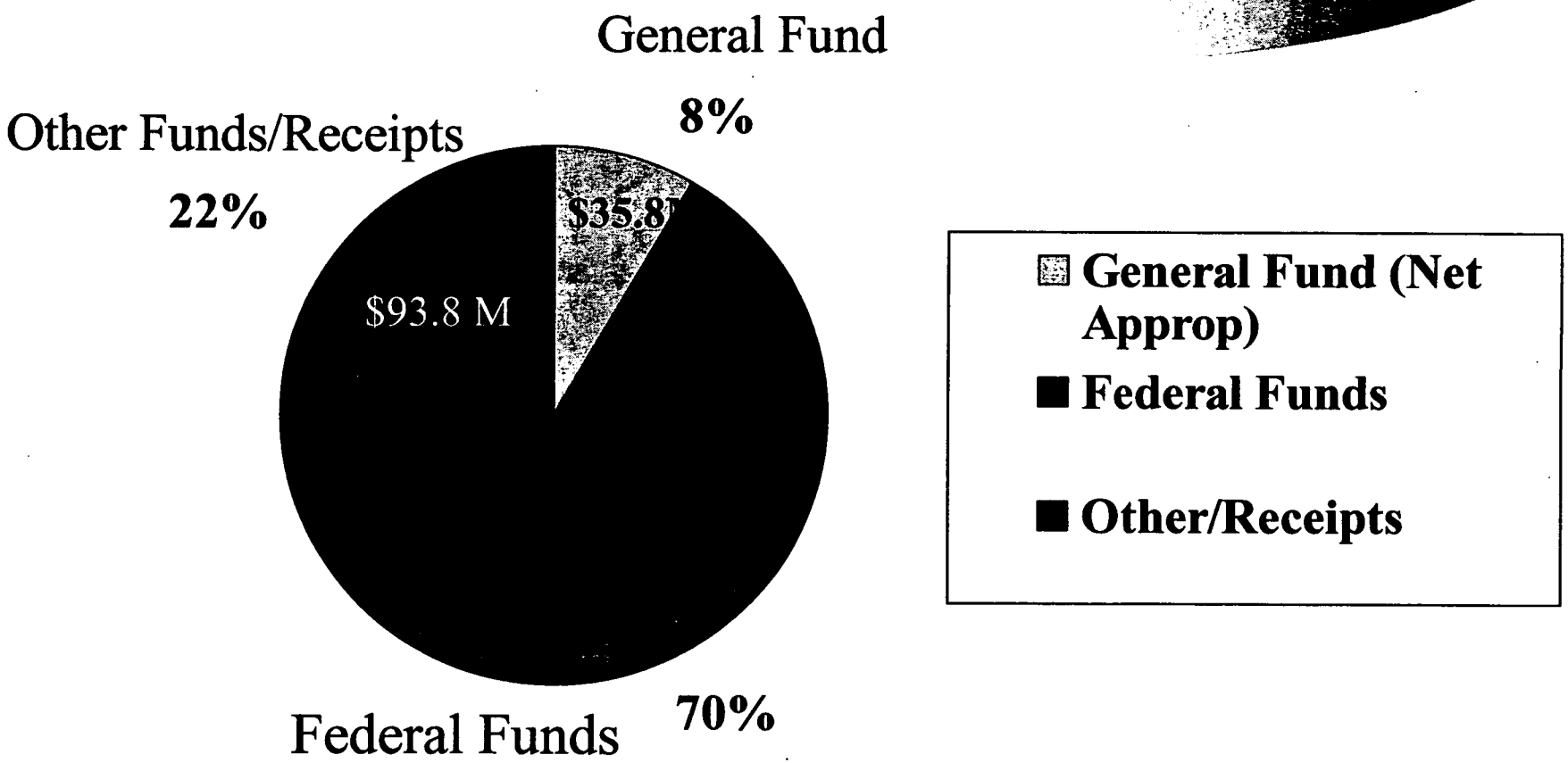
Direct Reports

- Emergency Mgt
- ALE
- Law Enfor. Support Serv.
- Boxing Commission

- Business Officer IV
- V&J Services
- Civil Air Patrol
- Governor's Crime Comm.
- Butner Public Safety

- Special Asst. to Sec.
- Agency General Counsel
- Agency Legal Specialist
- Public Affairs
- State Highway Patrol
- National Guard

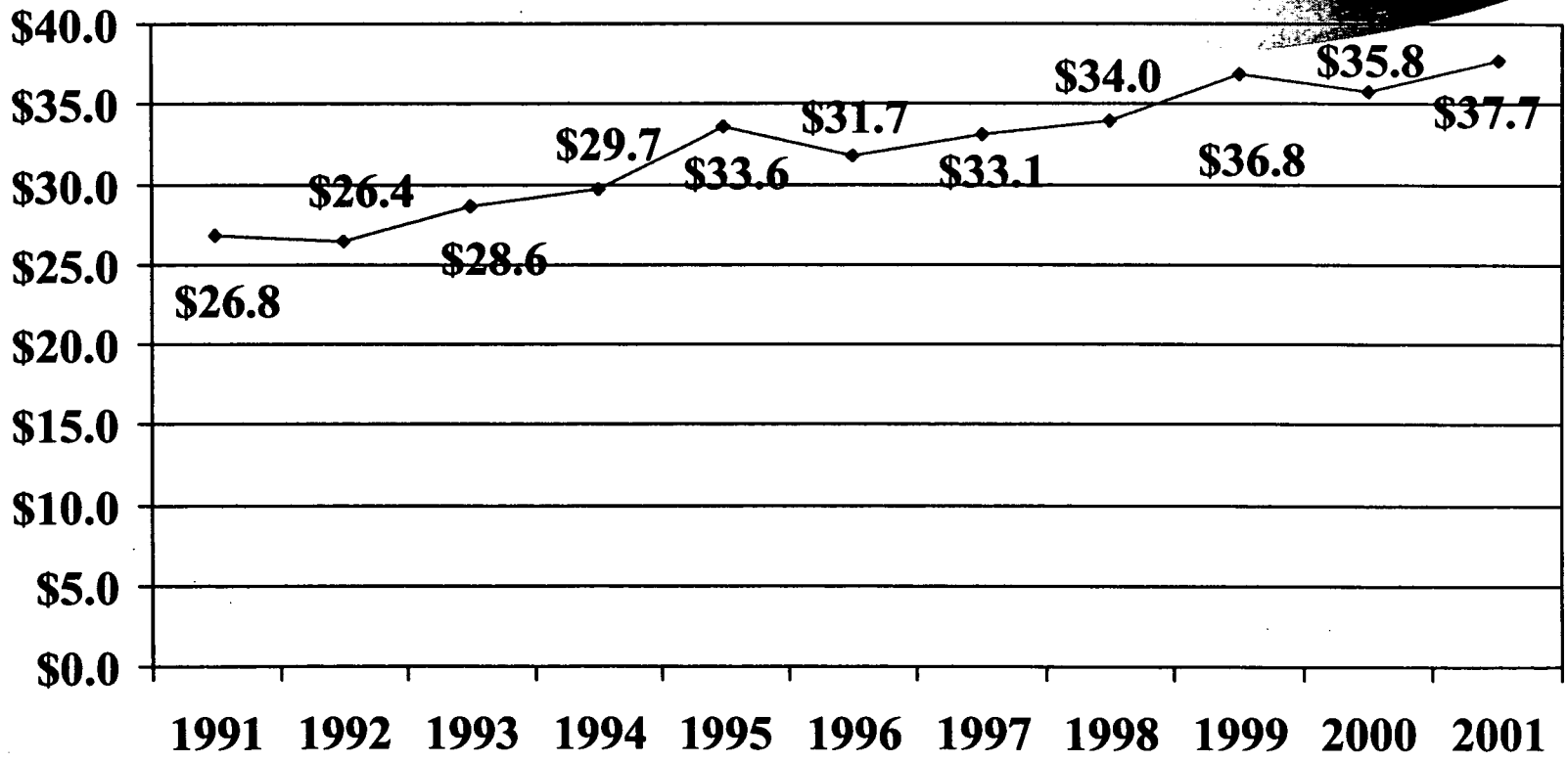
CCPS Budget by Funding Source



Source: Budget Prep Worksheet I 1999-00 Actual

Crime Control and Public Safety

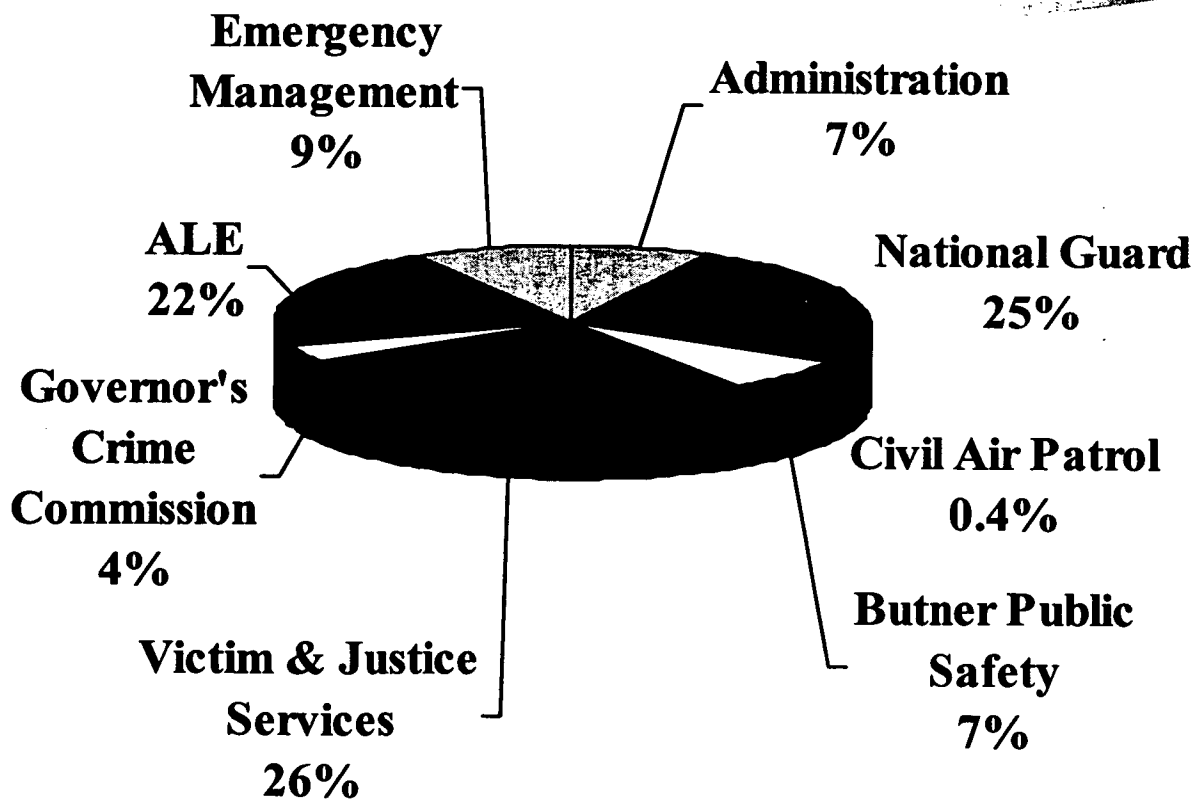
General Fund Appropriations for FY 90-00



Source: FY 90-00 = actual expenditures; FY 2001 = Authorized Budget 12/31/00

Crime Control and Public Safety

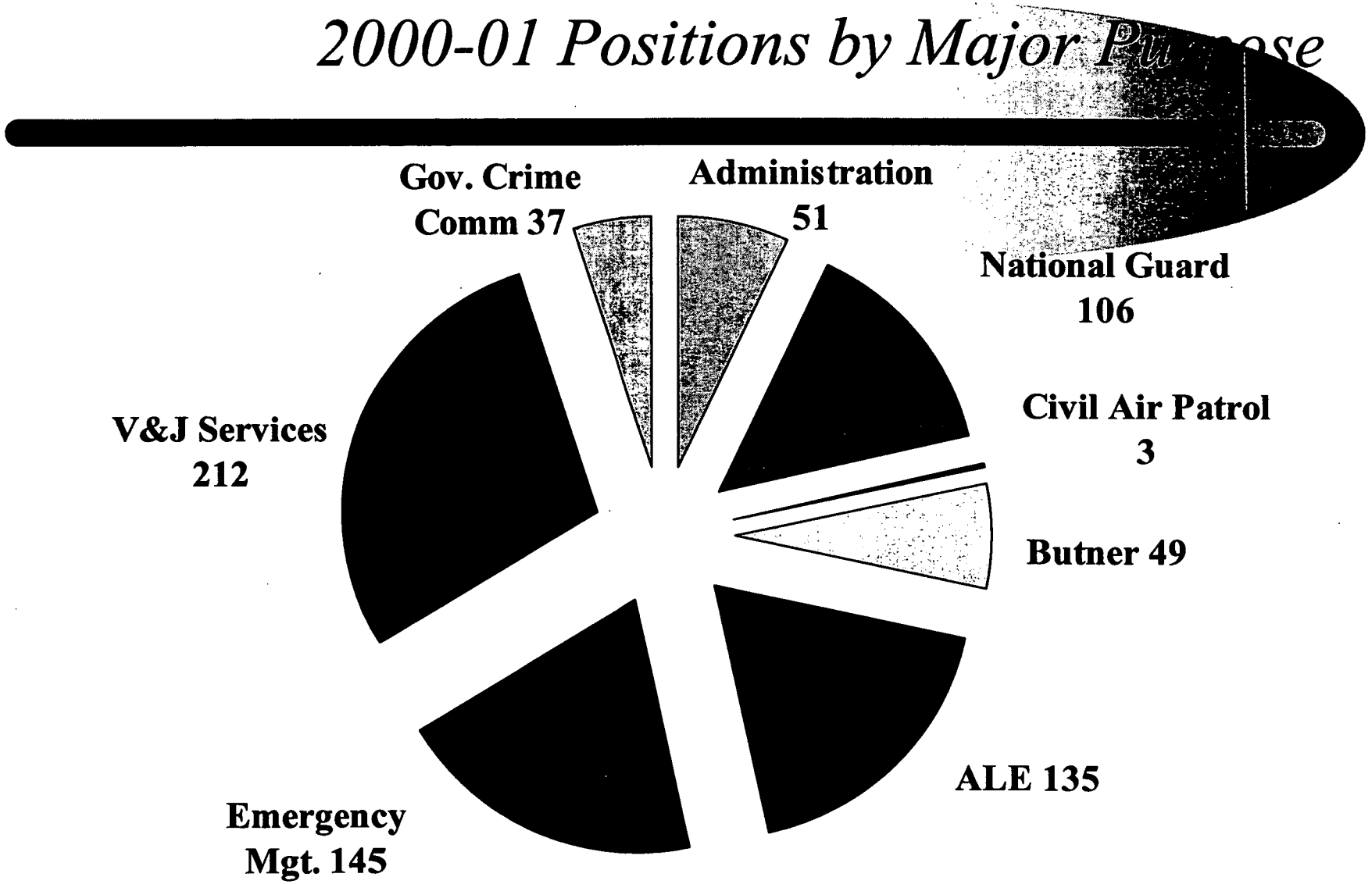
2000-01 Appropriation by Major Program



Source: DCCPS 4/6/01

Crime Control and Public Safety

2000-01 Positions by Major Purpose



Source: DCCPS 4/2/01

General Administration

- **General Administration is organized by following functional areas:**
  - **Secretary's Office (8)**
  - **Controller's Office (17 + 1 on contract)**
  - **Public Affairs (4)**
  - **Information Systems (7)**
  - **Organizational Effectiveness (3)**
  - **Human Resources (7)**
  - **Boxing Commission (3)**
  - **Law Enforcement Support Services (5)**

Source: DCCPS Organization Charts

The Boxing Commission

- The primary goal of the Boxing Commission is regulation of the boxing industry for:
  - Safety of participants
  - Prevention of illegal practices
  - Licensing of participants according to NC and federal law
- The Boxing Commission has 3 full time staff to enforce the policies and regulations set forth by the Commission.

The Boxing Commission

- 83 event nights were regulated by Commission last year
  - 13 professional boxing events
  - 3 amateur events
  - 67 "Toughman" events
- Total authorized budget for FY 2000-01 is $217,545.
- The Commission issued 1211 licenses and collected $43,415 in revenues.

Law Enforcement Support Services

- **Programs Sponsored**
  - **Excess Property Program**
  - **Procurement Program**
  - **Police Corps Program (100% federally funded)**
  - **Bulletproof Vest Partnership Program**
- **There are 5 positions in LESS (1 is 100% federal funded).**
- **The authorized general fund budget for FY 2000-01 is $232,683.**

LESS Special Programs

- Bulletproof Vest Partnership Program
  - Provides funds to units of state and local government and Indian tribes for the purchase of bulletproof vests
- Excess Property Program
  - Obtains surplus property items from Department of Defense and transfers to requesting state agencies.
  - Since May 1994, LESS has distributed equipment to 420 LEAs and 20 SEAs totaling $87,055,049

LESS Special Programs

- Equipment Loan Program
  - LESS maintains a pool of law enforcement equipment available on loan to qualified agencies at no cost.
- Law Enforcement Procurement Program
  - Local law enforcement agencies go through LESS to purchase equipment for use in counter-drug activities from the federal government at substantial savings.

Police Corp Program

- The Police Corps is a federally funded program designed to attract highly qualified young people to serve for four years as police officers in a community policing role in a North Carolina law enforcement agency.
- The scholarship pays up to $7,500 per year for tuition, room and board and related educational expense.

Civil Air Patrol

- **U.S. Air Force auxiliary**
- **Responsibilities**
  - **To provide assistance during emergencies or disasters.**
  - **Work with other law enforcement agencies to conduct aerial searches for marijuana.**
  - **Sponsor Cadet Program to train youth as future leaders.**
- **There are 3 positions who support 1,400 Civil Air Patrol volunteers across NC.**
- **Total General Fund budget FY 2000-01 is $157,880 (less than 1% of CCPS GF budget).**

Butner Public Safety

➢ Responsibilities

- To provide police and fire protection to the state and federal facilities as well as residential, business and industrial community of Butner.

➢ Institutions Served

- Jurisdiction covers approximately 36 square miles in Granville County.
- Includes over 20 state and 4 federal facilities.

Butner Public Safety

- Total GF budget FY 2000-01 is $2,693,373
- There are 49 positions in BPS
  - 43 fire/police officers, 5 dispatchers, 1 admin.
- Total service calls received in 1999: 9,039
  - 4,034 to state facilities
  - 80 to federal facilities
  - 4,265 local/community calls

Emergency Management

- Mission is assisting people to effectively prepare for, respond to, recover from, and mitigate against all hazards and disasters.
- The Division assists local officials through its headquarters in Raleigh and 3 branch offices in Conover, Butner, and Kinston.

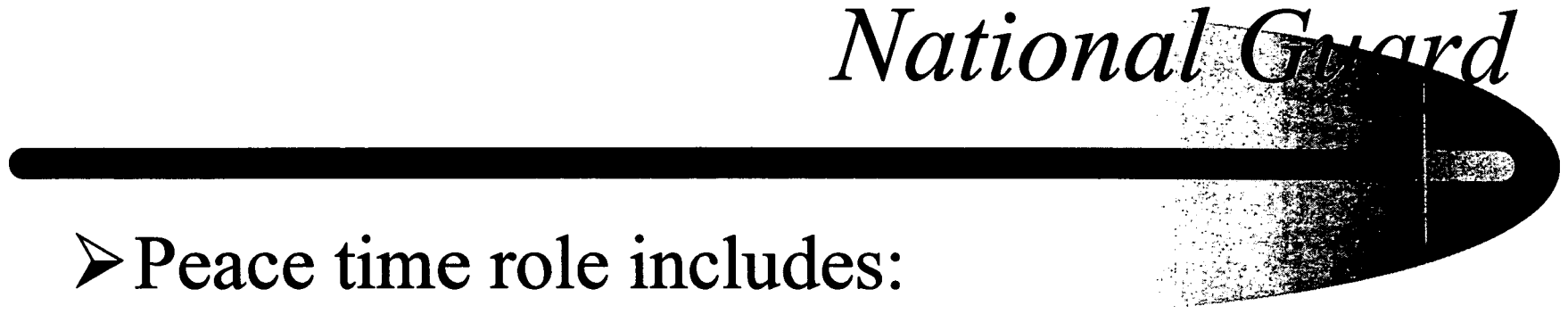
Emergency Management

- There are 145 employees, 77 of which are funded from receipts.
- FY 2000-01 budget $428,863,067
- General Fund budget $3,210,614
- $303,604,074 in Federal Disaster Assistance

National Guard

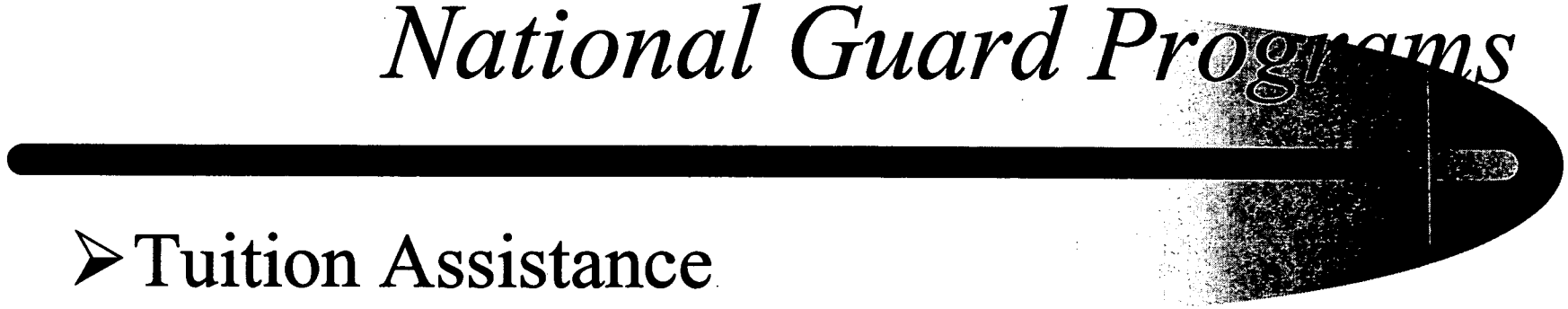
- Mission
  - Federal: To provide combat ready units as a part of the total US Armed Forces.
  - State: To protect life and property and to ensure public safety for the citizens of North Carolina.
- National Guard Troop Strength
  - Army and Air National Guard includes over 11,500 civilian-soldiers.

National Guard



- Peace time role includes:
  - Assists the public in times of emergency or civil disorder such as after hurricanes, floods, wildfires and other natural disasters.
  - Counter Drug Task Force that helps local and state law enforcement with drug eradication efforts.
  - Guard aviation units support local governments in searching for missing persons, assist law enforcement with aerial searched for marijuana and fight forest fires.

National Guard Programs



- Tuition Assistance
  - Used as a recruiting and retention tool for Guard members.
  - During the 2000 Session, the GA increased cap from $1,000 to $2,000 per academic year.
- National Guard Pension
  - Benefit intended to give members an incentive to remain in the Guard.
  - 2000-01 budget $2,545,219

National Guard Programs

- Tarheel Challenge Program
  - A quasi-military style program for at-risk high school drop outs.
  - Participants, age 16-18, must volunteer for this 5 month residential/12 month post res.program.
  - Major focus is to obtain a GED, combined with training in discipline, life skills, teamwork, community service and other areas designed to help build self esteem.
  - Graduated 185 in 2000.

National Guard Budget

- There are 106 positions within the National Guard.
- The total budget for the Guard for FY 2000-01 is $21,538,275.
- General Fund budget for FY 2000-01 is $9,593,315.

National Guard Budget

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- The total budget for the Guard for FY 2000-01 is $21,538,275.
- General Fund budget for FY 2000-01 is $9,593,315.

Alcohol and Law Enforcement

- **Primary Goal**: to provide and ensure consistent statewide enforcement, education, and control of the legal and illegal sale, consumption, distribution, and transportation of alcoholic beverages with special attention directed towards the possession and use of alcohol by underage persons and the prevention of violent crime due to alcohol and drug abuse.

ALE Programs Sponsored

- Retail/Wholesale ABC permit application inspections
- Sales to Minors
- Cops In Shops
- BARS (Be a Responsible Seller)
- Other Educational Programs

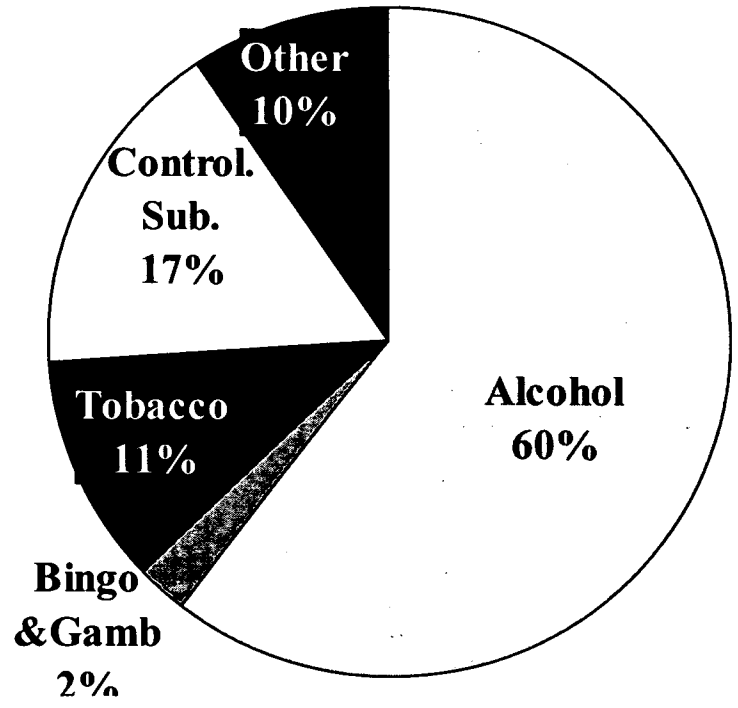
Alcohol and Law Enforcement

- Other Responsibilities:
  - **Nuisance Abatement**- working with local governments and citizens to rid neighborhoods of drug houses, clubs and other nuisance properties that are associated with violent criminal activity.
  - **Video Gaming Machines**
  - **Charitable Bingo**
  - **Youth Access to Tobacco**
  - **Missing Persons**

Alcohol and Law Enforcement

- ALE has a 135 positions (115 sworn law enforcement officers).
- The General Fund Budget FY 2000-01 is $8,184,770.

Arrest Charges by Type



Governor's Crime Commission

- Chief advisory body to the Governor and the Secretary of the DCCPS on crime and justice issues.
- The Commission consists of 40 members, including the heads of statewide criminal justice and human service agencies, representatives from the courts, law enforcement, local government, the General Assembly, and private citizens.

Governor's Crime Commission

- The Commission currently administers over $50 million annually through federal block grant programs.
- Grants are awarded on a competitive basis to both state and local agencies to start new and innovative programs.

source: GCC Website

Governor's Crime Commission

- **Types of federal block grants:**

  Drug Control and System Improvement (DCSI), Juvenile Justice and Delinquency Prevention (JJDP), Juvenile Accountability Incentive Block Grant (JAIBG), Victims of Crime Act (VOCA), and Violence Against Women Act (VAWA).

Governor's Crime Commission

- The staff to the Governor's Crime Commission consists of 37 employees, 8 of which are completely receipt supported.
- The General Fund budget for GCC for FY 2000-01 is $1,389,897.

Victim and Justice Services

- Division is organized into 2 key areas:
  - Community Service Work Program
    - Authorized budget FY 2000-01: $7,512,719
  - Victims Compensation Program
    - Crime Victims Compensation Program
    - Rape Victims Assistance Program
    - Authorized budget for both programs FY 2000-01: $2,130,159

Victim & Justice Services

- Community Service Work Program
  - Division field staff is responsible for interviewing, placing and monitoring offenders performing community service in state, county, federal and non-profit agencies as a condition of suspended jail sentences.
  - Last fiscal year there were 69,300 admissions.
  - 2,146,163 CS work hours were completed.

Victim & Justice Services

- Rape Victims Assistance
  - Allows the North Carolina medical provider to claim up to $1,000 to pay for evidence gathering - so the victim does not have to pay that bill to the medical provider.
  - Last fiscal year, $173,203 was paid out of this fund.
- Crime Victims Compensation Program
  - Program to reimburse citizens who suffer medical expenses and lost wages as a result of being an innocent victim of a crime committed in North Carolina.
  - Last fiscal year, there were 1,148 claims awarded for a total of $3,788,119

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday April 17, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Remarks

Secretary Bryan Beatty
Department of Crime Control and Public Safety

- Victim and Justice Services

Community Services
Crime Victims' Compensation Fund
Rape Victims Assistance Fund

Kelly Little, Fiscal Research Division

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Wednesday April 18—ALE; Butner; Boxing Commission; Begin Department of Juvenile Justice and Delinquency Prevention – Secy. Sweat, Overview, Programs
  Thursday April 19- - Juvenile Programs

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Tuesday, April 17, 2001,** at 8:30 a.m. in Room 415 LOB. Five (5) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. John Hall
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton

A Visitor's Registration Sheet is attached and made part of these minutes.

Sen. Luther Jordan called the meeting to order with the introduction of pages and the first speaker, Secretary Bryan Beatty, Department of Crime Control and Public Safety.

Sec. Beatty thanked the Committee for their support of the Department of Crime Control and Public Safety. He briefly pointed out that nearly every county in the state has been a disaster area, some many times, as indicated in **(Handout #1)** Presidentially Declared Disasters, January 1995 – January 2000. Sec. Beatty then introduced his staff who are prepared to answer any questions.

Rep. Kiser asked if there was any money available for indemnity should people lose their animals due to Foot and Mouth Disease? Sec. Beatty stated that he was not certain, but perhaps Billy R. Cameron might have more information on that. Mr. Cameron said that there were discussions going on right now. Rep Kiser followed up with another aspect, asking if there were a plan to quarantine an area and would the Highway Patrol be involved with this? Sec. Beatty responded that there was a plan involving the Highway Patrol, National Guard, Division of Emergency Management, Department of Agriculture and local officials as well.

Rep. Goodwin noted that there were no disasters in 1997 and asked if this was correct in it being a good year? Sec. Beatty said that, according to the chart, that is correct. Rep. Goodwin asked how regularly we have declared disasters in the state – do we normally have several counties every year experiencing disasters? Sec. Beatty referred the questions to Mr. Cameron who said that we escaped in 1997; Hurricane Floyd affected 67 counties, and Fran, 57 counties. It is usually multiple counties, and since 1965, there have been some 200 + Presidentially Declared Disasters. Rep. Goodwin asked about the dollar amount of loss, and was told that it was about $2.50 per capita.

Sec. Beatty introduced other staff members who joined the meeting.

Kelly Little, staff, made a presentation on the Community Service Work Program **(Handout #2)**.

Sen. Jordan asked Sec. Beatty, regarding the elimination of 29 positions mentioned in the report, if he has talked to the Sec. Of Corrections to make certain that there is a place for all the present employees and that no one will be let go. Sec. Beatty said that there had been preliminary discussions with Sec. Beck regarding the elimination of positions. Sen. Jordan asked if we should really do this or not. Ms. Little said she didn't completely understand the question, but if Sen. Jordan were asking is there any reason that it was a good idea in 1992, and it's not a good idea now? She doesn't think so. The missions haven't changed in the past years, and there could be more efficiency if the two programs were merged. Ms. Little answered Sen. Jordan's question about which parts would be left in saying that it would be up to the General Assembly. The Victim's and Justice Services Division would just become the Crime Victims' and Rape Victims' Assistance Fund. Sen. Jordan asked, if in Ms.Little's opinion, there would be adequate people to administer that program? Ms. Little answered yes.

Rep. Kiser asked what percent of Community Services was unsupervised now? Ms. Little said that more than half are unsupervised – about 58%.

Sen. Thomas asked if the 26 Districts correspond with the District Court Districts? Ms. Little said that she believed so, but referred to Robert Reives, Department of Crime Control and Public Safety. Mr. Reives answered that they correspond to the Judicial Districts. Sen. Thomas asked if in addition to these people being District Supervisors, do they not carry an active caseload? Mr. Reives indicated that they would carry a caseload if it were dictated.

Ms. Little continued with her presentation.

Sen. Ballance asked how many vacancies there currently are and how many people are at retirement or close to retirement? Mr. Reives said there were fifteen vacancies and only one in management.

Rep. Sexton asked if there were any indication in the Loophole Commission report on which way we ought to go with this – any time frame? Sec. Beatty said sometime this week.

Ms. Little presented the Crime Victims Compensation Fund **(Handout #3)**.

Rep. Sexton asked why the unexpended balance was always so much – is it because the strings are so tight that the people cannot get to it, or is there just no demand for it? Ms. Kelly said that there is a high demand for the money, but the process time for a claim was the problem. The department has instituted some efficiency measures on their own and has improved the time for processing. Rep. Sexton asked what some of those efficiency measures are – what are we doing? Ms. Little said that they have begun to process the 'easy' claims first – many times there are disputes among parties and this takes longer to process. They have a commission that meets four times a year and approve any claims over $7,500 or any claims for victims who may have future problems associated with the

crime that have yet to be determined. Polling commission members by phone to get approval helped the process.

Rep. Kiser asked for disbursements by counties if possible and Ms. Little said she would get that information.

Rep. Sexton asked how much the 5% of the profits from the Department of Correction enterprises transfers to? Ms. Little said it varies – has been as much as $1.2 million as low as $829,000.

Sen. Ballance pointed out that there was a bill pending that would increase compensation for funerals from $3,500 to $4,000, a cap of $300 on loss of work, would go to $400 and the number of weeks from 26 to 36. Ms. Little said that the bill also redefined lost wages.

Ms. Little passed out Management Study, OSBPM **(Handout #4)**, then discussed the OSBPM Management Study Recommendations **(Handout #5)**.

Rep. Kiser asked if records were on the computer as well as on hard copy. Mr. Reives responded that they have both. Rep. Kiser asked why it couldn't all be on the computer and Ms. Little said that there were papers that came in from insurance companies, medical bills etc. that had to be in a hard file. Mr.Reives said that notations were made on the computer and the hard copies put in the file. Ms. Little said there would be a great deal of information and detail on the bills that would not be put in the computer.

Rep. Sexton said that there seem to be the same problems that were present two years ago and is interested in knowing what the backlog is now and what it was two years ago. Are we playing lip service or are we going to do something about it? Ms. Little pointed out that on page 2 of the full report **(Handout #4)** it does give you an idea of the workload volumes. A study has been done by OSB and some very clear recommendations made. There are still claims from '98, which have not been processed, and more details are on page 4 of the full report. OSB feels that if all recommendations are followed they can eliminate the backlog in about a year. Sen. Rand asked about the size of the staff. Ms. Little said there were about 10 total in Raleigh. Sen. Rand asked if they got between 5 and 6 claims per week? They don't have a filing system? Ms. Little replied that evidently not, prior to this study. Mr. Robert Reives, Crime Control and Public Safety, added that there were about 200 claims, on the average, per month. Regarding the filing system, they were allowing each investigator to maintain the files in their own office. They have now implemented eight of the ten recommendations. Sen. Jordan asked which eight? Mr. Reives said that they were still reviewing recommendations #7 and #10.

Rep. Haire referred to **Handout #4**, page 11 and questioned the figures on homicides in 97-98 and 99-00, and the jump in funeral expense from $255,684 in 97-98 to over a million dollars in 99-00. Rep. Haire pointed out the same kind of increases in Domestic Violence figures and expenses. Sen. Ballance suggested that it might be because of the lag in some costs and perhaps that should be looked at.

Ms. Little introduced Anne Bander, OSBPM, who prepared the study. Ms. Bander stated that the committee was committed to make recommendations as well as to stay with the department through implementation and to track the status of that implementation. Rep. Haire asked if it would help if the department had the authority to approve a claim up to a dollar amount without going to the full Commission? Would that expedite things? Mr. Reive said that he did have that authority up to $7,500. They have had situations where the Commission would meet back to back and as caseloads increase, they will meet more often.

Rep. Justus asked what you do if you run out of money – do you stop approving claims or do you prorate? Mr. Reives stated that they actually stop spending money and negotiate with service providers.

Rep. Haire asked, on page 11, what percentage of claims would exceed $7,500 and require the full commission to meet? Mr. Reives did not have that information with him, but will get it.

Ms. Little continued with an update, no handout available, on the other program administered through the Division of Victims' and Justice Services is the Rape Victims Assistance Fund. The Rape Victims' Assistance Fund had fallen short and was given the division an additional $253,000 from Hurricane Floyd Funds. Allowed them to pay all back claims – backlog has been eliminated. Maximum amount of claim went up to $1,000 several years ago.

Rep. Justus asked if we were talking about the $1,000 that was paid for the rape kit? Ms. Little said the Rape Victims' Fund is different in that it is paid to the medical provider and it is requested by the medical provider, so that the victim does not have to be involved in the process at all. Rep. Kiser asked if it was $1,000 per kit? Ms. Little stated that $1,000 was the maximum, not just the kit, but also medical expenses. Mr. Reives stated that most of the expense comes from the emergency services. Rep. Kiser further asked if the victim was beaten or injured in any other way, does the fund pay for these expenses of treatment? Mr. Reives answered that it pays for medical treatment and some counseling.

Sen. Ballance asked Mr. Reives if his office scrutinized these payments? Mr. Reives said they followed the criteria set out by the statutes.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Sen. Luther Jordan, Senate Presiding Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 4/17

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Neil Woodcock	CC+PS, L.E.S.S.
Dan Stieneke	DOC
Gregg Stahl	DOC
Greg McLeod	CCPS
William A. Dunlap	CC & PS
Jonathan Williams	CCPS
Mike Buchan	CCPS
Billy R Cannon	CC+PS
Mb Goddard	GAL Volunteer
Rufus Sales	CC+PS Butner Public Safety
Bill Patterson	CC+PS ALE
Deb Ross	ACC

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee

Date 4/17/01

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John D. Smith, III	CC&PS / ALE
W.M. Autry	CC&PS / SHP
James L. Selfe	CC&PS / NCEM
Jerry Ziegler	CC&PS / Admin Services
Rudy Rudisill	CC&PS / National Guard
Robert Lee Coy	Div. of Community Corrections, DOC
Robert REIVES	Crime Control & Public Safety
RICHARD HOLDEN	CC&PS / NC SHP
David Jones	Governor's Crime Commission / CC&PS
W.N. Schulz, Jr.	CIVIL AIR PATROL, DEPT CC&PS
Weldon Freeman	DCCPS

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 4/17/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
J. Shawn Lemmond	Dept CCPS
Nels Roseland	State Budget
Cally Dick	DJJDP
Michelle Frazier	NC Bar Assoc.
Steve Shabot	Poyner + Spruill
Rhonda Ramsey	CCPS
Jeh Allen	Allen Associates
Anne Bander	OSBPM

JUSTICE & PUBLIC SAFETY

DATE: 4/17

SENATE PAGES:

NAME Libby Seaks

HOME Greensboro

SPONSOR Cunningham

NAME

HOME

SPONSOR

HOUSE PAGES:

NAME Brooks Sterritt

HOME Elizabeth City

SPONSOR William Owens

NAME Jessica Crong

HOME Goldsboro

SPONSOR Carolyn Russell

JUSTICE & PUBLIC SAFETY

DATE:_____

SENATE PAGES:

NAME_____

HOME_____

SPONSOR_____

NAME_____

HOME_____

SPONSOR_____

HOUSE PAGES:

NAME Stephanie Joyner

HOME Goldsboro

SPONSOR Carolyn Russel

NAME_____

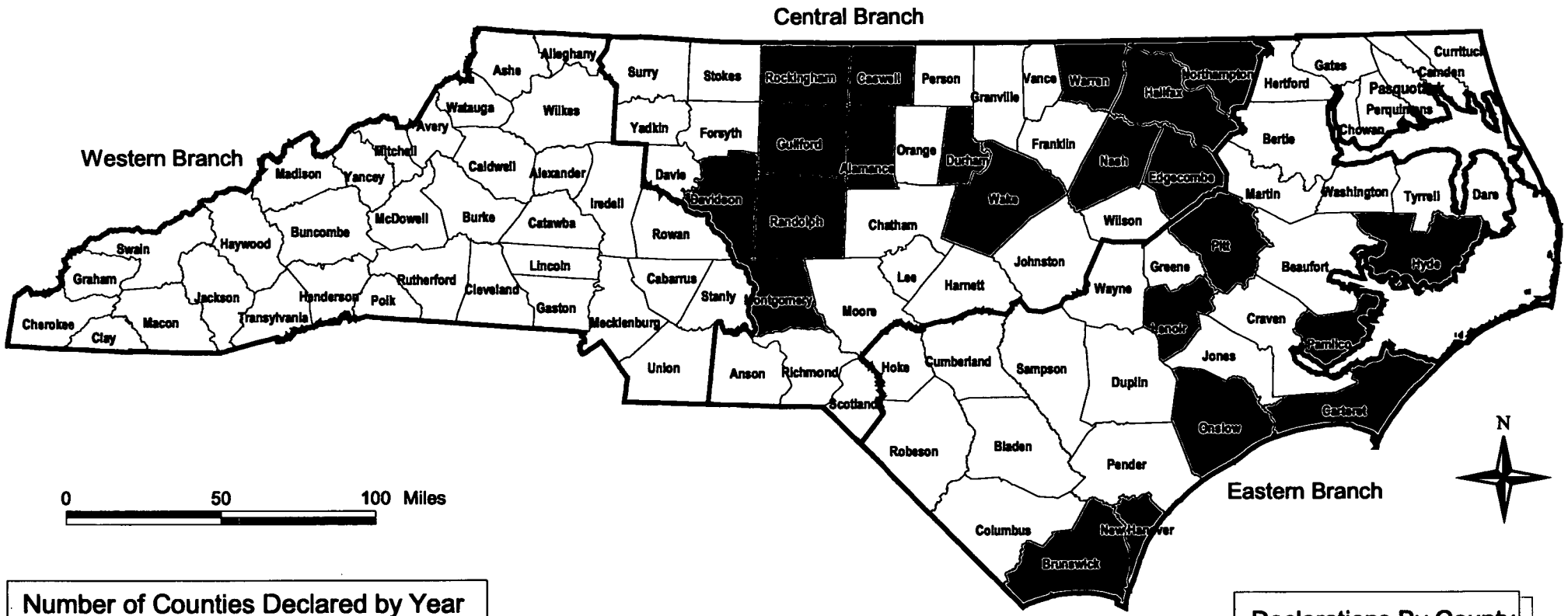
HOME_____

SPONSOR_____

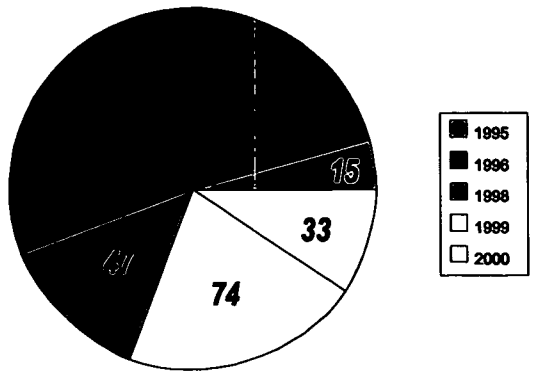
CRIME CONTROL & PUBLIC SAFETY
NORTH CAROLINA
Emergency Management

Presidentially Declared Disasters
January 1995 - January 2000

Handout #1
April 17
8:30



Number of Counties Declared by Year



FEMA#	YEAR	TYPE OF EVENT
1073	(1995)	Severe High Winds
1087	(1996)	Blizzard
1103	(1996)	Winter Storm
1127	(1996)	Hurricane Bertha
1134	(1996)	Hurricane Fran
1200	(1998)	Severe Flooding
1211	(1998)	Severe Storms, Tornadoes & Flooding
1240	(1998)	Hurricane Bonnie
1292	(1999)	Hurricane Floyd
1312	(2000)	Winter Storm
3141	(1999)	Hurricanes Dennis & Irene

Declarations By County

- 1 - 2
- 3 - 4
- 5 - 6

Data provided through FEMA by Baker Corporation

Information & Planning
Tech Services/GIS Section
g:\declarations\pres-declarations.apr
April 11, 2001

Handout # 2
April 17, 01

COMMUNITY SERVICE WORK PROGRAM
DIVISION OF VICTIM AND JUSTICE SERVICES
DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Purpose:

- Administration of statewide program of community service for DWI and other offenders
- DWI program began in 1983; expanded to Non-DWI in 1984
- Offenders are parolees, probationers, or deferred prosecution
- In deferred prosecution program, Community Service Work Coordinators supervise offenders and report to officers, who decide on response.

Organization:

- Organized by 4 areas and by 36 district offices.
- Staff: 4 Area Managers, 23 District Managers, 143 Community Service District Coordinators, 27 office assistants.
- Administrative staff shared in Raleigh with CVCF: 5 permanent 1 temp. - paralegal

Program Statistics:

- 69,300 admissions in FY 99-00
- 2,146,163 CS work hours completed in FY 99-00
- $5,103,547 fees paid CS workers FY 99-00
- In February 2001 there were 17,519 active caseloads and 4,271 pending cases
- More than half of the CS workers are on supervised probation or parole
- Statewide average caseload for CSW coordinators is 455.

Proposal for Merging Community Service Work Program
With
Division of Community Corrections

History:

1992 : Governor's Performance Audit Committee (GPAC) recommended consolidating community corrections programs for more efficient and effective service delivery. Included in the recommendations was to move the Community Service Work Program from DCCPS to Department of Corrections and integrate with other community corrections programs.

1993: Secretary of CCPS, Thurman Hampton agrees with GPAC recommendation to merge CSWP into DOC.

1995: Governor Hunt proposed eliminating the Department of Crime Control and Public Safety and in doing so, move CSWP to DOC.

2001: Governor Easley's Loophole Commission is studying the merge for possible recommendation.

Pros:

- Similar missions would make CSWP move to the Division of Community Corrections a more logical fit than its existing place with Victims and Justice Services.
- More efficient operation in that it eliminates mid level and direct supervisors and places district coordinators under the organizational structure of DCC.
- Consolidating the programs and clarifying duties could eliminate duplication of services in cases where the offender is also on supervised probation or parole. (i.e. more efficient utilization of resources in the courtroom- currently the probation parole officer and the community service work coordinator attend court hearings when an offender doesn't complete work).
- Integration of staff efforts at ensuring offenders complete court ordered work.
- Cost savings estimated at $1,160,972 through elimination of 29 positions (28 management and 1 clerical).

Cons:

- 27 of 29 positions proposed for cut are filled
- Assigning the Community Service Work Coordinators to report to Judicial District Managers will increase their span of control by an average of 3 additional supervisees. (Currently supervising 2-26 per district).

~ Wake

Options:

- Merge CSWP with DCC and eliminate 29 positions for a savings of $1,190,972. most dramatic
- Merge CSWP with DCC and eliminate the director, administrative assistant and 4 area supervisors for a savings of $314,444.
- Merge CSWP with DCC eliminate director and administrative assistant and 2 vacant area supervisor positions for a savings of $228,019.
- Merge CSWP with DCC, cut 2 vacant area supervisor positions, keep remaining positions and eliminate through attrition over the years. Immediate savings $104,472.
- Keep CSWP in CCPS and eliminate 4 area supervisors for a savings of $191,267.
- Keep CSWP in CCPS as is.

Handout #3
April 17

CRIME VICTIMS COMPENSATION FUND

ORGANIZATION

In 1997, the Legislature created the North Carolina Crime Victims Compensation Program for innocent victims of crime to receive financial compensation for medical expenses, lost wages, domestic violence household support loss and/or replacement services (i.e. child care expenses). A maximum of $30,000 may be paid for any award, except when the victim dies as a result of the crime. In that case, an additional $3,500 may be paid to survivors for funeral expenses.

The Division of Victims and Justice Services in the Department of Crime Control and Public Safety administers the Crime Victims Compensation Fund. The Program has a total of ten Raleigh-based staff.

QUALIFYING FOR THE FUND

In order to be eligible:

- the person must prove that they suffered economic loss within one year (except victims under age 10 at the time of injury, who may be compensated for economic loss incurred for up to two years after the crime)
- must report the crime to a law enforcement agency within 72 hours; fully cooperate with a law enforcement agency as well as the Victims Compensation Commission; and must file the claim within two years of the crime
- the victim can not have contributed to the criminal conduct that caused the injuries or be the offender or an accomplice in the crime

FUNDING

The Crime Victims Compensation Fund receives funding from four primary sources:

- Annual General Assembly appropriation
- Federal reimbursement of 40% of state dollars paid out the prior year
- 5% of the profits from Department of Correction enterprises
- 5% of the profits from the prison canteens

The Fund's total budget has increased from $4.8 million in 1996/97 to $7 million in 1999-2000. Unspent funds do not revert to the General Fund but are retained in the Crime Victims Compensation Fund for future year's use. The amount of carry-over has been substantial in recent years:

FISCAL YEAR (FY)	CLAIMS PAID	UNEXPENDED
1994-95	$4,866,812	$ 524,188
1995-96	$3,039,278	$1,969,858
1996-97	$3,561,992	$2,000,000
1997-98	$2,943,835	$2,094,706
1998-99	$4,974,693	$2,018,403
1999-00	$3,788,119	$2,683,828

RECENT LEGISLATIVE ACTION

Due to the history of excessive unexpended balances, the Legislature reduced the annual General Fund appropriation from $2 million to $1.5 in FY 2000-01. The Legislature also required a one-time reversion of $1.025 million to the General Fund. This action reduced the amount of funds carried over from FY 1999-2000 to $1,658,828.

In December, the Joint Legislative Corrections and Crime Control Oversight Committee requested the Office of State Budget Planning and Management to conduct an efficiency study of this program in order to determine what could be done to reduce processing time. The study was completed and recommendations made to the General Assembly on March 1, 2001.

Projections for Crime Victims Compensation Fund

	FY 00	FY 01	FY 02
BUDGET:			
Carry-Forward	2,018,403	1,658,828	(213,062)
Appropriation	2,000,000	1,500,000	1,500,000
DOC Receipts	887,435	829,440	887,435
Federal Grant	1,471,550	1,079,976	1,558,094
Fines, Penalties, etc.	94,560	111,979	94,560
TOTAL BUDGET	**6,471,948**	**5,180,223**	**3,827,027**
EXPENDITURES	3,788,120	5,393,285 (actual)	5,000,000
REVERSION	1,025,000		
CARRY-FORWARD/(DEFICIT	**1,658,828**	**(213,062)**	**(1,172,973)**

Add 213,000 assuming spending at current rate

*This assumes expenditures will continue to average $450,000 per month for the remainder of FY 01 and that fines, penalties, etc will accrue at the current montly average of $9,332 for the remainder of FY 01.

Options:

1. Increase GF Appropriation
2. Increase DOC Enterprise transfer
3. Hold claims over to the next fiscal year

Handout #15
April 17, 01
Summary sheet

OSBPM Management Study Recommendations
March 1, 2001
Crime Control & Public Safety
Division of Victim and Justice Services
Crime Victims Compensation Fund

The recommendations listed below are issues over which the Division has the authority to change. These recommendations are presented to help in the effort to reduce turnaround time and backlog, without eliminating the controls the Legislature has in place.

1. Remove all files from staff offices and create a central file room, organized numerically by case number or alphabetically by victim name.
2. To eliminate existing backlog and to ensure timelier processing, management should establish standards for number of cases to be processed each week.
3. Reassign investigative staff for more efficient processing of applications.
4. Establish standards for turnaround times.
5. Develop tools critical to efficient processing of applications:
    - Form letter with check-off/short answer for law enforcement.
    - Automated claims worksheet (this would reduce staff time spent on cases where multiple bills are being received.)
    - Add reminders to automated system to alert staff to follow-up on requested information.
    - Follow-up letters to victims/claimants should be written clearly, with approximate time for the claim to be processed included. Should not be signed by individual staff so that whoever answers a call would be able to check the status of any case.
6. Make better use of available resources such as Community Service field staff who work in counties where law enforcement and court information is more readily available. Victims should be contacted early in the process if problems arise in getting information from medical providers, employers, insurance companies, etc. so that the claimant can assist in expediting the process.
7. Staff should not spend time preparing for or attending Commission meetings.
8. Until the backlog is eliminated, eligible cases with some claims ready to process should be processed and approved. If more data comes in later, the case can be reopened with little difficulty.
9. Automated data system should be reviewed and modified to better fit the program's needs.
10. Division management needs to identify kinds of reports that would be most useful in tracking, for follow-up and for external reporting.

Source: OSBPM Management Study 3/1/01

Attachment 4
April 17, 01

OSBPM

MANAGEMENT STUDY

Crime Control & Public Safety
Division of Victim Services
Crime Victim Compensation Fund

March, 2001

Office of State Budget, Planning and Management

INTRODUCTION

Scope

The Joint Legislative Corrections and Crime Control Oversight Committee requested the Office of State Budget, Planning and Management (OSBPM) to conduct an efficiency and performance study of the Crime Victims Compensation Fund that is administered by the Division of Victim Services in the Department of Crime Control and Public Safety. The concerns expressed by the Committee included: a) the average 34 weeks to process a claim; b) the staffing; and c) related computing support. Their questions centered on the processing steps and duplication of tasks as potential areas causing the slow processing times.

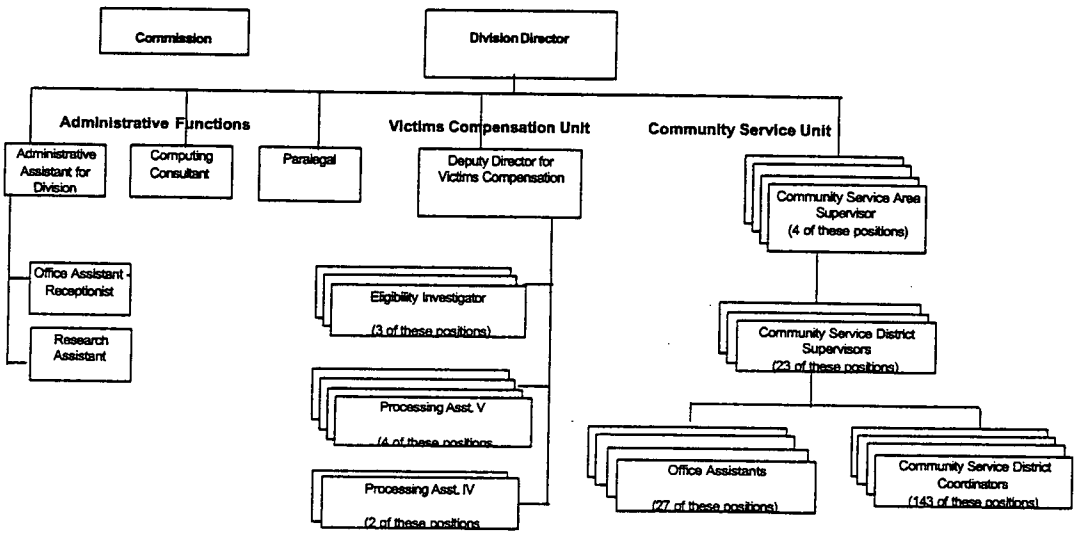
Methodologies

To conduct this study, the following methodologies were used: interviews with staff and management, work observations, analysis of current statutes, review of actual case files in process, review of standard forms in use, count of current workload, and prior year statistical report reviews, development of flowcharts and comparison with existing written procedures, and a review of the data elements and reports in the automated system.

Background

The Division of Victim and Justice Services is organized into two key areas: the Community Service Work Program, and the Victim Compensation Program. These two units are supported by an administrative staff consisting of the Director, a paralegal (a temporary position), a computing consultant, a research assistant, and clerical staff. The overall division organization is depicted in Chart 1 below:

Chart 1 – Organization of the Division of Victim and Justice Services

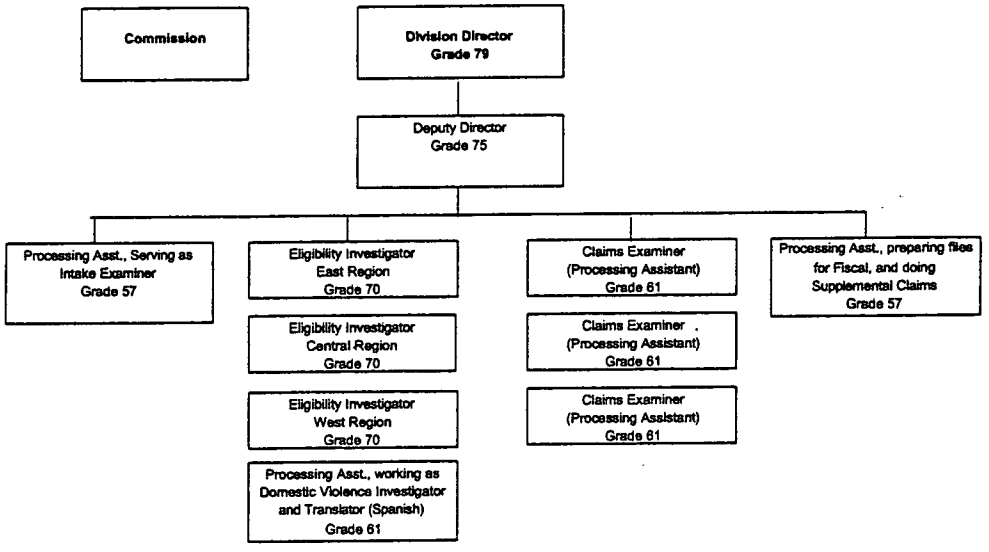


The Community Service Work Program is organized into regions throughout the state, with field staff supporting all 39 Judicial Districts and the 100 counties, supervised by regional

managers. They work closely with the courts, district attorneys, and probation officers in the judicial districts and counties in which they are located.

The Victim Compensation Program, which is the unit being studied for this request, has a total of ten Raleigh-based staff, as shown in Chart 2:

Chart 2: Organization & Staffing of the Victim Compensation Unit Only



The Victim Compensation Program was established in the 1980's by the General Assembly for innocent victims of crimes to receive financial compensation for medical and dental expenses, lost wages, funeral costs, crime scene cleanup costs, and home modifications needed as a result of injuries. The total that can be awarded is $30,000 for expenses incurred within twelve months of the crime directly related to the criminal act (plus an additional $3,500 if the victim dies and claim for funeral expenses is approved). The victim must have reported the crime to law enforcement (and/or the magistrate in certain types of crime) within 72 hours and have cooperated with them in providing information to help solve it. A summary of the workload and processing statistics is shown in Chart 3 below for the past three years:

Chart 3: Workload Volumes, Processing Statistics--Past 3 Fiscal Years

	FY97-98	FY98-99	FY99-00	% Change from 97-98 to FY99-00
WORKLOAD & PROCESSING STATISTICS				
Claims Pending/Beginning of Year	857	1,076	1,174	37%
Claims Received	1,894	2,034	2,749	45%
Total Claims	2,751	3,110	3,923	43%
Claims OK'd for Payment	904	1,180	1,148	27%
Claims Disapproved	771	756	666	-14%
Total Claim Decisions	1,675	1,936	1,814	8%
Claims Pending/End of Year	1,076	1,174	2,109	96%
Average Weeks Processing (receipt of application thru completion of decision)	34.8	33.1	35.8	3%
Average Weeks Payment (approval thru issuance of check)	1.4	0.9	1.4	0%

Of note in reviewing the above statistics is that there has been only a slight (8%) increase in the volume of work being processed by the Division each year. However, with the increase in the number of applications received (45% increase), and the increase in the number pending at the end of each year (37%) their backlog is naturally increasing. Also worth noting is that the overall average elapsed time to process a claim is not significantly different from three years ago (3% increase).

Appendix A provides a summary of the amounts awarded by type of crime for the past three years and where the changes have occurred in types of crime, in size of average awards by type of crime and also by type of expense. These factors are of interest in the sense that the office does try to "fast-track" certain categories because there is often need for faster receipt of compensation for funeral expenses in the case of homicides, and for living expenses and counseling services for victims of domestic violence and child abuse, all of which have seen significant growth in the past three years. However, the standards of eligibility are essentially the same as are the documentation of claims for compensation.

The program does not pay for allowable expenses if there is other coverage, such as insurance, medicaid, civil lawsuit awards, and workers compensation. The costs not covered from other sources can be paid for by the Victim Compensation Program, if adequately documented. If the court orders an offender to pay restitution, the program can compensate the victim, and the restitution will then be reimbursed to the program.

Appendix B contains a narrative of the current process for reviewing a request for compensation. In summary, however, the workflow is that an Intake Staff Person enters the basic information into the automated system with whatever information is initially provided. This generates some form letters to the claimant to confirm receipt of the application; it may also generate form letters to law enforcement as well as providers of care and services who have submitted bills to the claimants which may need more details. Cases are distributed immediately to the Eligibility Investigators based on the geographic zone for which they are responsible. They briefly review each file to ensure that necessary form letters have been sent, to identify other information that may be needed and to assess whether it is a situation that may need to be "fast tracked". Otherwise, they put it in a pending file, and as new data comes in, they will review the case file again and again, until such time as it moves forward in the queue for processing.

When they actually "work" a claim to determine the eligibility of a victim, investigative staff agreed that the actual elapsed time to work a case may only be one-two hours. This time is allocated to:

- Reviewing law enforcement reports, court data, other statements, in comparison to the statutes to ensure the victim meets the criteria established by law
- Making phone calls to get additional detail/information
- Drafting summary notes recommending whether a person is or is not eligible
- Keying in summary information and statutory citations if necessary
- Assembling the file to forward to a claims examiner (if eligibility is approved) or to the Assistant Director and Director (if eligibility is denied)

If a victim is deemed eligible, the claims examiner then must also review the details of the case to determine whether the compensation being requested matches with the injuries received, whether other sources of payment exist, and whether the time frames are within statutory limits. Often, when they receive a file, there are still missing data items which must be received in order to complete the compensation analysis. This is especially important since approval of a claim varies based on the total amount being requested. A claim must go to the Commission for their approval if it exceeds $7,500, and the Commission only meets quarterly. Knowing whether a claim may still have outstanding bills that would cause it to exceed that amount is important; otherwise, they will have to reopen the case after an initial award, to process a supplemental

award and there has been a reluctance to do so. They also, as a policy matter, wish to ensure that the victim is reimbursed for out of pocket expenses such as lost wages and medicines, before deciding how to pay the remaining claimants, in those cases where it appears the total may come close to $30,000.

Chart 4 below summarizes the caseload and status of cases that were opened during Calendar Years 1998 through 2000. Of the total cases opened in calendar year 2000, a full 34% are still pending, not having been worked; another 47% have been closed (awarded or denied); and the remaining 19% are still waiting for a decision to be finalized.

Chart 4 – Workload by Outcome: Cases Opened Each Year, and Current Status (2/01)

STATUS	CY 2000	CY 1999	CY 1998
Awarded, Waiting (awaiting letter, check)	79	28	9
Denied, Waiting (awaiting letter)	185	97	3
Recommend Award, await OK by Director and/or Commission	39	0	2
Re-opened, due to additional data	1	4	4
Re-opened, due to appeal of decision	8	1	5
Pending Eligibility Review(by investigator)	1,171	141	6
Pending Award Determination (by claims examiner)	39	39	6
Subtotal of those still needing work	**1,803**		
Awarded & Closed	1,134	1,360	1,402
Denied & Closed	480	1,033	759
TOTAL—ALL CASES OPENED	**3,471**	**2,863**	**2,190**

A record count was made the third week of February to see where things stood with respect to the backlog. Chart 5, below shows the current pending caseload:

Chart 5: Current Workload by Status and Group Doing the Work (as of 2/01)

	Number Pending Feb 2001	Number Needing Information	Number with Info Ready to Work	Number Pending Decision	Number 99 Cases	Number 98 Cases
Subtotal/Investigators:	1,422	512	910	0	114	1
Subtotal/Examiners:	538	206	332	0	121	6
Subtotal/Director	244	0	0	244		
Subtotal/Commission	58	0	0	58		
TOTAL	2,262	718	1,242	302	235	7

NOTES:

Examiners' "Ready to Work": includes 32 cases that have sufficient info to work but may not be the full info.
Examiners' "Need Information": includes 60 not looked at to see if can work, and 10 DWI that must await settlement first.

The automated system that is in use was originally designed for court systems, according to staff. Called JALAN, it captures the basic information that relates to each case, and tracks it as it is routed among the different staff. However, there is little documentation about the system; there is inconsistent use of certain fields by staff, and there is only limited management information available from it, in part because of the poor documentation and inconsistent use. Other systems in use by other states now exist, designed specifically for victim compensation programs, and the Division has begun gathering data about some of these.

In response to the legislature's concerns about slow turnaround times, there are several factors contributing to them that were apparent during this review. Some are due to the statutes themselves, some to the inadequacy of existing tools, and some due to the way work is currently organized. Each category of delay is discussed below, because some are very real factors, but

not within the Division's purview to change. Others can be addressed by the Division directly and will make a difference in reducing turnaround time.

- Delays as a Result of Statutes:

  - The statutes are very clear that compensation is intended for the innocent victims of crime and that compensation is intended to cover expenses for which there is no other coverage. As a result, staff must gather and review information from a variety of sources, that may not be readily available, and/or may not be in sufficient detail to make these kinds of determinations without follow up phone calls. Appendix C details the primary sources of information which staff must rely on to do their work.

  - The statutes details "tests" for deciding whether one can be considered a victim by the definition of this program. These decision points must be answered prior to a claim being approved and forwarded, and again, staff are dependent on a variety of sources for the data to determine this, and whether they have allowable expenses for which they should be reimbursed.

    [NOTE: Appendix C shows all of the statutory and regulatory decisions that must be made by investigators, claims examiners, the deputy, the division director, and often the commission.]

- Delays Due to the Inadequacy of Existing Tools:

  - As noted above, the statutes offer many decision points about whether a victim is eligible for the program, and whether they have allowable expenses for which they should be reimbursed. One tool, the automated system, does not assist in ensuring that an application passes the various "tests" when data from a claim are entered. There is also no simple consistently used manual checklist system that would make it easier to keep up with files which one does not routinely review; the multiple review of files to see whether or not an application is ready to be worked wastes staff time that could be better spent.

  - The ability to efficiently determine eligibility and the amount of an award depends on information from sources such as the victim/claimant, law enforcement, employers, medical providers, etc., yet, the form letters in use to obtain this are poorly worded, tend to use "legal-ese", and don't clearly ask for what is needed that would expedite the processing. For example, investigators request police incident reports, but the level of detail for the purposes of this program may or may not be included in a standard police incident report. The letters to law enforcement do not make clear what Victim Justice Services needs, nor do they offer a simple way to respond, thereby necessitating numerous phone calls and processing delays. The ones to victims are also confusing and inadequate.

- Delays Due To External Factors:

  - The completeness and quality of applications varies considerably. Some are properly filled out and contain the full detail with which to begin processing; others may be incomplete, and/or the supplemental data comes in slowly and in a piecemeal fashion. The quality, according to staff, often depends on the support available to victims in their home counties (such as Victim Assistance Staff, domestic violence workers, etc.) This is something outside the control of the division, but which has a direct bearing on their ability to efficiently process applications.

- Delays Due to the Way Work Is Organized and Managed:

  - In the current process, the least experienced staff (the Intake Clerk) is the first to handle a claim, at a time when there is the greatest likelihood of assessing exactly what is needed, requesting what is missing, and following up to ensure faster processing.

  - Although form letters may be initiated at intake to law enforcement or service providers to request missing information, no one person has been assigned the responsibility to aggressively follow up on missing data.

  - Routine contact with victims is not being done to apprise them of progress on their application. This can result in numerous calls from victims, and further work interruptions, which can be a particular problem when there is a backlog such as they are now experiencing.

  - Investigators spend far too much time calling for information long after an incident has occurred because they do not actively work a file until it has been pending for awhile. This also makes it hard for the person responding to the inquiry to sometimes obtain the information.

  - Active case files are located throughout the office, rather than in a central numeric file center. Each staff has a different mechanism for filing different kinds of cases in his or her office. As new data comes in, each staff must spend time locating the file related to a piece of paper, filing the paper, reviewing the folder to see if it is ready to process, and then re-filing. Locating a file may or may not be simple, depending on which staff person has it.

  - When calls come in, only the person with the physical file can fully respond in most cases, because full data may not be on the system, the folder may be in another person's office, etc.

  - The availability of Community Service Staff who work for the same division but are located in the counties has not been tapped to help in following up on the most delayed cases or those where additional data is needed but has not been forthcoming.

  - The automated system, while old and unwieldy, has not been used to generate reports that will help staff and management follow up on the volume of work and on the multiple pieces of supplemental information that is required, nor are all of its features consistently used or fully known since there is little documentation about it. Specifically, the system's tickler file has not been used to generate a report for people to follow up quickly and with a minimum of phone time.

  - It appears that some data has not been consistently entered on the automated system, which, while limited in some of its functions, has the potential to be an excellent official record throughout processing. The inconsistent use of certain data fields and entry requirements limits work allocation, especially in times of workload increases.

  - Although the number of cases processed is monitored, no work standards have been set, and no simple means of ensuring case closeouts has been established.

RECOMMENDATIONS

The recommendations presented below address those issues over which the Division has authority to change. The statutory contributors to delay were noted in the findings to help appreciate that this is not a simple Yes/No program, but that compensation is awarded only after a deliberate and thorough review for victim eligibility and expense allowability. OSBPM believes that the current backlog and the average elapsed processing times are unlikely to be reduced without a radical change in the organization of the work and improved tools to carry out the work. To reduce the turnaround time and the backlog are going to take an aggressive approach. These recommendations are presented to help in this effort to move the program forward, without eliminating the controls the legislature has in place.

Recommendation 1 Remove all files from staff offices and place them in a central file room, organized numerically by case number, or alphabetically by victim name. When a file is being reviewed by a staff person, an out card must be placed where the file was located, and indicate which staff person has the file. Notation should also be made on JALAN.

Recommendation 2: To eliminate the existing backlog, and to ensure timelier processing, management should establish standards for the number of cases to be processed each week. With the current workload (pending + new cases) of 3,900 per year, a minimum goal of 25 cases per week per investigator should be established (3,900 cases/52 weeks = 75 cases per week. These would be divided among the 3 investigators for an average of 25 cases per week (not including the Intake Investigator (see Recommendation #3 for the description of these duties) who would be doing the initial assessments and offloading staff of the front-end work, which leaves the 1-2 hours to actually do the eligibility determination that staff said is required). At the end of each week, a review of those not completed should be made by the Section Supervisor to determine why cases were not completed, what delays to completion exist, and whether the case can move forward or be reassigned the coming week. At the end of a 3month period, the Supervisor should review the standards to ensure they are reducing the backlog.

Recommendation 3 Reassign investigative staff for more efficient processing of applications, as follows:

- Designate one investigator to do all intake reviews of incoming applications, determine what is needed in order to process the application, and initiate the requests for data, and to follow up using the Tickler feature on the system. This position would also handle more complex telephone inquiries to reduce the interruption of investigators and examiners.

- Use the Intake Clerk position for data entry, filing of initial applications, filing of supplemental data, retrieval and distribution of files, and look up of information, and to handle incoming telephone inquiries (1^{st} level).

- Each week, the Section Supervisor should assign the "ready to work" applications to the remaining investigators based on the age of the claim and/or its urgency. These would be the applications where the Intake Investigator believes that there is sufficient data with which to begin an analysis, including at a minimum a law enforcement report and a fully completed application, as well as other supplemental data that would have been requested and received by the Intake Investigator. At this point, the automated system would show that the files were transferred to the investigators. Once a victim was determined to be eligible, these investigators would then identify any data items still needed to process a compensation award, and initiate the letters to obtain them, as well as set a Tickler deadline for receipt and follow up.

- The Intake Investigator would review all completed files from the Investigators, separating them into three groups:

  - Recommend Denial (for review by the Supervisor)
  - Recommend Award but Pending Claims Data
  - Recommend Award and Ready for Examiners to Set Compensation

  This information would be entered on the system, and the files transferred to the supervisor (if recommended for denial), or returned to central files until they are assigned for further processing and/or receipt of data.

- The Section Supervisor would assign the "ready to work" eligible victim files to the Claims Examiners, based on their age and/or urgency. All claims would remain filed in central files until they are assigned to an examiner. Once complete, these would be forwarded directly to the Section supervisor to review, approve, and forward to the Director.

Recommendation 4: Establish standards for turnaround times. With the elimination of the backlog, the overall goal should be not longer than 3 months for non-Commission cases, and not more than 4.5 months for Commission cases (so that even those cases arriving halfway between Commission meetings should be able to meet this standard). To achieve this kind of turnaround means that for new cases, 6 weeks should be the standard to determine eligibility (this would allow 2 weeks for 1st request for additional data, 2 weeks for 2nd request, and 2 weeks to review for eligibility and/or notify claimant regarding the missing data). The goal of 4-6 weeks should be set for determining compensation levels (since the investigators would have initiated the 1st request for claims data, this would allow a 2nd request to be filed immediately if sufficient data still have not arrived, and 2 weeks to inform claimant that without further data, the claim will be closed) . This would allow 2 weeks to receive the supplemental materials, prepare claim calculation, and to prepare any materials that require Commission review for those that exceed $7,500. It would then allow 1 week to obtain checks from Fiscal, and to send out letters denying or approving, regardless of whether the Commission has to make the decision or if it is a Director's choice.

Recommendation 5: Develop the tools critical to efficient processing of applications. Tools include those things that require fewer phone calls and lengthy conversations, things that minimize the time of respondents, and things that reduce the number of times file contents need to be reviewed. They include but are not limited to:

- Form Letter with check-off/short answer for law enforcement: A review of the variety of tests that must be met for a victim to be considered eligible (Appendix C) shows the need for the investigating officer to have a simple, fast way to answer questions that the Division's investigators need. A sample letter is shown in Appendix D. Such a tool should help the local law enforcement by minimizing their time; it should help reduce the amount of phone time by Division staff trying to reach the local law enforcement; and it will help get information that is required by this program in writing.

- Automated claims worksheet: Currently, claim levels for all the providers are done manually and them put in totals on the system. Each time new data is received from a provider, it must be compared with prior bills to ensure no double payments and then they must be calculated manually. A simple spreadsheet that could be used to supplement claims examiner work on open files should simplify this, and a sample is shown in Appendix D. (All staff have access to Excel, a Microsoft spreadsheet package, but few have been trained to use it and it is not compatible with the Jalan system.)

- Tickler Screen and Query: Staff have not used the existing Tickler screen. Management should select the codes that will be used for each type of follow up (e.g., 1st Law

Enforcement Request, 2nd Law Enforcement Request) based on how they intend to change their processes, and the mandatory turnaround time for each type of reminder.

- Follow Up Form Letters to Victims/Claimants: Letters should not be signed by the individual staff people, since the goal is that whoever answers a call should be able to check on the status of any case. Letters should spell out the approximate time that victims should anticipate receiving information. And letters should avoid all jargon, and instead be written in clearly understood language.

Recommendation 6: Make better use of the available resources to close difficult cases. Community Service staff are working in the counties where law enforcement and court information is more readily available, and in those cases where there is slow response regarding eligibility, a means should be developed to routinely request their assistance. Likewise, the victim and/or claimant should be contacted much earlier in the process if there are problems with providers, employers, insurance companies, etc. supplying information. In this way, the victim/claimant can make the request to expedite the process or at the very least, they will understand where the delays exist.

Recommendation 7: Staff should not spend time preparing for and attending Commission meetings. Their recommendations, with related documentation and spreadsheets, should be adequate to answer any questions the Commission may have and should be communicated through the section supervisor. According to staff, they spend approximately one week each quarter (or one person-month annually for each staff person) preparing for and attending these meetings. With the caseloads as they are, this is a poor use of staff time who need to be processing.

Recommendation 8 Until the backlog is eliminated, eligible cases with some claims ready to process should be processed and approved. If later data comes in, the case can be reopened with little difficulty, since the eligibility will already have been established.

Recommendation 9 Division management, the computer consultant, and the lead investigator should review all data fields currently used on the automated system, define any codes that are used, and establish queries that they would like to see. The computer consultant should then document these things, develop the queries and train management and senior staff in their use and modification.

Recommendation 10: Division management, with input from staff and the computer consultant, need to identify the kinds of reports that would be useful for tracking, for follow up, and for external reporting. Several standard queries should be set, that the computer specialist , the Intake Investigator and/or management can run; such queries could include one of all cases for which eligibility data has not been received, sorted by county where crime occurred and by law enforcement agency. Another could include those for which claims data has not been received, sorted by provider name.

* * * * *

OSBPM gratefully acknowledges the assistance of staff and management during the course of the study. They were extremely helpful in providing data in a timely manner, and during interviews and observations. Without their cooperation, the deadline set by the General Assembly could not have been met.

APPENDICES

APPENDIX A

Workload Volumes & Awards by Type Need and by Type Crime--Past 3 Fiscal Years

	FY97-98	FY98-99	FY99-00	% Change from 97-98 to FY99-00
WORKLOAD & PROCESSING STATISTICS				
CRIME TYPES BY VOLUME				
Assault	519	770	593	14%
Homicide	223	247	298	34%
Sexual Assault	68	72	60	-12%
Child Sexual Abuse	124	155	180	45%
Domestic Violence	86	99	140	63%
DWI/DUI	16	23	18	13%
Other	15	4	10	-33%
TOTAL	1,051	1,370	1,299	24%
EXPENSE TYPES				
Medical/Dental	$2,207,128	$4,251,448	$2,989,854	35%
Mental Health	$214,800	$266,684	$458,721	114%
Economic Support (lost wages, support)	$266,224	$561,838	$685,148	157%
Funeral/Burial	$255,684	$991,828	$1,160,005	354%
Other				
Forensic Sexual Assault	$136,961			-100%
TOTAL	$3,080,797	$6,071,798	$5,293,729	72%
EXPENSE BY TYPE CRIMES				
Assault	$1,939,549	$4,230,074	$3,115,282	61%
Homicide	$445,847	$887,537	$1,089,135	144%
Sexual Assault	$81,469	$85,501	$92,336	13%
Child Sexual Abuse	$119,592	$268,994	$390,844	227%
Domestic Violence	$233,669	$459,407	$510,706	119%
DWI/DUI	$74,385	$110,479	$73,973	-1%
Other	$49,324	$29,806	$21,453	-57%
TOTAL	$2,943,835	$6,071,798	$5,293,729	80%
AVERAGE EXPENSE BY TYPE CRIMES				
Assault	$3,737	$5,494	$5,253	41%
Homicide	$1,999	$3,593	$3,655	83%
Sexual Assault	$1,198	$1,188	$1,539	28%
Child Sexual Abuse	$964	$1,735	$2,171	125%
Domestic Violence	$2,717	$4,640	$3,648	34%
DWI/DUI	$4,649	$4,803	$4,110	-12%
Other	$3,288	$7,451	$2,145	-35%
TOTAL	$2,801	$4,432	$4,075	45%

A review of the above statistics shows that the major increases in numbers of cases have been with domestic violence (63% increase), child sexual abuse (45%), and homicide (34%). Average award increases have occurred with homicides (83%), assault (41%), and child sexual abuse (125%). The key changes in total dollars awarded by type of expense show up in funeral expenses (up 354%), household support for domestic violence victims (up 157%), and mental health treatment costs (up 114%).

These increases are for cases which often need to be processed faster because of greater immediacy of need.

APPENDIX B
THE COMPENSATION CLAIMS PROCESS

The process for obtaining compensation is that a person files an application that contains information about the victim, whether there is insurance coverage, brief details of the crime (including the name of the law enforcement agency to which the crime was reported), the kinds of injuries sustained, what kinds of benefits are being sought. The application must be signed and notarized. When submitted to the Victim Compensation unit, an Intake Clerk date stamps the application for compensation, does a cursory review of it, keys in whatever data is on the application and/or accompanies the application, creates a folder, notes the need for additional data (on the system and on a checklist stamped on the folder) and then transmits it electronically and physically to an investigator's box based on the region of the state the application is filed from. Letters requesting additional information from law enforcement or others are system-generated and mailed by the Division, as is a system-generated confirmation letter to the victim.

Each investigator picks up new files from Intake daily. Each then has a slightly different process for reviewing a file but basically all review the file as soon as they receive it for any obvious errors or omissions and to make notes as a reminder for later processing. They then file them for later processing since all have backlogs. Some investigators file by county, some by case number; some use file and/or desk drawers, some use desktops. While these files are in pending status, correspondence may come in related to the case (e.g., a law enforcement report or medical bill) that was requested by Intake. It will be filed into the case folder by the investigator who may again scan the file contents again to see whether it is ready to process or if it still requires information; if it is ready to process, it may move forward in the "queue", but will most likely continue to be pended until older files have been processed. The exceptions to this process include rape/sexual assault, domestic violence, and homicide cases. This is because of different applicable laws, and often there is a need for funds to be released more quickly; however, generally the same documentation and eligibility requirements must be met.

The function of an investigator is to review a case to determine the eligibility of the victim (or the claimant in the case of a death or if the victim is a minor). There are criteria in statutes that define eligibility, as shown in Appendix C. According to staff, key difficulties in determining eligibility often arise because the law enforcement agency that investigated the crime may not have a sufficiently detailed incident report. These reports need details regarding the relationship of the victim to the offender, whether the victim was cooperative with law enforcement and/or the court system in prosecution, and whether it is clear that the victim was not taking part in the crime. Their criminal record must be searched as well as the offender's (if the name of the offender is known). They often call the law enforcement agencies to obtain this detail and get caught in "telephone tag" with them. Once they have all the information and are able to determine eligibility, the investigators key narrative data into the system and transfer the file to a claims examiner if they are approved. If they are not approved, they must cite the statute and transmit the file to the Deputy Director for review, after which it will be forwarded for the Director to issue a formal denial letter and details about the appeals process.

The claims examiner again reviews the details of the file. Their function is to look for documentation regarding out of pocket expenses, lost wages confirmation, itemized medical bills, itemized funeral bills, etc. Again, some of the delays result from the level of detail required to do this review: they review to see if the injuries from the crime match with the injuriest/treatments detailed in the medical bills; whether the bills fall within the 12-month window for reimbursement; whether there is an indication of other coverage such as insurance or medicaid; and staff also reported that by the time a case is being processed, needed medical information may have been archived by the service providers which further delays completion of the review.

The financial summary must be manually developed because the system does not compute for them. The goal is to fully reimburse out of pocket expenses and lost wages, and to

pro-rate the remainder, based on the total allowed compensation. If the total compensation for which a person is eligible equals less than $7,500, it is recommended for approval at the Division Director level. Over $7,500 will go to the Commission for approval at its quarterly meeting.

The recommended amount to be paid to the victim and/or the providers of services are then keyed into the system, and the file is transferred to the Deputy Director who reviews the hard copy and automated file to ensure all needed data are in the files in order to concur. She then forwards the files to the Director for his approval and/or forwarding to the Commission. Once the Director has approved those payments which he is allowed to authorize, the processing assistant keys in what is needed to transmit the request for Fiscal Division to generate the checks.

APPENDIX C
Victim Eligibility Determination & Determination of Compensation Level

APPENDIX C
Victim Eligibility Determination

Statute or Administrative Code	Synopsis of Citation	Answer Needed To Be Eligible	Comments/Clarification	Data Sources
TIME FRAMES				
GS 15B-11(a)(1)	Was application filed within 2 years of incident	Yes	Mandatory Disqualification if answer No	Application
GS 15B-11(a)(3)	Was crime reported to law enforcement within 72 hours (or if exceeding that amount, was it for good cause)?	Yes	Mandatory Disqualification if answer No	Incident Report
WHAT CRIME(S) ARE INCLUDED?				
GS 15B-2 (13)	Did victim suffer personal injury or death caused by criminally injurious conduct (conduct punishable by fine, prison, death, and including impaired driving)?	Yes		Incident Report
VICTIM'S INNOCENCE				
GS 15B-2 (2)	Is the victim/claimant an offender in the same crime or an accomplice of the offender?	No	Mandatory Disqualification if answer Yes	Incident Report, maybe, or conversation
GS 15B-11(a)(4)	Would compensation benefit the offender?	No	Mandatory Disqualification if answer Yes	Incident Report, maybe, or conversation
GS 15B-11(a)(5)	Did crime occur while victim was in confinement (jail, prison, group home, halfway house, etc.)?	No	Mandatory Disqualification if answer Yes	Incident Report, maybe, or conversation
GS 15B-11(a)(6)	Was victim participating in a felony at or about the same time as the injury?	No	Mandatory Disqualification if answer Yes	Incident Report, maybe, or conversation
GS 15B-11(b)(1)	Did crime occur while victim was participating a non traffic misdemeanor	Yes/No	May be ineligible	Incident Report, maybe, or conversation
GS 15B-11(b)(2)	Was victim guilty of contributory misconduct?	Yes/No	May be ineligible	Incident Report, maybe, or conversation
GS 15B-11(b)(c1)	Was victim convicted of Class A, B1, B2, C, D, or E felony within 3 years of this event?	Yes/No	May be ineligible	Court Records
CRIME LOCATION				
GS 15B-4 (b)	Did crime occur in NC?	Yes		Incident Report
GS 15B-4 (c)	Did crime occur to NC resident in another state without a victim compensation program	Yes		Incident Report

Victim Eligibility Determination (continued)

FOLLOWING ESTABLISHED PROCESS SO INVESTIGATOR STAFF CAN ESTABLISH ELIGIBILITY				
GS 15B-7(a)(3)	Has an application been filed with the crime date and nature of the crime?	Yes	Mandatory Filing	Application
GS 15B-7(a)(1)	Has an application been filed with the name, address of victim of the crime, the claimant for compensation (if different from the victim), & the relationship of the claimant to the victim?	Yes	Mandatory Filing	Application
GS 15B-7(a)(2)	If victim is deceased, has claimant supplied name/address of each dependent of the victim, and the extent to which each was dependent	Yes	Mandatory Filing	Application
GS 15B-7(a)(4)	Has an application been filed with the law enforcement person's name to whom the crime was reported and the date on which it was reported?	Yes	Mandatory Filing	Application
GS 15B-7(a)(8)	Has an application been filed that indicates whether the claimant is in any way related to the offender or related to an accomplice of the offender?	Yes	Mandatory Filing	Application
GS 15B-7(a)(9)	Has an application been filed that includes a release authorizing the division to obtain any information related to determination of the claim for an award?	Yes	Mandatory Filing	Application
14A NCAC 11.-5-2(m)	Has claimant notified division of change in address?	Yes		
COOPERATION WITH LAW ENFORCEMENT, DIVISION BY PROVIDING DETAILED INFORMATION IF NEEDED				
GS 15B-7(a)(10)	Has claimant provided other materials if requested by the division to substantiate facts stated in the application?	Yes	Mandatory Filing	
14A NCAC 11.-5-2('c)	Has claimant cooperated with investigation/law enforcement?	Yes		Incident Report, DA, or conversation
14A NCAC 11.-5-2(k)	Has claimant cooperated in supplying information?	Yes	May be ineligible if answer No	Incident Report, DA, or conversation
GS 15B-14	Has offender been prosecuted and/or convicted?	Yes/No	See administrative code	Incident Report, DA, or conversation
JUDGMENT CALL ON PART OF INVESTIGATOR STAFF				
GS 15B-4 (a)	Is there substantial evidence that the requirements for an award have been met? Can a reasonable conclusion be drawn that the requirements have been met?	Yes		

Victim Award Level Determination

Statute or Administrative Code	Synopsis of Citation	Answer Needed To Be Eligible	Comments/Clarification	Data Sources
TIME FRAMES				
GS 15B-11(a)(2)	Is compensation being requested for services covered within 12 months of incident (or 24 months if victim is a child under 10 years of age)?	Yes	Mandatory Disqualification if answer No	Incident Report, Bills
FOLLOWING ESTABLISHED PROCESS SO CLAIMS EXAMINER STAFF CAN BEGIN TO REVIEW CLAIM				
GS 15B-7(a)(5)	Has an application been filed with the nature and extent of injuries, the name and address of suppliers of treatment (medical, hospital, etc.)?	Yes	Mandatory Filing	Application
GS 15B-7(a)(6)	Has an application been filed with the total amount of economic loss sustained as a result of the crime without regard to financial limitations?	Yes	Mandatory Filing	Application
GS 15B-7(a)(7)	Has an application been filed with the total amount of benefits received for economic loss from collateral sources, as well as names of each collateral source? Collateral sources could include the offender, government agency, social security, medicare, m	Yes	Mandatory Filing	Application
GS 15B-7(a)(9)	Has an application been filed that includes a release authorizing the division to obtain any information related to determination of the claim for an award?	Yes	Mandatory Filing	Application
14A NCAC 11.-5-2(f)	Is collateral information available before review by the Commission?	No	May delay processing	
COOPERATION WITH DIVISION CLAIMS EXAMINATION STAFF				
GS 15B-6 (b)(3)	Has claimant supplemented application with reasonably available medical or psychological reports related to injury suffered in the crime, when requested by the division?	Yes		Itemized medical bills (treatment matches crime injury)
14A NCAC 11.-5-2(l)	Has claimant informed division of legal action taken to cover damages?	Yes		Possibly from court, DA's office
14A NCAC 11.-5-2(l)	Has claimant informed division of collateral sources to cover damages?	Yes		Insurance, medical bill review
14A NCAC 11.-5-2(k)	Has claimant cooperated in supplying information?	Yes	May be ineligible if answer No	

Victim Award Level Determination (continued)

DETERMINATION OF COMPENSATION LEVELS				
GS 15B-2 (10) & (11)	Is compensation being requested for economic loss (as opposed to non economic loss such as pain, suffering) of victim?	Yes		
GS 15B-2 (12) & GS15B-11(f)	Is compensation being requested for Replacement Services (hiring person to do work that victim would do were it not for injury)?	Yes	Can award up to $200/week for 26 weeks with proof regarding necessity of such services	Bills
GS 15B-2 (14) & GS15B-11(f)	Is compensation being requested for Work Loss (if not covered by employer, disability, etc.)?	Yes	Can award up to $300/week for 26 weeks with confirmation of salary rate, medical reason to not be working, and verification that no collateral source is paid	Employer, insurance
GS 15B-2 (1)	If victim is deceased, is claim made to recover expenses of a funeral, creamation, burial, and transportation of body?	Yes	Can award up to $3,500, excluding expenses such as flowers, gravestone, etc.	Funeral Home
GS 15B-2 (7) & GS15B-11(f)	Is compensation being requested for economic loss (as opposed to non economic loss such as pain, suffering) of victim's dependents?	Yes		Receipts
GS 15B-2 (8) & GS15B-11(f)	Is compensation being requested for Dependent's Replacement Services (hiring person to do work that victim would have done if not for death)?	Yes	Can award up to $200/week for 26 weeks with proof of necessity	Bills
GS 15B-2 (10a) & GS15B-11(f)	Is compensation being requested for Household Support Loss (loss of support from victim's spouse if victim is unemployed, and if spouse is the offender)?	Yes	Can award up to $50/child per week up to a maximum of $300/week for 26 weeks	Incident Report, Bills
GS 15B-10 (a)	Is total claim less than $7,500 in allowable expenses (products, services, accommodations, medical care, rehab., medically related property, other remedial treatment)?	Yes	Division Director approves payment, reports it to Commission	
GS 15B-10 (b) and GS 15B-11 (g)	Is total claim more than $7,500 but less than $30,000 in actual and/or future losses for allowable expenses (reasonable charges for products, services, accommodations, medical care, rehabilitation, medically related property, other remedial treatment)? No	Yes	Division Director must forward it to the Commission	
GS 15B-4 (a)	Has claimant provided other materials if requested by the division to substantiate facts stated in the application?	Yes	Can reduce award or deny if not getting cooperation	
JUDGMENT CALL ON PART OF EXAMINER STAFF				
GS 15B-4 (a)	Is there substantial evidence that the requirements for an award have been met? Can a reasonable conclusion be drawn that the requirements have been met?	Yes		

APPENDIX D – Sample Tools

LAW ENFORCEMENT REQUEST
PROPOSED TEXT
Date [of letter]
Victim Name:_____Victim DOB:_____
Your Case/Warrant #:_____Crime Date:_____Our Case Number:_____
Offender Name:_____Agency To Which Reported:_____

To The Officer:

A claim for financial assistance has been filed by or on behalf of the above named victim because there have been expenses incurred as a result of a crime. The Victim's Compensation Program has very strict criteria that govern a victim's eligibility for financial assistance, (Chapter 15B of the NC General Statutes). We need your help to make that determination.

If no Incident Report was filed with your agency for the victim named above, please sign where indicated below and return this letter to us. If an Incident Report was filed with your agency for the victim named above, please answer the following:

1. Was the victim/claimant an offender in the same crime or an accomplice of the offender?
   ___ YES ___NO
   If Yes, Please Explain:

2. Did the crime occur while the victim was in confinement (jail, group home, etc.)?
   ___ YES ___NO
   If Yes, Please Explain:

3. Was victim participating in a felony at or about the same time as the injury?
   ___ YES ___NO
   If Yes, Please Explain:

4. Did the crime occur while victim was participating in a non-traffic misdemeanor?
   ___ YES ___NO
   If Yes, Please Explain:

5. Do you believe victim was guilty of contributory misconduct?
   ___ YES ___NO
   If Yes, Please Explain:

6. If charges have been filed against the offender and/or the victim, please note the CR number:

7. Has the victim/claimant cooperated with you in your investigation and/or prosecution of this case?
   ___ YES ___NO

In addition, to complete our records we need a copy of your Incident Report.

Thank you for returning this to us. You may mail it to the address below, or fax it to us at (919) _____. If you have any questions about this case or wish to discuss it further, please contact our office at 1-800-826-6200, and you will be referred to the person who is working on this claim. Thank you for your assistance in this matter.

Name of Person Completing This Form
_____
(Please print or type)
Telephone Number:_____

Name of Investigating Officer, if different
_____
(Please print or type)
Telephone Number:_____

For the Crime Victims Compensation Commission,

RTR, Director

Date
Victim
Case Number
DOB
Case/Warrant
Crime Date
Offender
Agency

To The Officer:

A claim has been filed by or on behalf of the above named victim for financial assistance with expenses incurred as a result of the incident which occurred on the above listed date. In order for me to determine eligibility for financial assistance, I need certain information in accordance with Chapter 15B of the NC General Statutes. I am, therefore, requesting that you submit the following:

1. A copy of the Incident Report
2. The CR number if charges have been filed against the offender
3. The name and phone number of the investigating officer in this case.

If no incident report was filed with your agency, please check here { } and return this letter. Your assistance with this matter and a prompt response will be greatly appreciated. If you should have any questions regarding this request, please contact an investigator in our office at 1(800)-826-6200 or (919) 733-7974. Thank you.

The following are samples of boilerplate text used in denying claims. Nearly all of the boilerplate needs simplification, similar to what is shown as Proposed Text.

CURRENT TEXT:

Investigation of this application for an award has produced information that claimant or the victim on whose behalf claimant acts did not suffer personal injury or death directly and proximately resulting from criminally injurious conduct within the meaning of G.S. 15B.

G.S. 15B authorizes an award of compensation to a claimant only when the claimant, or the victim on whose behalf a claimant acts, suffered personal injury or death as a direct and proximate result of criminally injurious conduct. Since the claimant or victim on whose behalf claimant acts in the hereinabove-captioned matter did not suffer physical or mental injury, the claim must be denied.

PROPOSED TEXT:

G.S. 15B authorizes an award of compensation to a person only when a victim has suffered personal injury or death as a direct result of a criminal act that is punishable by fine or imprisonment or death. Our investigation of your application indicates the victim did not suffer personal injury or death as a result of such an act as required by law, and we must therefore deny your claim.

CURRENT TEXT:

Claimant herein seeks an award of compensation for economic loss based upon alleged criminally injurious conduct which did not occur in the State of North Carolina.

N.C.G.S. 15B-4(b) authorizes awards only for compensation for criminally injurious conduct occurring in North Carolina. Pursuant to the provisions thereof an award of compensation must be denied where the conduct which forms the grounds for an application for an award occurred outside of the State of North Carolina, in a State which has a victims compensation program.

PROPOSED TEXT:

G.S. 15B-4(b) authorizes awards only for compensation for certain crimes occurring in North Carolina or which occurs to a North Carolina resident but in a state which has no Victims Compensation Program. Your application is for compensation as a victim of a crime which occurred in another state which already has a Victims Compensation Program, and by law, we must deny your claim.

SAMPLE TEMPLATE FOR CALCULATING RUNNING TOTAL OF CLAIMS AND COMPENSATION

Set up in a spreadsheet, as new claims arrive, they would be placed in a category if not duplicates, so that a full compensation summary would be available to eliminate multiple reviews by staff, and to make review by the Commission easier. A column could be added to indicate if payment had been made, to ensure no double payments or payments in excess of what is allowed by law.

Victim Name:	Dates of Eligibility for Compensation:	Date of Crime:	Case Number

Physician Services:			
Provider Name	Dates of Services Covered by This Bill:	Itemized Bill?	Total Cost/this bill:
SUBTOTAL: MEDICAL SERVICES			

Hospital Services:			
Provider Name	Dates of Services Covered by This Bill:	Itemized Bill?	Total Cost/this bill:
SUBTOTAL: HOSPITAL SERVICES			

Psychologist/Counseling Services:			
Provider Name	Dates of Services Covered by This Bill:	Itemized Bill?	Total Cost/this bill:
SUBTOTAL: COUNSELING SERVICES			

Replacement Services:			
Provider Name	Dates of Services Covered by This Bill:	Itemized Bill?	Total Cost/this bill:
SUBTOTAL: REPLACEMENT SERVICES			

Household Services:			
Provider Name	Dates of Services Covered by This Bill:	Itemized Bill?	Total Cost/this bill:
SUBTOTAL: HOUSEHOLD SERVICES			

Lost Wages:			
Provider Name	Dates of Services Covered by This Bill:	Itemized Bill?	Total Cost/this bill:
SUBTOTAL: LOST WAGES			

Out of Pocket (transportation, repairs, crime scene clean up)			
Provider Name	Dates of Services Covered by This Bill:	Itemized Bill?	Total Cost/this bill:
SUBTOTAL: OUT OF POCKET			

TOTAL COMPENSATION ALL CATEGORIES	$_____

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday April 18, 2001
8:00 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative R. Phillip Haire
Representative Bill Culpepper , Presiding

II. PRESENTATIONS

Review of the Department of Crime Control & Public Safety

-Alcohol Law Enforcement

-Butner Public Safety

-NC Boxing Commission

Kelly Little, Fiscal Research Division

- Department of Juvenile Justice & Delinquency Prevention

-Introductory Remarks

Secretary George Sweat, DJJDP

-Overview of Department Budget

Jim Mills, Fiscal Research Division

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Thursday April 19- - Juvenile Programs, JCPC and other Juvenile Grants Best Practices

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, April 18, 2001**, at 8:00 a.m. in Room 415 LOB. Three(3) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. Larry Justus
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton

Rep. Haire, Presiding House Chair, welcomed the committee members, introduced the pages and thanked staff members for being present.

Kelly Little, staff, continued with a review of the Department of Crime Control and Public Safety, giving more detail on reports of last week in areas in which members of the Committee showed an interest, beginning with Alcohol Law Enforcement **(Handout #1)**.

Sen. Jordan asked if ALE could be merged with SBI? Ms. Little said that many are reliant on ALE and she didn't see any cost savings or efficiency gained by a merge. She continued with ALE nuisance Abatement Team **(Handout #2)**.

Rep. Culpepper took over the chair and asked Ms. Little to continue with Butner Public Safety **(Handout #3)**. Sen. Jordan asked for a breakdown on the fire and police departments. Ms. Little answered that the officers are both fire and police and actually serve dual roles. Sen. Jordan asked if we would have the obligation to train people ourselves? Ms. Little answered yes – that would be something that the General Assembly would have to determine. Sen. Jordan asked if the transfer could be done on special provision? Ms. Little said she would have to get the research division look into that.

Sen. Ballance asked if a bill had been passed in the past several years to transfer Butner to some kind of Board or to local government? The question was answered by Mr. Rufus Sales, Butner Public Safety, who said that there was an election which was thrown out by the Justice Department because Granville County was under special provision and had no authority to hold an election.

Rep. Culpepper asked on what grounds was it thrown out? Mr. Sales said that it came under the Voting Rights Act of 1965 and they didn't have pre-clearance to hold an election.

Rep. Haire asked how much of a presence does the National Guard have there? Mr. Rudy Rudisill, National Guard, stated that they have six full time people and a Training Center on about 5,000 acres. Rep. Haire asked about the population of Butner. Mr. Sales answered that the residential population was 5,792 with a special population of 5,610.

Ms. Little continued with the N.C. Boxing Commission **(Handout #4)**, prepared by Shawn Lemmond of the Boxing Commission.

Sen. Jordan asked if the Boxing Commission were going to try and change their scope, to include wrestling and increase revenues? Rep. Culpepper stated that their was a bill which had received a favorable report in the House and would include wrestling and mixed martial arts thus creating more revenue allowing the Boxing Commission to begin to be self-supporting.
Sen. Jordan asked how much the revenue would increase? Ms. Little said that with HB374 would increase the revenue to about $153,600 extra if this bill passes. Sen. Jordan asked if this would be a break-even or what? Ms. Little said that if you add that to their estimated revenues for this year without the bill passing, the total estimate of revenue would come in at about $202,000 – their budget is $217,000, so it would come very close to being a break-even. Sen. Jordan stated that he didn't want to see the Boxing Commission in the hole.

Rep. Culpepper asked of Mr. Lemmond, in respect to the figures that Ms. Little talked about, the $202,000 that would be generated if the bill passed, current appropriation is about $217,000 – am I right so far on the figure? Mr. Lemmond stated that if the bill passes, we would actually generate about $70,000 per year. Rep. Culpepper asked if that would be $70,000 more per year than the appropriation? Mr. Lemmond answered in the affirmative. Rep. Culpepper remarked that if you go to regulating wrestling, obviously, there would be more costs involved – are all those costs worked in? Mr. Lemmond said that, depending on the numbers; there is the potential for adding more positions and asking for more money to do so. Rep. Culpepper asked if contractors were worked into that figure in case the bill passes and they regulate wrestling and need more workers and Mr. Lemmond said yes.

Sen. Jordan asked how many states do not regulate wrestling and are adjacent to us? Mr. Lemmond answered that Virginia has just passed a law regulating wrestling. Tennessee does not regulate wrestling and South Carolina regulates all.

Sen. Ballance asked if ALE has concurrent jurisdiction with local law enforcement in the areas that they cover? John Smith, ALE, answered yes. Sen. Ballance further asked on the work that you do, cannot the local police do the same work? Mr. Smith answered that it could not be done as efficiently as they do. Sen. Ballance asked how many agents they have. Mr. Smith answered that there were 115 agents.

Rep. Sexton asked about the nuisance abatement and how many of those are done throughout the state and do you go in by invitation? Mr. Smith replied that you had to be invited by the District Attorney. Ms. Little pointed out that there was information in the packet as to how many investigations had been done each year.

Rep. Culpepper introduced Sec. George Sweat, Department of Juvenile Justice and Delinquency Prevention who began with Overview of the Department and Mission and Overall Goals. **(Handout #5)** and introduced his staff.

Sen. Jordan asked if there was a Boys and Girls' Club in Columbus County. Sec. Sweat replied that there was. Sen. Jordan asked about Boys and Girls' Homes and if they do anything at all with them. Sec. Sweat answered in the negative. Sen. Jordan asked why we couldn't do more with the Homes to divert kids from the juvenile system. Sec. Sweat replied that they were looking at information from the Homes to use as a possible link for intervention early on. Later in the presentation, Sen. Jordan asked about the mentoring and racial makeup of programs. Sec. Sweat referred the question to Donn Hargrove, Department of Juvenile Justice, who answered that over a third of court counselors were minorities. Sen. Jordan said that he believed there should be more minorities out there in the trenches. Sec. Sweat said that every time there is a vacancy, he asks about the racial makeup of his team because he truly believes that they should be reflective of the community they serve.

Regarding the vision goal of closing training schools, Sen. Thomas asked, knowing that there will always be those juveniles who will not cooperate – what will be done with them? Sec. Sweat believes that we can get the youthful offenders down to about 300. Many of the youth are misdemeanors and are there because they have no family or role model and he believes this is the key. Sen. Thomas asked if he were then talking about reducing, not totally eliminating the programs. Sec. Sweat answered that he wants to shoot for reducing the training schools with many less offenders.

Sen. Ballance mentioned that sometimes when a juvenile petition is filed and a child is brought into court, sometimes there is detention – is that still going on? Sec. Sweat answered yes. Sen. Ballance said he hoped that every effort is made to keep them with their families until a hearing is held.

Rep. Sexton asked about Tar Heel Challenge and if they were under this umbrella? Sec. Sweat answered no, that it was in the adult system. Sixteen and up are adult offenses. GRASP is more oriented to juveniles. Rep. Sexton asked if school hours couldn't be adjusted – wouldn't that help a lot – to go to school later and get home later, not walking the streets? Sec. Sweat said yes – that the after school hours are prime times for juvenile crime and juvenile victims. He has asked the same question and the bus system has to work this way because of the double load of handling the elementary children and then the older ones in transporting them to school. Sec. Sweat supports extending the school day.

Rep. Justus asked about the total budget. Sec. Sweat said it was $147,000,000 million. Rep. Justus further asked about transfer of money from other departments and Rep. Culpepper said that would be covered later in an overall budget discussion.

Rep. Kiser asked if he heard the spelling of 'Tough Love'? Sec. Sweat said that he spelled 'love' which is needed along with rules.

Jim Mills, Staff, gave an Overview of the Department's Budget **(Handout #6).**

Rep. Kiser asked about the statistics on page 6 of the report stating that the Academy Population was 868 and the Academy Beds/Cost was for 821. Does this mean that 47 kids do not have a bed? Mr. Mills stated that it probably meant they were doubled up or tripled up. The population has actually been running higher than this – up in the 890's. Rep. Kiser asked what is done when you reach capacity – just put another bunk in there? Michael Schwetzer, Department of Juvenile Justice, stated that if they have 900 kids who are in serious trouble, they put up temporary beds and do what they have to. Rep. Kiser asked if, under the law, you could release anyone when you reach 900? Mr. Schwetzer said that they try not to do that, as they want every kid to earn his release, but that is an option. Rep. Kiser asked if he was correct in recalling that every kid would stay there for six months? Mr. Schwetzer said yes. Rep. Kiser asked if you could rightfully release anyone in less than six months? Mr. Schwetzer said no.

Rep. Justus asked why the academy costs are so high. Mr. Mills replied that is was because of staff and staff – very heavily staffed. Rep. Justus asked about the kind of staff? Mr. Mills answered that there were counselor technicians and direct care cottage parents. Rep. Justus then asked about salary and Mr. Mills replied that they start in the low 20's –$22,000 - $23,000.

Rep. Kiser asked if there were teachers there? Mr. Mills answered yes and that their salary came out of this budget.

Rep. Haire adjourned the meeting until Thursday, April 19, 2001, at 8:00 a.m.

Rep. Bill Culpepper, Presiding House Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 4/18/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Neil Woodcock	CC&PS, L.E.S.S.
Rhonda Raney	CC&PS CCC
[signature]	DJJDP
Dwayne Patterson	DJJDP
W.M. Autry	CC&PS/SNP
Mike Barbour	CCPS
[signature]	CCPS
[signature]	CCPS
[signature]	CCPS
Reg R. Cannon	CCPS
Gary McLeod	CCPS
Robert Reives	CCPS
Michael Schnoover	DJJDP

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 4/18/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
J. Shawn Lemmond	DEPT OF CCPS
Bill Poddevson	CC&PS ALE
John D. Smith III	CC&PS / ALE
John Madden	NC Sentencing Commission
Debbie Davies	NC Sentencing Commission
Rufus Sales	CC&PS Butner Public Safety
Rudy Rudisill	CC&PS - National Guard
James Self	NCDEM
Will [illegible]	CC&PS
George Sweat	DJJDP
Jim Bowden	DJJDP

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 4/18/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Weldon Freeman	DCCPS
David Jones	Governor's Crime Comm. / CCPS
Eric Tolbert	NCEM / CCPS
Larry Dix	DJJDP
Dawn Hargrove	DJJDP
John McHugh	Office of Governor

Handout # 1
April 18, 01

Alcohol Law Enforcement

ALE is the only law enforcement agency with statewide jurisdiction that has, as its primary mission, enforcement of alcoholic beverage laws. ALE is the sole law enforcement unit responsible for investigating ABC permits.

During calendar year 2000 ALE:

- Conducted more than 2,000 compliance checks.
- 4,280 background investigations of persons and businesses applying to the ABC Commission for retail or wholesale alcohol beverage permits.
- 4,013 formal written inspections of retail businesses licensed to sell alcohol.
- More than 33,000 unannounced investigatory visits related to complaints/allegations of ABS law.
- 5,341 alcohol arrests and/or charges.
- Provided 346 public information programs to elementary, high school and college students and civic organizations concerning alcohol and drugs.

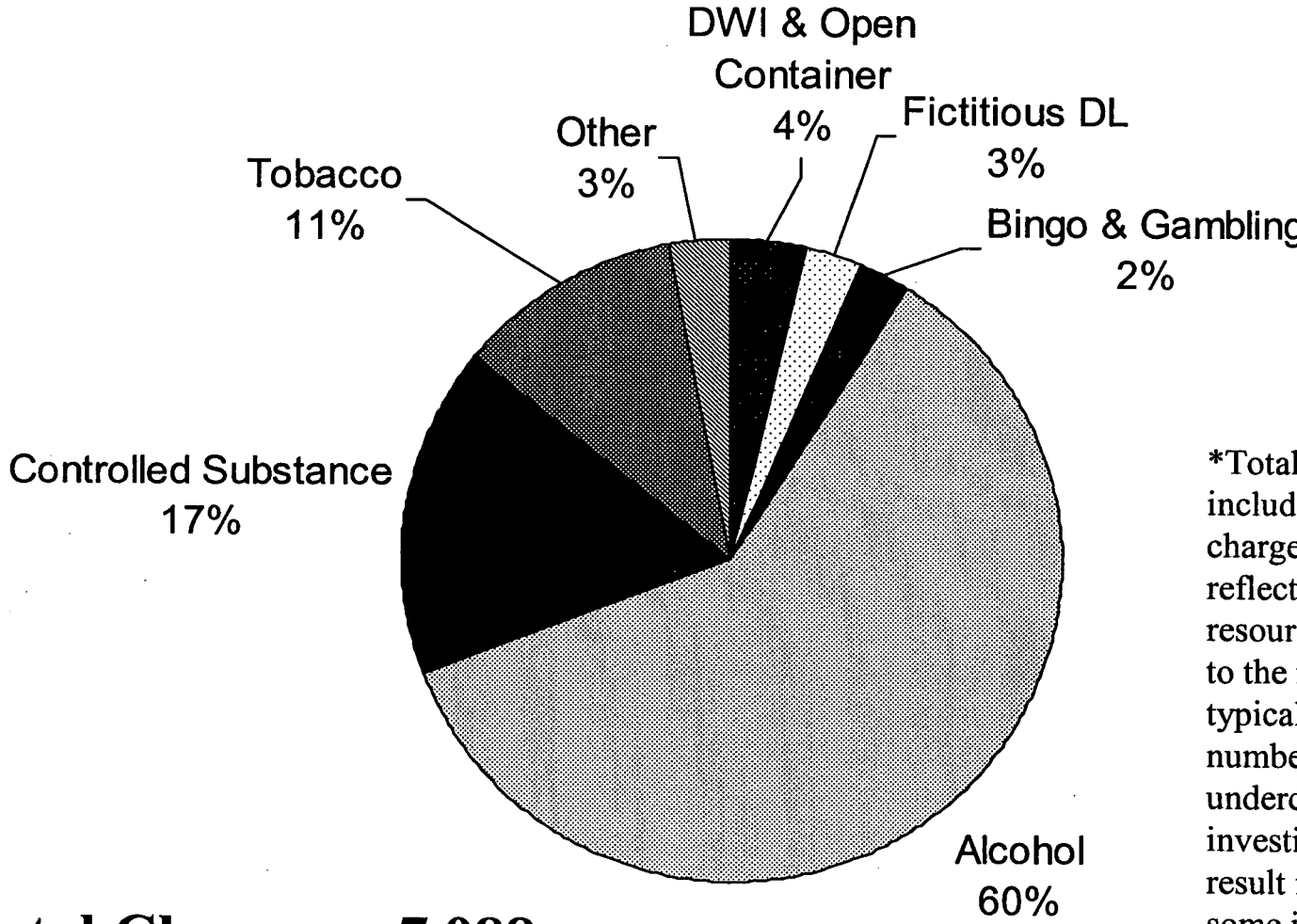
Other responsibilities:

- ALE enforces **video game machine related gambling laws**, as they have been trained in the operations of these machines and are routinely called upon by local and federal law enforcement officials to assist with investigations and provide expert testimony in court.
- In 1997, Governor Hunt designated ALE as the **lead state agency to enforce North Carolina's youth access to tobacco law.**
  - In 2000 ALE conducted numerous merchant tobacco training programs.
  - Conducted 13,576 checks of retail businesses that sell tobacco products.
  - Conducted 4,761 retail tobacco compliance checks.
- Illegal sales in North Carolina have been reduced from 38% to 18% since 1997, which has saved the state more than $14 million in federal substance abuse block grant money.
- In July 1999, ALE was charged with the responsibility of **licensing and oversight of Charitable Bingo.**
  - During FY 99-00, the Bingo Licensing Section issued 293 charitable bingo licenses.
  - At a rate of $100 fee per license, ALE collected $29,300 - $12,228 short the estimated revenue amount budgeted.

ALE arrests, by %	Resources (field agent/staff hours), by %
60% Alcohol violations	**91 % Alcohol/ABC law enforcement** • Criminal enforcement (arrests, warnings) • Civil enforcement (inspections, ABC violation reports, nuisance abatement) • Permit application investigations • In-service agent training • Public education (including permit holders and servers)
17% Controlled substance violations	**4% Controlled substance enforcement** • Undercover assistance to local law enforcement • Majority of these ALE arrests are incidental to alcohol enforcement in outlets
10% Other	**3% Other** • Majority of these ALE arrests are incidental to ABC enforcement in outlets (e.g. DWI, open container, fictitious license, disorderly conduct, concealed weapons) • Missing persons office (no arrests; housed in ALE for access to criminal records and local law enforcement coordination) • Emergency management duties when assigned
2% Gaming violations	**2% Gaming enforcement** • 1 employee responsible for charitable Bingo oversight, transferred from DHHS in 1999 • Video poker and other gambling enforcement incidental to alcohol enforcement • Training for local agencies, and expert witnesses on devices which are illegal and why
11% Underage tobacco sales violations	**Minimal - Tobacco enforcement** • Duty assigned by executive order in 1997 • Performed almost entirely in overtime hours using minors to attempt purchases • Overtime hours paid for by contract with FDA until US Supreme Court decision in 2000, since paid pursuant to Memorandum of Understanding with DHHS

I hope this response meets your subcommittee's needs. Please call if I may be of further assistance.

Arrest Charges by Type



Total Charges = 7,988

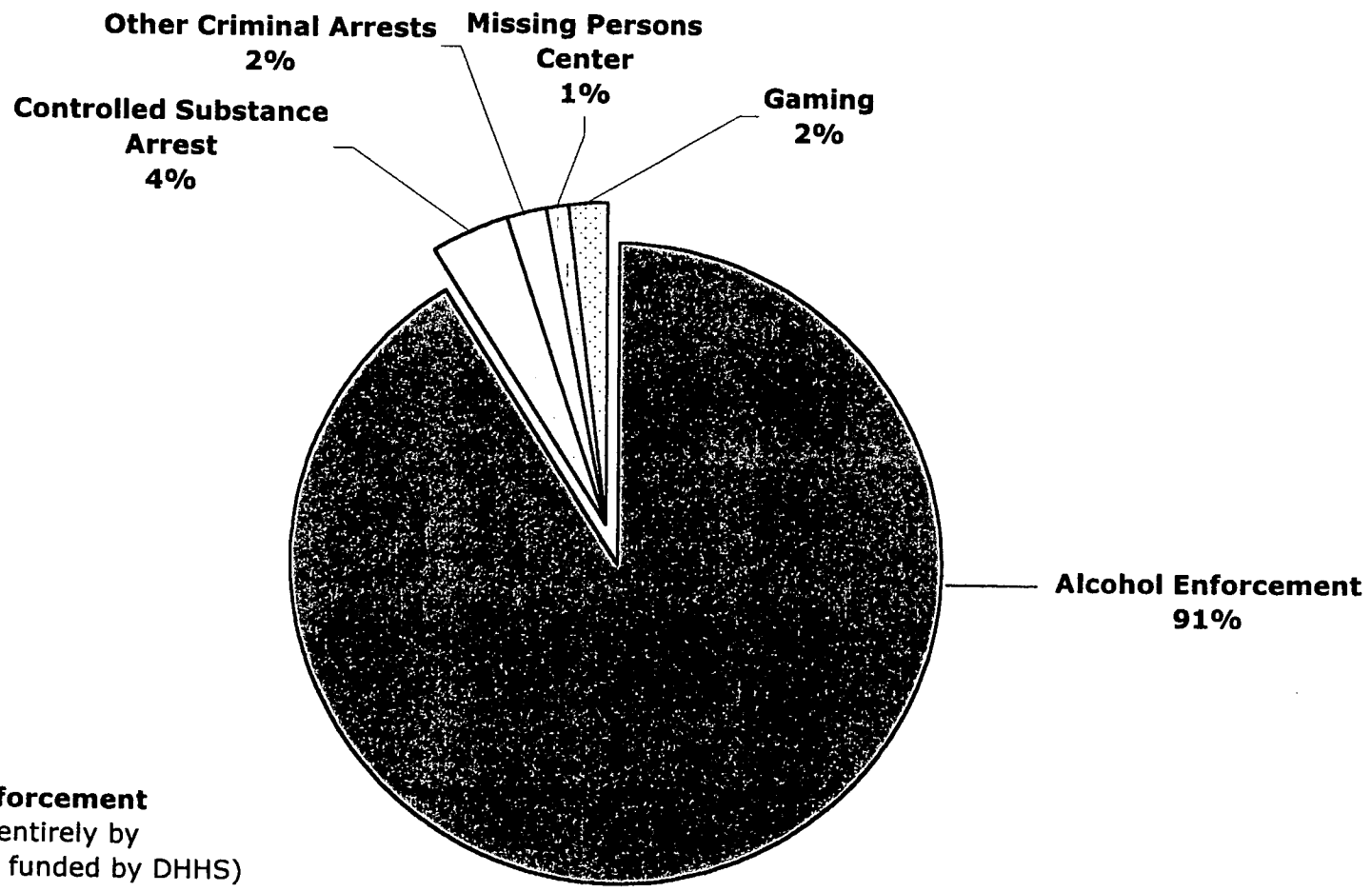
Source: ALE Research and Planning

*Total gambling charges, which includes video gaming machine charges, is not an accurate reflection if the dedication of resources expended by ALE due to the result that VGM charges typically involve a significant number of man-hours for undercover and case investigation, which may not result in a charge. Additionally, some investigations are assisting local law enforcement who may actually make the charge.

Rough Estimate

Alcohol Law Enforcement - Allocation of Resources

(Staff estimates)



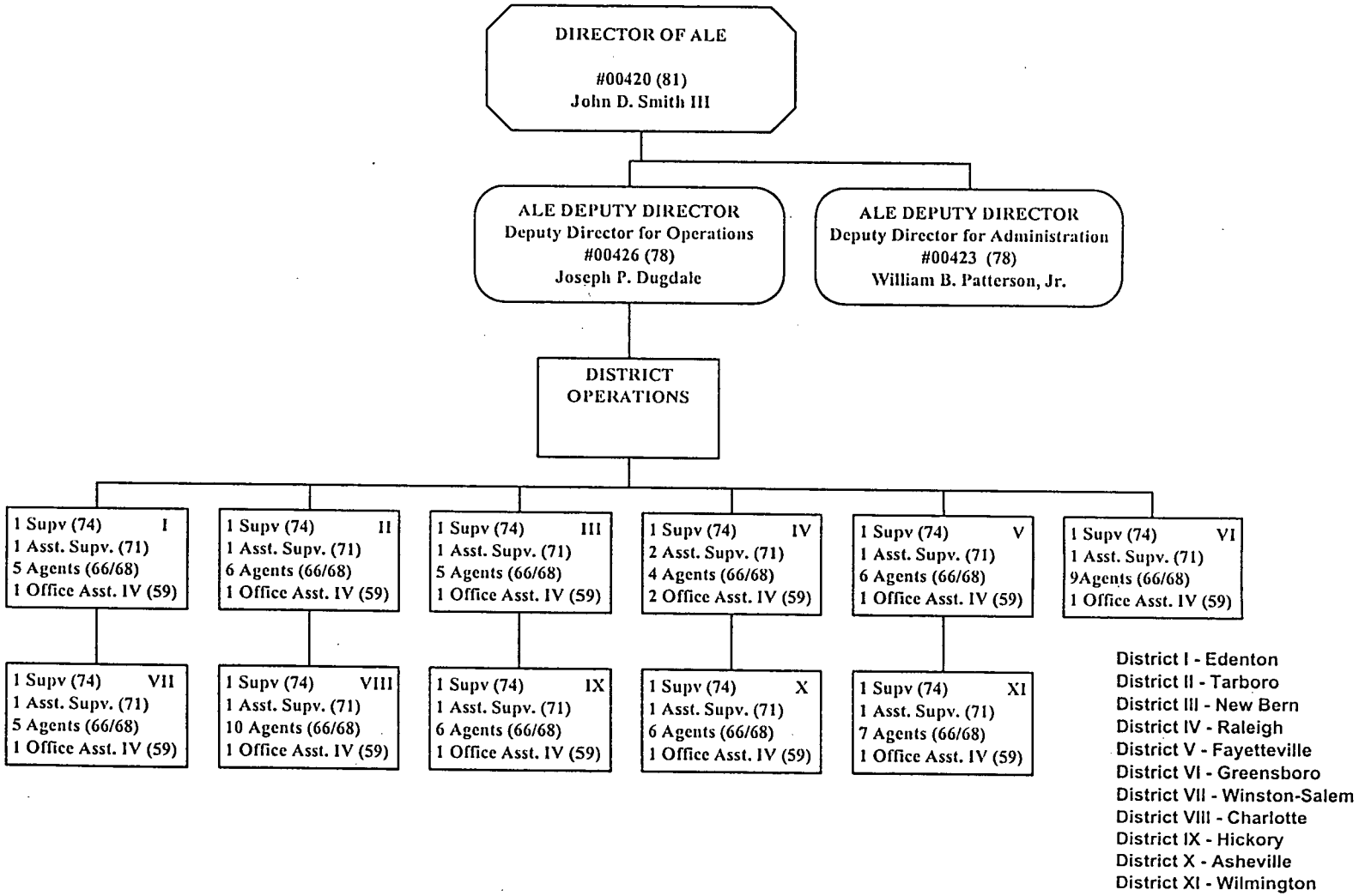
***Tobacco Enforcement**
(Done almost entirely by
overtime work funded by DHHS)

North Carolina Alcohol Law Enforcement
April 17, 2001

02/22/01

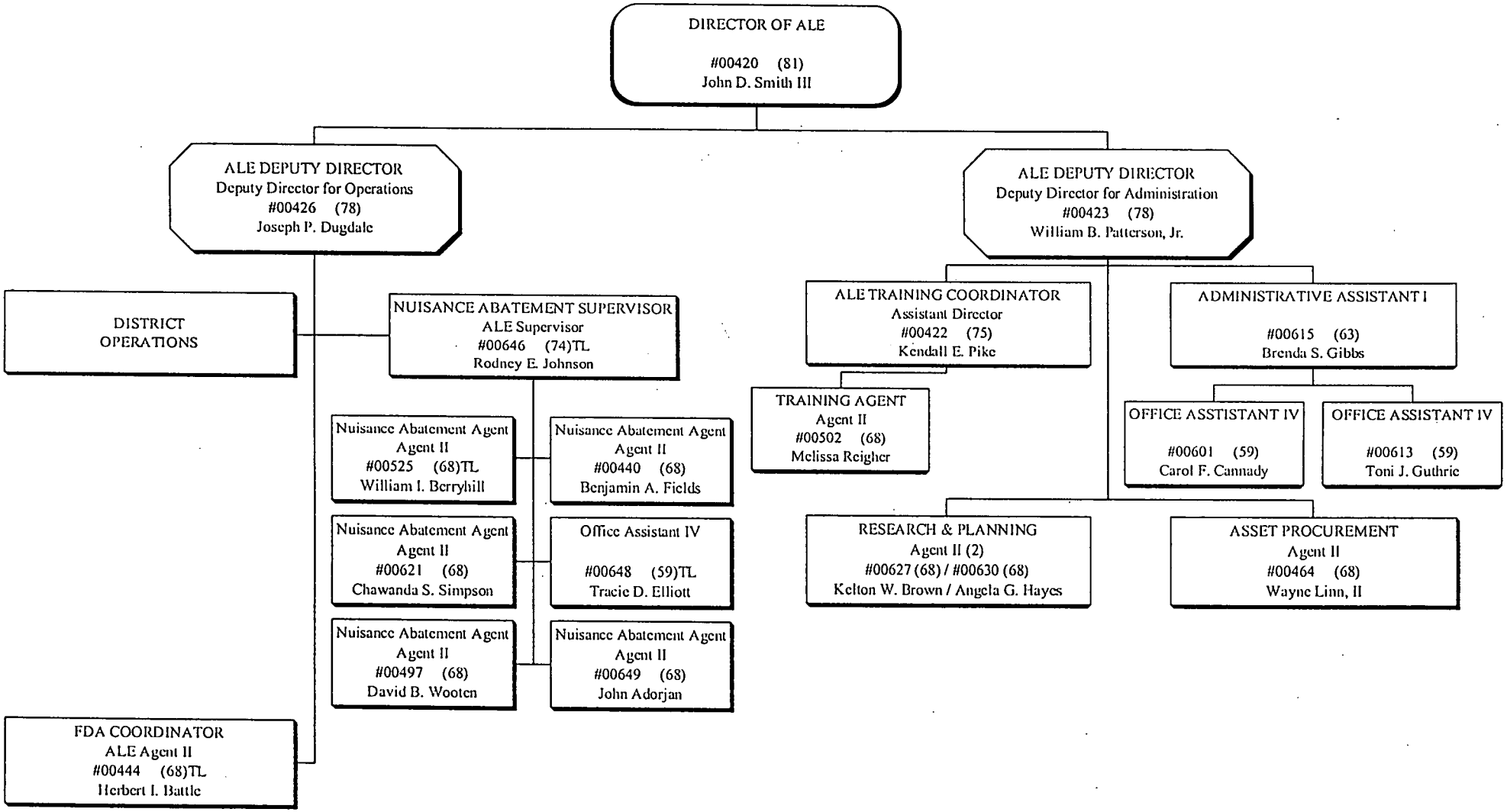
cont'd Handout #1

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY
ALCOHOL LAW ENFORCEMENT DIVISION



02/22/01

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY
ALCOHOL LAW ENFORCEMENT DIVISION



Handout # 2
april 18, 01

ALE Nuisance Abatement Team

The number of investigations per year:

1994 – **23**

1995 – **40**

1996 – **49**

1997 – **48**

1998 – **58**

1999 – **77**

2000 – **88**

Estimated average cost per investigation: **$3,839**

Attached: List of investigations sorted by requesting agency.

NUISANCE ABATEMENT INVESTIGATIONS, by requesting agency, 1994-2001

Requesting Agency	Case #	Subject of Complaint
Aberdeen PD	94-108-61	Knox Street Grocery
Aberdeen PD	94-108-64	Night Dreamers
Alamance County SD	94-108-63	Oxford 7-11
Alamance DA	94-108-62	Roseland
Alamance SD	94-108-65	Salon America
Albemarle PD	94-108-66	Galaxy Club
Angier PD	94-108-69	Peacock Burlesque
Anson DA	95-108-03	Mickeys
Asheboro DA	95-108-02	Trading Post
Asheboro PD	95-108-01	Goldston Apts
Asheboro PD	94-108-67	Pines Grocery
Asheboro PD	94-108-68	Superior Burlesque
Asheville PD	95-108-04	Rabbit Box
Asheville PD	95-108-06	Zodiac Club
Asheville PD	95-108-07	PoChaps
Asheville PD	95-108-08	Moores Club #2
Asheville PD	95-108-09	220 Rack N Que
Atlantic Beach PD	95-108-10	Dolan Fields
Aurora PD	95-108-05	Maggie Pearls Bar
Aurora PD	95-065-03	The Yellow House
Beaufort PD	95-065-42	Legion Beach
Belmont PD	94-065-40	Elizabeth G. Jennings
Belmont PD	94-065-48	Sonny's Place
Belville/ City Attorney	94-065-47	Hooks Tavern
Belville/ City Attorney	94-065-41	Williams Billiard
Bethel PD	95-065-07	Willie Basnett
Brunswick SD	95-065-05	H and J Grocery
Brunswick SD	95-059-01	Eisie Wrighton
Bryson City PD	94-065-37	Moon Dogs
Burgaw PD	95-065-02	Dobbin for Dollars
Burgaw PD	94-065-38	8 Ball / McMillian Pool
Burgaw PD	94-065-39	Donnie Ray Lister
Burgaw PD	94-065-36	Merles Pool Room
Burlington DA	94-067-99	Duck Harris
Burlington PD	4-067-100	Cliff's Place
Burlington PD	94-067-98	Lorado's Saloon
Burlington PD	4-067-102	VFW Post 9135
Burlington PD	4-067-101	Ray Ferguson Residence
Cabarrus Co. SD	95-067-03	Billy Ray Moody
Caldwell County SD	95-067-01	Center Street Grocery
Caldwell DA	94-065-35	Amusement Parlor
Caldwell SD	95-067-02	45 Cherry
Carboro PD	95-108-11	Walter Simpson
Cary PD	95-067-05	Jones Amoco
Cary PD	95-067-04	Marilyn Ferguson
Cary PD	95-108-12	1959 Lakeview

Caswell Co. SD	95-108-13	The Woo
Caswell County SD	95-108-14	Vacant Lot
Catawba County SD	95-108-15	Pac Jam
Catawba SD	95-108-16	701 E. Walnut
Chadbourn PD	95-108-17	707 MLK Blvd.
Chadbourn PD	95-067-06	Fast Break Billiards
Chapel Hill City Atty	95-067-07	Deals Game Room
Chapel Hill PD	95-067-08	The Stage Door
Charlotte PD	95-067-09	Blue Latern
Charlotte PD	5-059-114	The Place
Charlotte PD	5-059-115	1019 George St.
Char-Mecklenburg PD	95-108-18	424 S. Gain St.
Char-Mecklenburg PD	95-108-19	Fox's Lounge
Char-Mecklenburg PD	95-108-22	Kivett Drive Grocery
Chatham Co. SD	95-108-20	Magical Touch
Chatham County SD	95-108-21	Carolina-Virginia Bingo
Chocowinty PD	96-108-01	Elm City Club
Chowan Co. SD	96-108-02	Pats Place
City Attorney	96-108-03	Susans Food Mart
Cleveland Co. SD	96-108-04	809 S. Lindell
Cleveland County SD	96-108-05	Lee's Garage
Clinton PD	96-059-01	Johnny's Convenient Mart
Columbus County SD	96-059-02	B I Convenience
Columbus DA	96-059-03	Bullock's Soda Shop
Concord PD	96-058-01	Sugar Shack
Cornelius PD	96-058-02	People's Choice
Craven Co. SD	96-054-04	Amy's Playhouse
Cumberland SD	96-059-05	Blue Front Grocery
Dare Co. SO	96-059-06	John's Place
Davidson SD	96-108-06	Ireland Street Billiards
Dunn City Manager	96-108-07	Rick's Good Times
Dunn PD	96-108-08	Touch of Magic
Duplin County SD	96-108-09	Private Dancer
Duplin SO	96-108-10	Doll House
Duplin SO	96-108-11	Brandy's
Durham PD	96-058-08	Pleasure Palace
Durham PD	96-058-09	Illusions
Durham PD	96-058-10	Classsy Lady
Durham PD	96-058-11	Heathers
Durham PD	95-059-07	Magic Moments
Durham PD	96-108-12	Pines Grocery
Durham PD	96-108-13	The Ball Field
Durham PD	96-108-14	Joe Brady
Durham PD	96-108-15	Smith Ranch Motel
Durham PD	96-108-16	The Party House
Durham PD	96-058-03	Marilyn Smoot
Durham PD	96-058-04	Moose Lodge 2385
Durham PD	96-058-05	Walter Ross
Durham PD	96-058-06	Howard Anthony

Durham PD	96-058-07	Louise Littlejohn
E. Spencer PD	96-108-17	424 South Gaines (Ctpt)
East Spencer PD	96-108-18	Gus's
East Spencer PD	96-059-08	Drowning Creek Marina
Eden PD	96-108-21	Burning Flame
Eden PD	96-108-22	Larry McSwain
Eden PD	96-058-13	Bob Walker
Edenton PD	96-058-14	B & M Mobile Home Park
Edenton PD	96-108-19	523 S. Ireland
Edgecombe SO	96-108-20	Pure Passion
Elizabeth City PD	96-108-23	1003 MLK
Elizabeth City PD	96-108-24	Upchurch's New Salem
Elizabeth City PD	96-108-25	Upchurch's Worthville Rd.
Elizabeth City PD	96-058-15	Unknown
Elizabeth City PD	96-058-16	Elbert Smarr
Elizabeth City PD	96-058-17	Connie Manus
Elizabeth City PD	96-058-18	Mary Hanable
Elizabeth City PD	97-108-01	E. Rorie's Place
Elizabeth City PD	97-124-01	The Ballfield
Elizabethtown PD	97-124-02	Zodiac
Elizabethtown PD	97-108-02	Dolan Fields
Elizabethtown PD	97-058-01	Stage Door
Emerald Isle PD	97-058-02	Club Lebo
Enfield PD	97-108-03	Cavalier Inn
Fairmont PD	97-108-04	Elm City Club SC
Fayettville PD	97-108-05	Rolling Hills Apartments
Fayettville PD	97-108-06	West Side Bar & Grill
Forest City PD	97-058-03	Jones Convenience Store
Forest City PD	97-124-03	Carnell's
Forest City PD	97-108-07	303 McKinley
Forest City PD	97-108-08	Americana Inn
Franklin Co. SD	97-108-09	Plum Crazy's
Franklin PD	97-124-04	Mcrae"s Place
Franklin SO	97-124-05	Pines Grocery
Garysburg PD	97-058-04	Denise Lowrence
Garysburg PD	97-058-05	Nepoleon Carson
Gaston Co. DA	97-108-10	1962 Lakeview
Gaston Co. PD	97-058-06	Larry's Famous Grill
Gaston County SD	97-058-07	Dedicator's Club
Gastonia PD	97-108-11	1003 Knott Street
Gastonia PD	97-108-12	Rose
Gastonia PD	97-108-13	Magical Touch
Gastonia PD	97-108-14	1601 Buffaloe St.
Gibsonville PD	97-064-03	Hoppo's
Goldsboro PD	97-064-04	Pines Grocery
Goldsboro PD	97-108-15	information
Goldsboro PD	97-108-16	Club Conclusions
Graham County SD	97-064-05	DaClique
Graham PD	97-064-06	401 Broadway

Graham PD	97-064-07	2109-2115 Carolina Bch Rd
Granville County SD	97-064-08	Vivians Grocery
Greensboro PD	97-084-04	T. Willie Bennett
Greensboro PD	97-084-05	Arrowood Rentals
Greensboro PD	97-084-06	19509 S. Hill St.
Greensboro PD	97-084-09	Stage Door
Greensboro PD	97-084-10	Baileys
Greensboro PD	97-084-11	Information only
Greensboro PD	97-084-07	715 Bost St.
Greensboro PD	97-064-09	Boone's
Greensboro PD	97-064-10	Reid's Amusements
Greensboro PD	97-064-11	McKenzies Lounge
Greensboro/DA	97-064-12	Corrothers Comm. Center
Greensboro/DA	97-064-13	Dee's Pool Hall
Greenville PD	98-084-01	Video Poker Vendors
Greenville PD	98-064-01	Bob Schmitz
Guilford County SD	98-064-02	Guy Solie
Guilford DA	98-084-02	Green Mobile Home Park
GUILFORD DA	97-108-17	Crack House
Guilford DA	97-108-18	Arbor Apartments
Guilford DA	98-108-01	Jokers III
Guilford DA	98-108-02	Fat Puppies
Guilford DA	98-108-03	100 W. Mass
Guilford Dist. Attny	98-108-04	Nevell's
Guilford SO	98-108-05	Firehouse Pub
Guilford/ Private Citizen	98-084-03	Richard Rush
Guilford/DA	98-064-03	Club Iguana
Halifax Co	98-064-04	Lighthouse Crossing
Harnett County SD	98-084-04	Information only
Havelock PD	98-084-05	Baby Shamu
Haywood Co. DA	98-108-06	Information only
Haywood County/DA	98-084-06	Bobby Walker
Henderson PD	98-084-07	Illusions
Hendersonville PD	98-108-07	Information
Hendersonville PD	98-108-08	7801 Brisbane
Hendersonville PD	98-064-05	Buck's Conv. Store
Hertford DA	98-064-06	Watson's Soulfood Rest
HIckory PD	98-064-07	Hines Social Club
Hickory PD	98-064-08	Antonio"s
Hickory Town Attorney	98-064-09	Eugene Beasly
HIgh Point PD	98-108-09	American Legion
High Point PD	98-108-10	707 MLK
High Point PD	98-007-41	135 Fox Road
High Point PD	98-108-11	523 S. Ireland Show/Cause
High Point PD	98-090-23	Club Show Tyme
High Point PD	98-090-24	300 E. Sandy
High Point PD	98-090-25	Ash Street Recreation
Hillsboro /Town Manager	98-108-12	Bittles Trailer Park
Hoke County DA	98-064-10	Club Alexus

Hoke County SD	98-108-13	General Information
Hoke County SD	98-108-14	General Information
Hoke County SD	98-007-45	Cowboys Corral
Hoke County/DA	98-090-26	Jimmy's Restaurant
Hyde SD	98-090-27	Information
Jackson Co. DA	98-090-28	Breeze's Grill
Johnston SO	98-090-29	504 W. Main
Jones Co. SO	98-007-43	Kivett Drive Groc. S/Cause
Jones County SD	98-007-44	Doris Gray
Kannapolis PD	98-137-37	Plaza Apartments
Kannapolis PD	98-064-11	Lighthouse Crossing
Kannapolis PD	98-064-12	Lacy Collins S/Cause
Kernersville PD	98-007-06	Comfort Zone
Kill Devil Hills PD	98-007-47	Jokers III
Kinston PD	98-137-40	Sand Manor Apts.
Krammerton PD	98-064-13	1401 Fisher
Krammerton PD	98-137-38	Temporary Quarters
Landis PD	98-137-39	University Market
Lee County DA	98-108-15	Bob Walker
Lenoir Co. SO	98-090-30	New Horizon
Lenoir County SD	98-090-31	Due Drop End
Lexington PD	98-064-14	Ruth's Grocery
Liberty PD	98-064-15	1200 Block of 5th Avenue
Liberty PD	98-064-16	McKenzies Lounge S/C
Liberty PD	98-007-42	Willie Mobley
Liberty PD	99-064-01	1606 Fay St.
Lincoln CO. SD	99-064-02	1504 1/2 Fay St.
Lincolnton PD	99-064-03	1606 1/2 Angier Ave.
Longview PD	99-090-01	632 E. Vance St.-Williams
Louisburg PD	99-137-01	Information
Lumberton PD	99-137-02	Club Mercecez
Madison PD	99-137-03	Charlie Brown's
Magnolia PD	99-090-02	Courtyard Apts.
Magnolia PD	99-090-03	Hurricanes' Bar
Maxton PD	99-090-04	100 Collier Road
Maxton PD	99-090-05	Westwind Trl Park
McDowell County SD	99-137-04	401 Kerr Street
Mebane PD	99-064-04	Chocolate City
Mecklenburg PD	99-007-01	Sheila's Trailer Park
Monroe PD	99-007-02	Inita Gray Andrade
Montgomery County SD	99-007-04	Buford Gray Dalton
Montgomery County SD	99-108-01	Bizarre
Moore Co. DA	99-108-02	Finish Line
Moore County SD	99-007-05	8302 Pine Oak Rd.
Moore County/ADA	99-064-05	Lighthouse Crossing
Morehead PD	99-137-05	4825 NC Hwy. 62
Morehead PD	99-108-03	342 Brookside Drive
Morehead PD	99-108-04	344 Brookside Drive
Morehead PD	99-108-05	Sir Robert Motel

Mt. Airy PD	99-137-06	4110 US Hwy 74 E.
Mt. Airy PD	99-064-06	Hamlet's Chapel Rd
Mt. Airy PD	99-137-07	219 N. King St.
Mt. Gilead PD	99-007-06	Comfort Zone
Nash County SO	99-064-07	Willis' Mobile Home Park
Nashville PD	99-137-08	Dedicators Club
Nashville PD	99-090-06	Clarys Grocery
Nashville PD	99-090-07	Hicks St. Lounge
New Bern PD	99-090-08	Little Palace
New Bern PD	99-090-09	1003-A E. Vance St.
New Bern PD	99-064-08	St. John's Terrace
New Bern PD	99-090-10	The Diamond Club
New Hanover Attorney	99-007-07	810 North Green St.
North Wilkesboro PD	99-090-11	Elmore's Store
Norwood PD	99-064-09	Mixers Club
Onslow County SD	99-007-08	Information
Onslow County SD	99-007-09	Spare Time
Onslow County SD	99-007-10	Shatters
Onslow County SD	99-090-12	Tarboro Inn
Onslow County SD	99-108-06	Big Dan's
Onslow County SD	99-064-10	Bruce's Party Zone
Onslow County SD	99-064-11	14K
Onslow County SD	99-064-12	Bizarre Dance Club
Oxford PD	99-090-13	Basnight SC
Oxford PD	99-090-14	Marshalls Elk Lodge
Pembroke PD	99-108-07	Information
Pender County SD	99-137-09	Trot Motel
Pitt Co. SO	99-090-15	The Junction
Pitt County SD	99-090-16	Five Points Grocery
Plymouth PD	99-007-15	Baha Club
Private Citizen	99-007-14	N Effects/Wadesboro
Property owner	99-007-13	211 S. Carter St./ Liberty
Raleigh City Attorney	99-090-17	628-B Viola St. Wilson Co.
Raleigh City Attorney	99-064-13	Pine's Grocery Robeson
Raleigh PD	99-064-14	Church St. House Asheville
Randolph Co. DA	99-007-16	Madison Residence
Randolph Co. DA	99-007-17	507 High St. Cramerton, NC
Randolph Co. SD	99-137-12	Roxboro Vacant Lot
Randolph Co. SO	99-137-13	579 High St.
Randolph County ADA	99-137-11	704&711 Fousee St.
Randolph County SD	99-137-10	Ben's Jamaican Rest. Cary
Randolph County SD	99-007-18	Ben's Jamaican Rest. Cary
Randolph County SD	99-137-14	Big Party Burlington
Randolph County SD	99-007-11	Coliseum Motel
Randolph County SD	99-007-12	Lloyd's Grocery
Randolph County SD	99-108-08	Hot Spot
Randolph County/ADA	99-090-18	118 Circle Dr.
Randolph SD	99-064-15	Interstate Motel
Randolph SD	99-064-16	705 Woodstock St.

Reidsville PD	99-064-17	717 Woodstock St.
Reidsville PD	99-064-18	Scott's Mini Mart
Reidsville PD	99-090-19	114 Circle Dr.
Reidsville PD	99-090-20	110 Circle Dr.
Reidsville PD	00-007-01	532 E. Club Dr.
Richmond County/ADA	00-007-02	1014 Catawba St.
Richmond DA	00-007-03	21 Motel
Richmond SO	00-064-01	Clarion Hotel
Richmond SO	00-064-02	Yesterday's
Robeson Co. SD	00-090-01	Souther Nights-Chocowinty
Robeson County SD	00-108-01	Electronic Gaming Devices
Robeson County SD	00-064-03	Big Apple Entertainment
Robeson County SD	00-064-04	The Minute Shop
Robeson County SD	00-064-05	215 Wilmington St.
Robeson County SD	00-108-02	Carolina Sports Bar
Robeson DA	00-007-04	500 Cox St.
Robeson SD	00-108-03	Wrightsville Beach Nc
Robeson SD	00-007-05	Mi Oficina Hwy 220
Robeson SD	00-090-02	Platnium Playmates
Rockingham Co. SD	00-064-06	Shrimp Shack
Rockingham SO	00-064-07	Pembroke House
Rockingham SO	00-007-06	Apartment Complex Alexander Co.
Rockingham SO	00-064-08	Ben's Jamaican Rest. Cary
Rocky Mount PD	00-090-03	3030 N. Church Economy
Rocky Mount PD	00-090-04	1821 N. Weslyen Executive
Rocky Mount PD	00-090-05	Hwy 301 N. Hal's Orr's Inn
Rocky Mount PD	00-090-06	307 Mosley Ct Super 8
Rocky Mount PD	00-090-07	Satin Curves N. Church St.
Rocky Mount PD	00-090-08	College Trailer Park
Rocky Mount PD	00-007-07	Annie Mayes Card house
Rocky Mount PD	00-007-08	1332 Old North Rd
Rocky Mount PD	00-090-09	632 Vance St.
Rocky Mount PD	00-064-09	601 Canal St.
Roper PD	00-090-10	Jamican Inn (Fitzner Henry)
Rowan DA	00-090-11	513 E. Green St.
Rowan DA	00-137-01	403 Pennsylvania Ave.
Rowan DA	00-137-02	Area 51
Roxboro PD	00-137-03	Gotham's
Roxboro PD	00-137-04	Kerr St.
Roxboro PD	00-137-05	Mythos
Roxboro PD	00-137-06	Midnight til Six
Rutherfordton PD	00-137-07	154 Waco Ave.
Salisbury PD	00-137-08	563 S. Little Texas Rd
Sharpsburg PD	00-108-04	Kivett Drive Grocery
Shelby PD	00-064-10	Cheek Rd. Apartments
Shelby PD	00-064-11	610 Fisher Street
Shelby PD	00-064-12	Carrey's Nite Life
Smithfield PD	00-064-13	NC Live
Smithfield PD	00-064-14	Ocean Breeze Elks Lodge

Smithfield PD	00-064-15	304 S. Vann Street
Southern Pines PD	00-007-09	Jarvis Res
Southern Pines PD	00-007-10	Hickory Square Apartments
Southern Pines PD	00-007-11	The Planetarium Club
Southern Pines PD	00-007-12	Club Sensations
Southern Pines PD	00-007-13	Homestead St. Apartments
Southern Pines PD	00-090-12	Jimmy's Rest
Southport PD	00-090-13	Information
Spring Hope PD	00-090-14	Private Dancer
Springlake PD	00-090-15	Heritage Inn
Statesville PD	00-090-16	Massage Parlor
Statesville PD	00-090-17	Ebony and Ivory
Statesville PD	00-090-18	1st and Maple Streets
Statesville PD	00-090-19	Sarah Dunn
Surf City PD	00-090-20	Jeri Cahoon Lindquist
Surry Co. SO	00-137-09	Information
Tarboro PD	00-137-10	Tremont Street
Tarboro PD	00-137-11	711 Fouchee Street
Tarboro PD	00-137-12	321 Carson Road
Taylorsville PD	00-137-13	Information
Taylorsville PD	00-137-14	321 Thompson St
Thomasville PD	00-137-15	701 Tucker St.
Thomasville PD	00-137-16	The Ponderosa
Troy PD	00-137-17	6822 Wilkinson Blvd
Troy PD	00-137-18	Rabit Box
Tyrrell County SD	00-137-19	Club Alize
Union CO. DA's Office	00-137-20	304 Sacco St
Union Co. SD	00-137-21	Ice Houze Night Club
Union Co./ Mayor	00-137-22	2549 Old 421 Hwy
Union County SD	00-137-23	220 W. Morehead Street
Union County SD	00-064-17	1115 Chapel Hill Street
Union SO	00-137-24	Snapper Bar and Grill
Valarie M.Pittman DA	00-064-16	310 S. Vann Street
Wadesboro/ADA	00-090-21	Joe's Kwik Corner Mart
Warren County SD	00-090-22	Hillsdale Club
Warren County SD	00-064-18	John's Place
Washington County SD	00-007-14	Liberty BP
Washington PD	00-007-15	303 College Rd.
Waynesville PD	00-064-19	Infinity Lounge
Whiteville PD	00-064-20	Five Points Grocery
Wilkes County SD	00-064-21	11 Star Street
Wilkes County SD	01-064-01	Holiday Motel
Wilkesboro PD	01-064-02	Town and Country Motel
Wilmington PD	01-090-01	317 East Caswell Street
Wilmington PD	00-137-25	Club 2000
Wilmington PD	01-007-01	Brightleaf Billiards
Wilmington PD	01-007-02	21 Motel
Wilson City Attorney	01-064-03	306 Vann Street
Wilson PD	01-064-04	308 Vann Street

Wilson PD	01-064-05	Lumber Creek Area
Wilson PD	01-064-06	Reed's Grocery
Wilson PD	01-064-07	Farm Supply Store
Wilson PD	01-007-03	Information
Wilson PD	01-090-02	Info Only
Wilson PD	01-007-04	Drug Houses
Wilson PD	01-090-03	644 Cavel-Chub Lake Road
Wilson PD	01-007-05	Brickhouse Grille
Wilson PD	01-007-06	Mckintosh Road
Wilson PD	01-064-08	Super 8 Motel
Wingate PD	01-064-09	The Handle Bar
Winston Attorney	01-064-10	Club Liquid
Winston PD	01-090-04	The Cherry House
Winston PD	01-090-05	Budget Hpst Inn
Winston PD	01-007-07	2312 E. Bessemer Ave.
Winston Salem PD	01-007-08	H2O
Winston -Salem PD	01-064-11	Ocean View Motel
Wrightsville Beach PD	01-007-09	Drug House
Wrightsville Town Atty	01-090-06	Info Only

Overview of Butner Public Safety

- **Background**
  - Since the mid-1940's BPS has provided police and fire protection to state facilitates at Camp Butner and to adjacent local citizens in Granville and Durham Counties.
  - There are over 20 state facilities/properties in Butner.
  - The 2000-01 General Fund budget is $2.7 million.
  - Butner currently employs 49 personnel (43 officers, 5 dispatchers, 1 administrative assistant).
  - By law, local residents served by BPS are taxed 20 cents per $100 assessed value to support BPS. Last year, this tax totaled $507,716
  - Local funding supports a little less than 20% of BPS costs.

Handout #3
April 15, 01

Overview of Butner Public Safety

- **Special Responsibilities**
  - Transports inmates and patients in state facilities to N.C. Memorial Hospital in Chapel Hill (approx. 400 trips per year = 2 officers).
  - Exclusive server of process within state institutions and provides officers to serve as bailiffs in commitment court in John Umstead Hospital.
  - Administers fire drills at state facilities as required by accrediting agencies (12 drills per year per building).
  - Provides fire training to employees at each institution.
  - Administers fire inspections in state and community facilities.
  - Maintains an officer 24 hours a day at the National Guard firing range to protect equipment.
  - Provides 911 dispatch service to all of southern Granville county
  - Provides day to day security for the state mental institutions, juvenile facilities, state hospitals, etc.

Present Arrangements

- Department of Health and Human Services
  - General town administration (land use regulation, water/sewer services, grounds and street maintenance)
- Butner Planning Commission
  - Adoption and administration of land use ordinances
  - Informal advisory role
- Department of Crime Control and Public Safety
  - Police protection
  - Fire protection
- Financing
  - State appropriations
  - Current tax assessment (20 cents per $100 assessed value)
  - Powell Bill funds for street maintenance
  - Water/sewer fees
  - Utility franchise tax

Options for Discussion

- Make no changes to present system of providing these services.
- Review current tax assessment compared to level of services provided.
  - Other municipalities in the same population group, spend an average of 32.2 cents per $100 of assessed valuation for public safety.
  - Increasing tax assessment for Butner residents to the average of similar municipalities would generate and additional $309, 707.
- Transfer police and fire service to the Butner Community (police to Granville county sheriff's office; fire to volunteer department.)
  - Would the state still have to supplement the specialized needs of the area?
  - Would the state receive the same level of services?
  - BPS officers have dual training in law enforcement and firefighting, with expertise in dealing with hazardous materials found in hospitals, and in other institutional needs. biggest challenge is the 5-story federal hospital, much bigger than volunteer firefighters normally handle.
  - There is no current volunteer fire department in Butner's jurisdiction.

Handout # 4
April 11, 01
Prepared by Jean Lamon

Fact Sheet - NC Boxing Commission

Primary Responsibilities of the NCBC

1) To prevent illegal combative events such as Ultimate Warrior and Vale Tudo.
2) To regulate lawful events for safety and business operation integrity
3) Comply with Federal law in the regulation of Professional boxing events.

Budget

	FY97-98	FY98-99	FY99-00	FY00-01 est.	% Chg From 1997
Event Nights Regulated	60	61	74	79	31.67%
Attendance*	41,500	42,025	48,850	51,475	24.04%
Expenditures	($192,000)	($196,208)	($199,673)	($202,600)	5.52%
License Revenues	$30,522	$47,982	$43,415	$49,320	61.59%
3% Seat Tax*	$19,920	$20,172	$23,448	$24,708	24.04%
6% Sales Tax*	$6,848	$6,934	$8,060	$8,493	24.04%
Nat. Guard Armories*	$28,350	$28,875	$35,175	$37,275	31.48%
Net to State =	**($106,361)**	**($92,245)**	**($89,575)**	**($82,804)**	**-22.15%**
Fiscal Note Revenues from HB374===>				$153,600	
New Estimated Net Gain / (Loss) to the State				**$70,796**	

Additional Contributions and Facts from the Boxing Industry

> Annual Income to City & County Facilities = $46,000* (Not including sales tax)
> Annual Average Gross to Nonprofits from Boxing = $600,876 (Not including Rescue Squads)
> Annual Income to local Rescues Squads = $40,800*
> No injuries, deaths or illegal events since the NCBC was formed
> North Carolina has consistently been in the top 5 states for number of event nights regulated
> 2,839 non-professional boxers have competed with zero serious injuries and zero lawsuits
> 241 Professional Boxers living in North Carolina, 404 licensed here in the past 4 years

(*Notes calculations that use statistical averages from data collected 1997-2001)

How NCBC funding compare to other top states?

State	Event Nights	Staff	Funding
California	100+	10	$1,001,000
North Carolina	68	3	$217,000
Florida	60	3	$400,000
New York	50-60	4	$240,000
Nevada	40-50	4	$400,000
New Jersey	30-40	6	$600,000

Note: Comparisons to other states references event nights regulated. Some states regulate Proboxing, wrestling, nonprofessional boxing, mixed martial arts or any combination.

Structure

The Boxing Commission is comprised of five voting members appointed by the Governor, President Pro Tempore of the Senate, Speaker of the House and Secretary of Crime Control; one voting member appointed by the Eastern Band of the Cherokee Indian Tribal Council; and two non-voting medical physicians. The Commission holds four meetings each year; all meetings are open to the public. The Commission sets all policy and the staff of the Commission enforces these policies and regulations.

Scope of Commission Responsibility

Primary task are a) prevent illegal events. B) regulate lawful events.
The Commission's responsibilities are as follows:

1. The annual licensing of all Promoters, Managers, Matchmakers, Officials and Contestants doing business in the state of North Carolina.

2. The assurance that bonds, permits and insurance coverage are obtained for all events as set out in the state statute and rules as adopted by the agency.

3. The active regulation of each Professional Boxing, Kickboxing and Toughman event for compliance to federal and state law and rules as adopted by the agency, including drug testing and blood pathogen safety.

4. The formation and adoption of rules and policies to assure the safety and integrity of events, and the compliance with state and federal law.

5. The prevention of unlicensed or illegal events from occurring through active monitoring, investigation and use of judicial injunctions, suspensions, fines and prosecution.

6. The interaction with other states boxing regulatory agencies to assure coordination and reciprocal honoring of fines, prosecutions, investigations and suspensions.

Profile of the Boxing Industry in North Carolina

In 2001 there were 83 event nights regulated (averaging one every 4.4 days). About 10% of all events occur in facilities with audience capacities greater than 1500. The typical event occurs in a Civic Center, National Guard Armory, Community Center or Fairgrounds facility in front of a crowd of 600 to 1000. These events take place in communities with a population of less than 35,000. The televised events take place in Cherokee, Asheville, Charlotte, Raleigh, Greensboro and Fayetteville.

Geographically events are dispersed as follows (four years of data): 35% take place in the western portion of the state (defined as west of I-77), 40% of the events take place in the Piedmont area (between I-77 and Raleigh) and 25% take place east of Raleigh.

What the NCBC does at events:
All lawful events are actively regulated by a staff member of the NCBC and/or an independent agent contracted by the NCBC; On site event regulation includes: Licenses officials & contestants; Complete documentation on financial payments between promoters, managers, boxers, and officials; Inspecting facilities, equipment and operations for safety and adherence to rules; Witnessing and reviewing medical evaluations of contestants; documenting injures; issuing suspensions, revocations or action notices; recording results of matches; conduct pregnancy and drug test.

What the NCBC does prior to event:
Processes permits, applications and fees; background checks of performance in other states; processes and verifies insurance and bonds; reviews proposed fight cards for competitiveness; enforces suspensions and fines by other states; issue Federal Identification cards; coordinates independent agents as needed to provide manpower for event regulation; screens contestants for medical risk and conflict of interest.

Locations of events since January 2000 (some locations have multiple events)

Charlotte	Monroe	Mocksville	Greensboro	New Bern
Vanceboro	Bayboro	Jefferson	Mebane	Salisbury
Eden	Hickory	Cherokee	Linconton	Fayetteville
Mt. Airy	Lumberton	S.Pines	Mooresville	Asheville
Smithfield	Rockingham	Jacksonville	Goldsboro	Shelby
Kings Mnt	High Point	Raleigh	Morganton	Wilmington
Lexington	Albermarle	Wentworth	Marion	Hendersonville
Greenville	Wentworth	Taylorsville	Roxboro	Morehead City
Winston-Salem				

Professional Boxers whom Fought in North Carolina 2000

- There are 241 licensed Professional Boxers in North Carolina
- Of the 120 individual Professional Boxers that fought in NC in 2000, 53 are from NC and 67 are from out of state. (Some Boxers fought multiple times)

Name	Hometown
John Battle	Rocky Mount, NC
Eric Starr	Hillsborough, NC
Samuel Duggins	Tobaccoville, NC
John McKinney Jr.	Spring Lake, NC
DeMarcus Corley	Washington, DC
Harold Bennett	Rivera Beach, FL
Luther Smith	Oxon Hill, MD
Benji Singleton	Irmo, SC
Gary Jones	Las Vegas, NV
Luis Carmona	Durham, NC
Cedric Reid	Winston-Salem, NC
Richard Hall	Rocky Mount, NC
Kenneth Woods	Charlotte, NC
Caseny Truesdale	Charlotte, NC
Marvin Ladson	Winston-Salem, NC
Shakir Ashanti	Greensboro, NC
John Garner	Gretna, LA
Anthony Lockhart	Charlotte, NC
Priest Smalls	Havelock, NC
Tommy Gavin	Winston-Salem, NC
Gus Rahming	Miami, FL
Barry White	High Point, NC
Carla Witherspoon	Williamsport, PA
Karen Ramos	Ashtabula, OH
Tonton Semakala	Las Vegas, NV
Jerry Smith	Birmingham, AL
Andre' Sherrod	South Point, OH
Danny Santiago	Ocala, FL
Rodney McSwane	Lawton, OK
Richard Ighenehn	Jackson Hills, NY
Andre Baker	Lumberton, NC
Tryone Wiggins	Brighton, TN

Chris Thomas	Richmond, VA
Mark Arthur	Milton, WV
Edgar Santana	New York, NY
Dexter Lewis	Albany, NY
Nick Arguris	Farmingville, NY
Cornelius Ellis	Wilson, NC
Andre' Echols	Davenport, IA
Ernest Parfait	Houma, LA
Edwardo Martinez	Metairie, LA
Franco Ogentho	Richmond Hill, NY
Ivan Candelo	Aurora, CO
Mario Iribarren	Miami Beach, FL
James Johnson	Shreveport, LA
Ernest Stroman	Philadelphia, PA
Antwon Echols	Davenport, IA
Lionel Ortiz	Opaloka, FL
Anthony Brooks	St. Petersburg, FL
Charles Williams	Pisgah Forest, NC
Bobby Dunbar	West Columbia, SC
Edward Goins	Sanford, NC
Christopher Hairston	Charlotte, NC
Phillip Wills	Charlotte, NC
Thomas Talley	Fayetteville, NC
Jonathan Haggler	Winston-Salem, NC
Saoul Mamby	Bronx, NY
Kent Hardee	Winston-Salem, NC
Xavier Tolliver	College Park, GA
Tim Scott	Durham, NC
Carol Jonanneson	Brooklyn, NY
Calvin Shepard	Jacksonville, NC
Kenneth Pickney	Beauford, SC
Shauna George	Brooklyn, NY
Tyrone Wallace	Durham, NC
Jimmie Townsend	Winston-Salem, NC
Robert Marsh	Hickory, NC
Johnny Walker	Winston-Salem, NC
Gary Jenkins	Reidsville, NC
Delvin Rodriquez	Arapahoe, NC
Booker Mullins	Spartanburg, SC
Sam Garr	Decatur, GA
James Mason	Martinsville, VA
Paul Williams	Aiken, SC
Jeremy Mickleson	Florence, SC
Sean Lockhart	Columbia, SC
Jacob Hudson	Miami, FL
Glenn Robinson	Bronx, NY
Robert Sulgan	High Point, NC
Lonnie Davis	Brooklyn, NY

Joshaua Edmonson	Houston, TX
David Ellis	Wilson, NC
Shawn Townsend	Fayetteville, NC
Clarence Goins	Greensboro, NC
Matt Green	Sanford, NC
Walter Speight	Eureka, NC
Terry Gibbs	Coal, SC
Dennis McKinney	Columbia, SC
Bertreme Jackson	Danville, VA
Travis Clybourn	Columbia, SC
Adrian Miller	Winston-Salem, NC
John Pate	Maysville, NC
Jovett Jackson	Greensboro, NC
Linda Cunningham	Hendersonville, NC
Tommy Diamond	Mooresville, NC
Elijah Thomas	Midway, FL
West Taylor	Milledgeville, GA
Norris Morrow	Tampa, FL
Shinny Burns	Quincy, FL
Anthony Simpkins	Gloverville, SC
Rohan Nanton	New York, NY
William Gonzalez	Hollywood, FL
Darryle Ruffin	Raleigh, NC
Amy Griswald	Raleigh, NC
Carrie Flock	Charlotte, NC
Alexander Dill	Virginia Beach, VA
Keith Miles	Fayetteville, NC
Giles Knox	Statesville, NC
Ombey Mobley	Blythewood, SC
Marcus Luck	Danville, VA
Perry Ballard	Leesburg, VA
Derrick James	Duncanville, TX
James Lubwama	West Palm Beach, FL
Kevin Carter	Winston-Salem, NC
Adrian Redmond	Turnersburg, NC
Justin Kankula	Winston-Salem, NC
Bradley Parks	Winston-Salem, NC
Christopher Mitchell	Garner, NC
Franklin Edmundson	Durham, NC
Travis Simms	Norwalk, CT

Handout # 5
April 18

DJJDP

1801 Mail Service Center Phone: 919-733-3388
Raleigh, NC 27699-1801 Fax: 919-733-6809

Department of Juvenile Justice and Delinquency Prevention

Overview

The Department of Juvenile Justice and Delinquency Prevention was established on July 20, 2000 to provide North Carolina with a single cabinet-level agency focused on deterring juvenile crime through punishment and prevention. The Department is charged with ensuring public safety, developing innovative prevention programs for youth, and galvanizing community leaders statewide to work together to put children first.

History

In 1998, the Juvenile Justice Reform Act revamped the state's juvenile justice system based on recommendations of the Governor's Commission on Juvenile Crime and Justice. The legislation created more effective prevention for children; stronger efforts to get troubled youth back on track; tougher, more effective punishment, and a more efficient juvenile justice system.

In 1999, the Office of Juvenile Justice (OJJ) was established to coordinate all state efforts; help community leaders in all 100 counties develop juvenile crime prevention plans; and implement the new, tougher laws. OJJ was established by combining the Division of Youth Services in the Department of Health and Human Services and the Juvenile Services Division of the Administrative Office of the Courts, which brought together 2,046 employees. The new structure meant more collaboration among existing programs, better services for juvenile delinquents, and a more focused approach at addressing the problems.

Governor Hunt also established the State Advisory Council on Juvenile Justice and Delinquency Prevention to advise the new Office of Juvenile Justice. The State Council recommended that North Carolina create a State Department for Juvenile Justice and Delinquency Prevention (DJJDP), which occurred during the 2000 legislative session.

The new Department was created by elevating the former Office of Juvenile Justice to cabinet-level status and by moving the Center for Prevention of School Violence, GRASP (Guard Response to Alternative Sentencing Program), and JAIBG (Juvenile Accountability Incentive Block Grant) funding into the new department. George L. Sweat, Director of OJJ, was named Secretary of the new department on July 20, 2000 and was sworn into office on September 19, 2000 during the Hunt Administration. On January 9, 2001 Governor Michael F. Easley reappointed Sweat as Secretary of DJJDP, and he was sworn into office on January 19, 2001.

Secretary Sweat oversees approximately 2,100 employees, five training schools, the state's detention centers, alternatives to training school programs such as wilderness camps and multi-purpose group homes, juvenile court services, the Center for Prevention of School Violence, and at-risk after school mentoring programs such as Support our Schools and the Governor's One-On-One Program.

DJJDP works with the 100 juvenile crime prevention councils, which administer approximately 25 million dollars for local prevention programs such as community based alternatives to training schools. DJJDP is developing a Juvenile Justice Information Network, which will help the state gather and track information on juveniles. This will also help DJJDP share information with other agencies working with juveniles.

March 21, 2001

Handout #5
April 11

DJJDP

1801 Mail Service Center
Raleigh, NC 27699-1801

Phone: 919-733-3388
Fax: 919-733-6809

Department of Juvenile Justice and Delinquency Prevention

MISSION

The Department of Juvenile Justice and Delinquency Prevention's mission is to protect the citizens of North Carolina from juvenile crime. The Department utilizes four approaches to accomplish its mission: (1) We work to build innovative prevention programs for all youth. (2) We provide services to develop juvenile delinquents into law-abiding citizens. (3) We partner with Juvenile Crime Prevention Councils in each county to galvanize community leaders, locally and statewide, to reduce and prevent juvenile crime, and (4) We provide both secure and alternative detention options for delinquent/undisciplined youth committed to the State's care.

GUIDING PRINCIPLES

Prevention - Prevention must be more than a verbal plea. Laws, policies and resources must be directed to stop juvenile delinquency before it starts or becomes a pattern. Effective prevention includes many actions, but first among them is to educate people to be good citizens/parents and to provide the support they need to role model/ raise children in healthy environments.

Resources - We must develop funding and incentives to ensure access to appropriate programs and therapeutic responses in a timely manner. All resources expended, (time, material, & money), must undergo an evaluation that will ultimately reveal the impact/ effectiveness of the expenditure.

Collaboration - To plan and execute a support system for children, their families and all interested parties. We must ensure a seamless connection between all systems, public and private, that share a common vision of helping children.

Community Programming - Providing program responses on a community level is still the most successful way to work with children and youth, both those already involved in criminal behaviors as well as those "at-risk".

Uniqueness of Childhood - Let us not forget, in all our deliberations, the uniqueness of children. We must balance the need to punish the few with the need to protect the many.

CORE VALUES

The Department of Juvenile Justice and Delinquency Prevention values the following as we work to **stay focused on youth.**

We value **CHARACTER** – honesty; integrity; fairness; responsibility.

We value **COMMITMENT** – to the youth we serve, the work we do, each other.

We value **COLLABORATION** – with each other, responsively; proactively.

We value **COMMUNITY** – relationships; empowerment; trust.

We value **CUSTOMER SERVICE** – consistent treatment of external and internal customers.

We value **COMMUNICATION** – continuous, quality connections.

We value **"CAN DO"** attitudes – get the job done, whatever it takes...

STAY FOCUSED ON YOUTH!

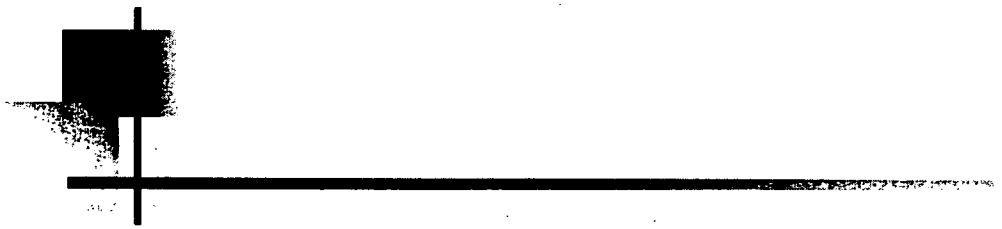
DEPARTMENTAL GOALS

1. To meet all the **Legislative Mandates** of the Juvenile Justice Reform Act.
2. To provide the State of North Carolina with a **Comprehensive Strategy** that reduces juvenile crime by building system capacity at the state and local level.
3. To ensure that at **Each Step** in the juvenile justice process, the appropriate prevention/intervention strategy is implemented to prevent further penetration into the system.
4. To ensure that the juvenile justice system combines accountability and sanctions with **Increasingly Intensive** treatment and rehabilitation/habilitation services.
5. To stress the importance that Intervention efforts be **Swift, Certain, Consistent, and Appropriate** to the offense or behavior exhibited, and that graduated sanctions, (including confinement) be incorporated appropriately.
6. To collaborate and coordinate services with all state agencies that channel resources toward children in order to enhance the placement of adequate/appropriate resources at the **Earliest Point** of a child's need.
7. To ensure that the local **Juvenile Crime Prevention Councils** (JCPCs) have the necessary support, resources, funding and advice to successfully integrate prevention and graduated sanctions that reduce and/or deter juvenile crime and undisciplined behavior.
8. To realize that the **Local Leadership** in communities across North Carolina are not only the key to our success, but they are in the best position to identify the risk factors present as well as the protective factors needed to save all children.
9. To ensure that **Community Protection** is the cornerstone of North Carolina's Juvenile Justice System.
10. To provide a **Transition Back To The Community Component** for every youth involved in the juvenile justice process. (This includes where they will reside, go to school, and/or work).

March 16, 2001

Handout # 6
April 18, 01

Department of Juvenile Justice and Delinquency Prevention – Budget Overview



Joint Appropriations Subcommittee on Justice and Public Safety

April 18, 2001

FRD

Background on DJJDP

- 1998 General Assembly ratified Juvenile Justice Act and authorized Office of Juvenile Justice.
- January 1, 1999: Office of Juvenile Justice
- July 1, 1999: Juvenile Justice Act
- July 1, 2000: Department of Juvenile Justice and Delinquency Prevention

Creating a New Organization -- DJJDP

- Division of Youth Services
  - Training Schools/Detent. Centers
  - Comm. Based Alternatives
  - Programs

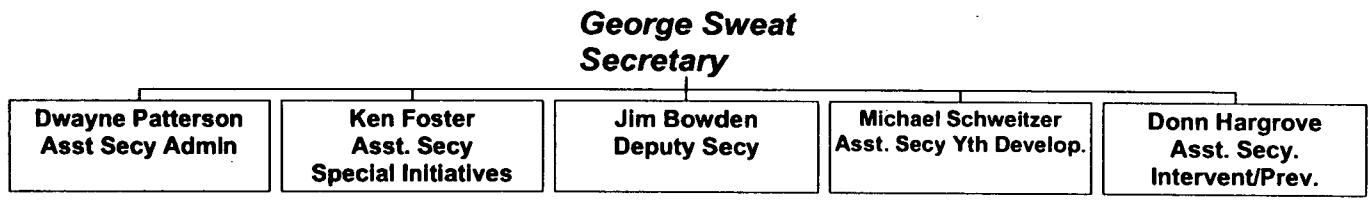
→ DJJDP

- Juvenile Services (AOC)
  - Court Counselors

Major Components of Juvenile Justice Act

- The sentence should relate more closely to the offense: More serious offenders sentenced to training schools for longer period of time and other offenders to community and intermediate programs (Juvenile Sentencing Grid)
- Expand range of sanctions and programs for juveniles adjudicated in court.
- Encourage diversion plans for youth diverted from court and mandate post release plans for juveniles released from training schools
- Expand court jurisdiction over undisciplined youth to include ages 16 and 17

DJJDP Organization



Major Programs in DJJDP

- **Youth Development**
  - **Youth Centers** (5 centers –821 beds EOC)
  - **Detention Centers** (10 state and 4 county)
- **Intervention/Preven.**
  - Court Counselors
  - JCPC's
  - GRASP
- **Special Initiatives**
  - Multi-Purpose Group Homes
  - Eckerd Camps
  - SOS
  - Camp Woodson
  - One-On-One
- **Administration**
- **Center for Prev. School Violence**
- **MIS/Research**

Key Facts: Juvenile Justice and Delinquency Prevention (99-2000)

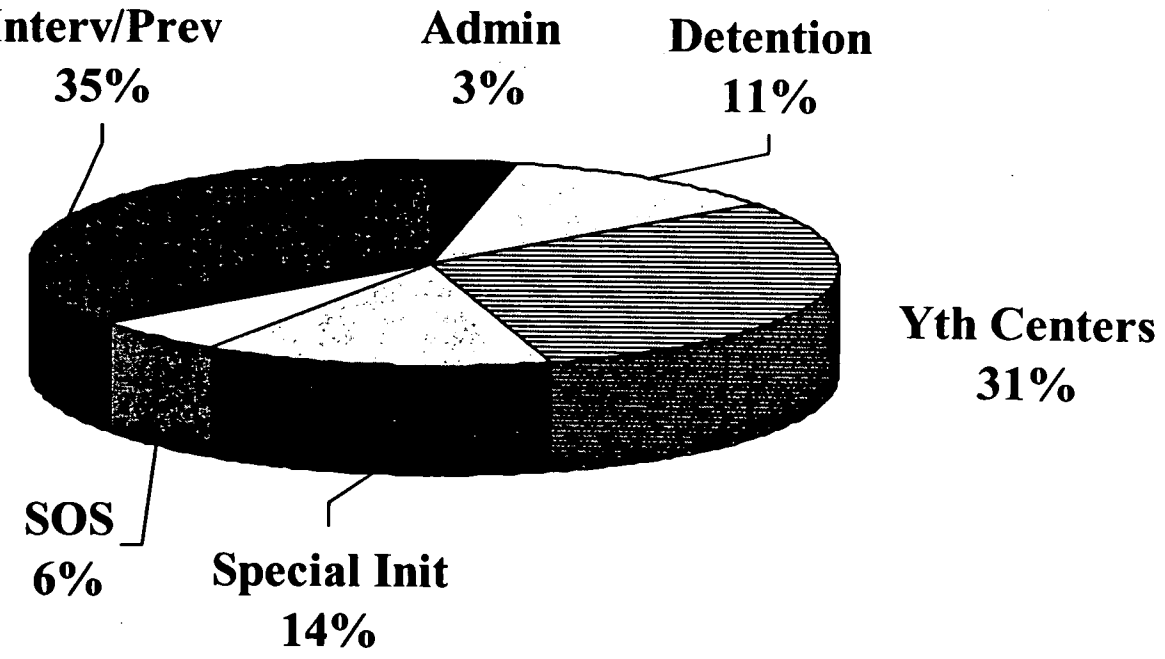
- Academy Population: 868 12/31/00
- Academy Beds/Cost: 821/$49,825
- Detention Admissions: 7,615
- Detention Beds/Cost : 355 (S & L)/$60,000
- JCPC Funds: $22.7 M to counties (2000-01)
- Juvenile Complaints at Intake: 44,271
- Juveniles Supervised In Community: 7,790 on 6/30/2000

DJJDP Authorized Budget Dec. 31, 2000

DJJDP Total Budget

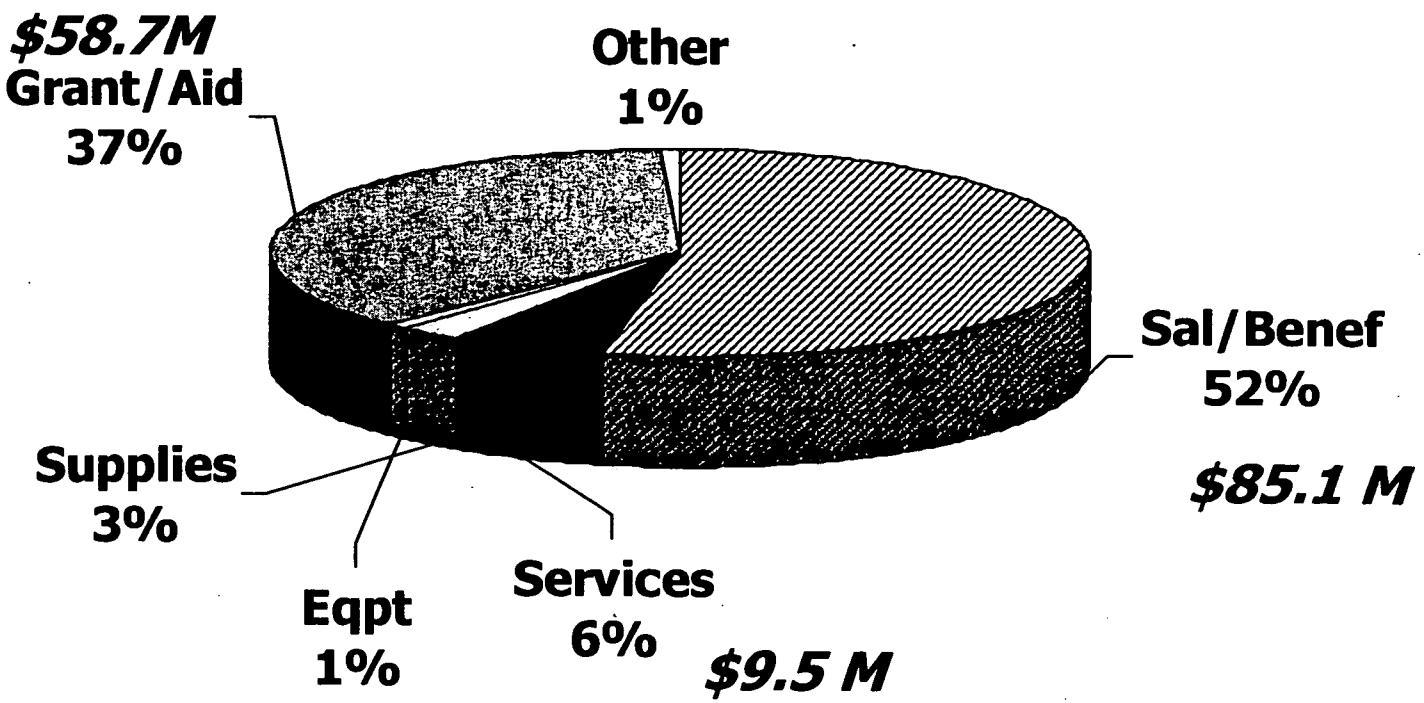
(in millions)

Admin.	$5.9
Detention:	$18.1
Yth. Ctrs	$48.8
Special Init.:	$22.1
SOS:	$8.9
Intervt/Prev:	$56.2
	$160 M



Net State Approp. is $147.2 Million

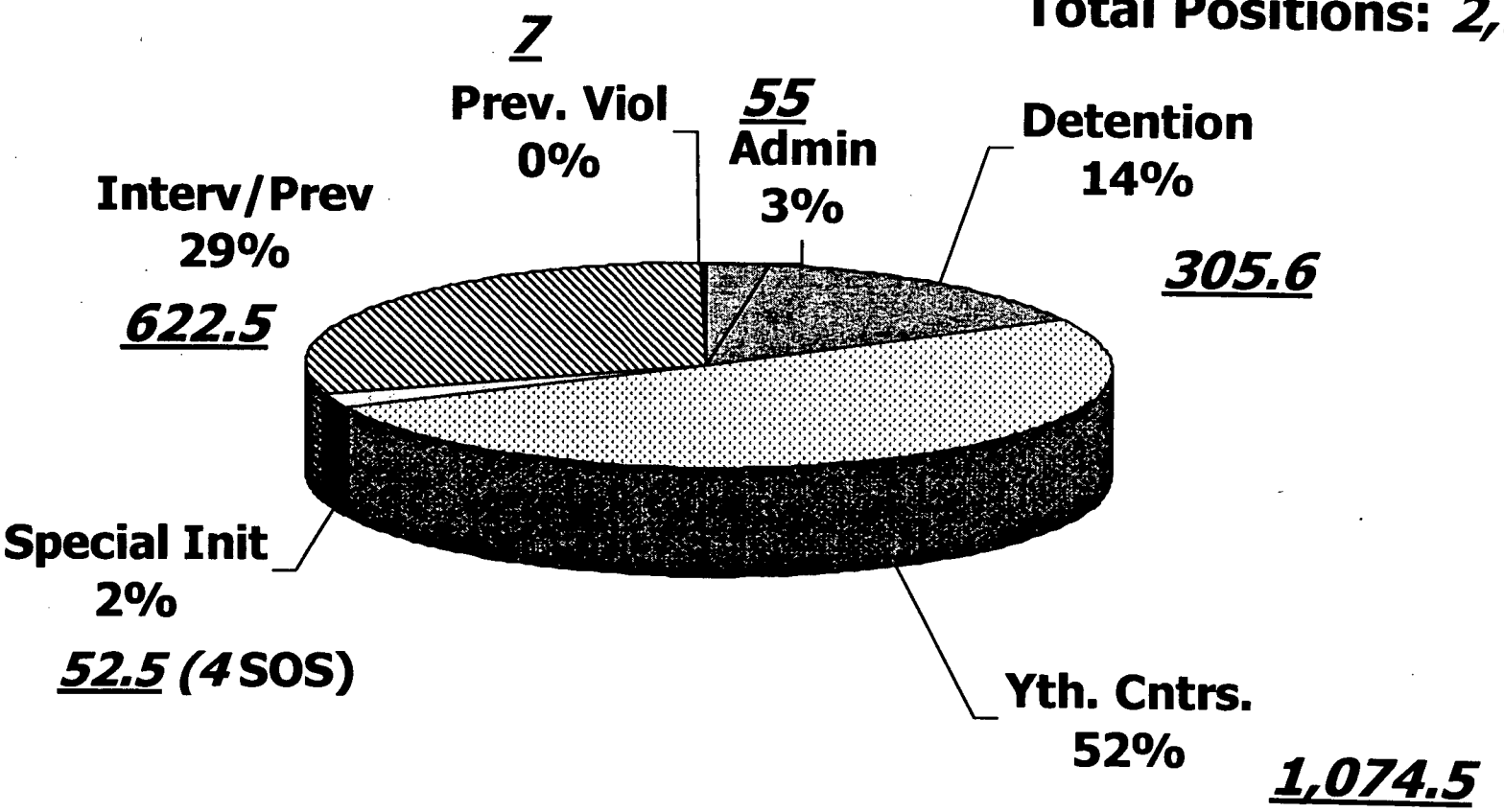
DJJDP Authorized Budget by Purpose – 12/31/00



Total Budget is $160 million/$147.2 million state approp

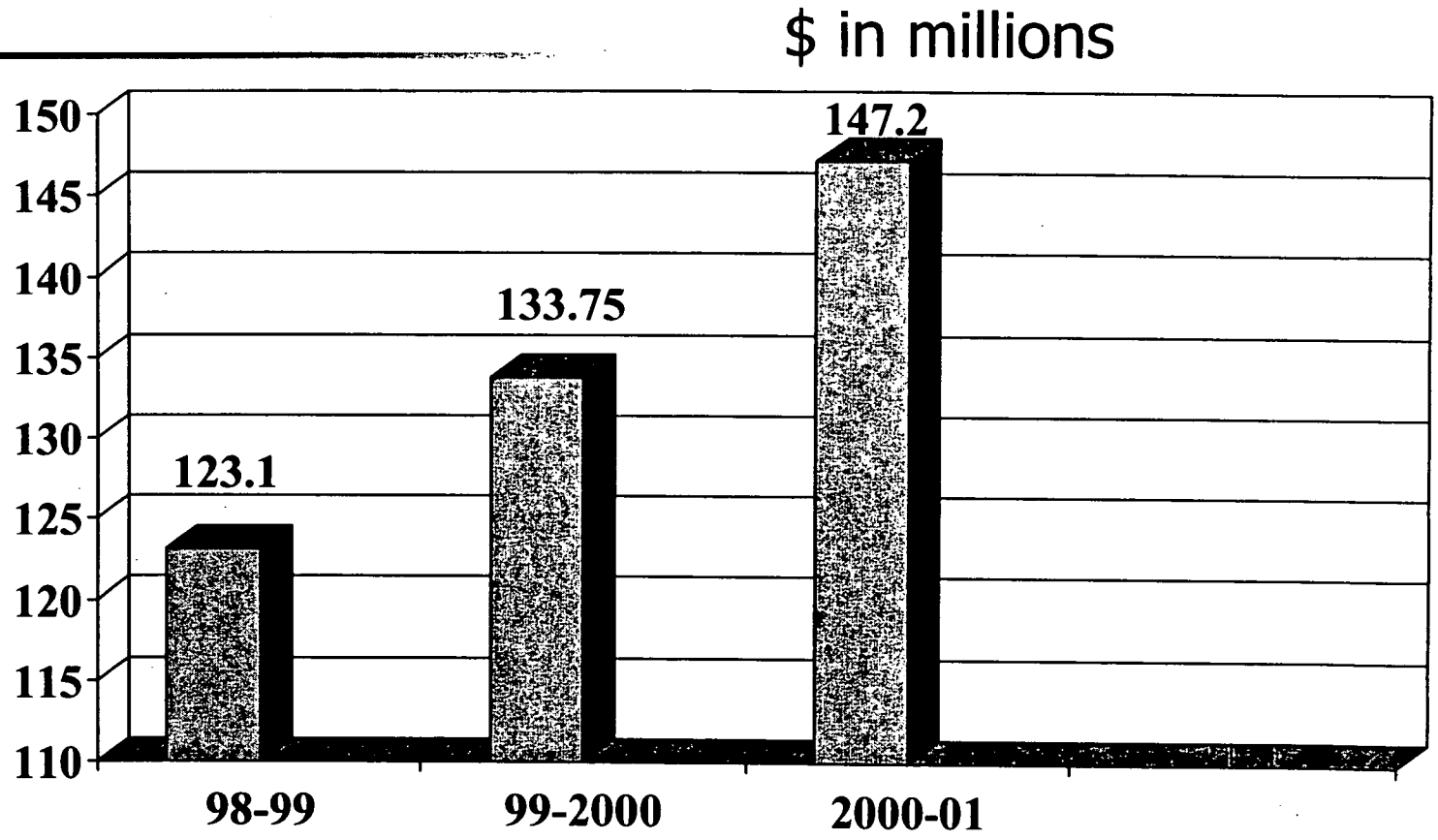
DJJDP Authorized Positions FY 2000-01

Total Positions: *2,117*



Positions as of October 2000 and included in Gov. Budget Recomm. For JPS – Volume 4

Growth in Juvenile Justice Budget – State Appropriations



Figures are expenditures in 98-99 and 99-2000; authorized 12/31/00 for FY 2001. 1998-99 authorized was $134 million including $14.9 million in Juvenile Justice Reserve

Major Budget Changes in DJJDP 1998-99 Juvenile Justice Reserve

- Juvenile Court Services: 126 positions (100 counselors)
- Authorized construction and operation of 48 new detention beds
- Increase community based funding by $5.5 million
- Establish New Programs – add Eckerd Camp and four multipurpose group homes; GRASP; EHA; ON-Track

Total JJ Reserve was $17.3 million; $14.9 million to DJJDP

Major DJJDP Budget Changes 1999-2001

- Community Grants (JCPC) increased by $1.9 million to $24.9 million
- Operating Funds for multipurpose group homes and Eckerd camp
- Programs - -Teen Courts, Juvenile Assessment Center, Project Challenge, Center for Prev of Violence; JJ Institute; Boys and Girls Clubs
- Reduce funding for temporary training school positions and EHA
- Funding for JNET and DJJDP Mgmnt Info Systems (staff and communication eqpt. and lines)
- Funding for Camp Woodson and pilot MF juvenile facility

Governor's Budget Recommendations DJJDP – FY 2001-02

Dec 31 Authorized Budget	***$147,206,016***
Minus NR Expansion	(1,285,315)
Restore NR Cuts (01)	3,535,344
Minus Bldg Reserve	(1,750,000)
Revised Base Line Budget	***147,706,045*** (+500,029 is Net)
Recomm Reductions	(3,137,622)
Recomm. Budget (02)	***144,568,423***

Major Adjustments to DJJDP Budget FY 2001-02

- Cut One-time funding
  - Local Juvenile Programs –($400,000)
  - Camp Woodson – ($23,978)
- Restore one-time reductions
  - Alex. Wayne Det Centers - $561,000
  - Multipurpose Group Homes - $400,000
  - Multi-Functional Facility -- $2 million
- Cut Forsyth Building Reserve -- $1.75 M

Base Line Adjustment is $500,029

Governor's Recommended Reductions for DJJDP 2001-02

- Multifunctional Center ($2,500,000)
  - Contract considered too costly
- Close Wilkes Detention Center ($413, 465)
  - Staff and juveniles to new Alexander Detention Center
- Reduce Police staff at JEC Youth Center ($224,157)
  - Transfer remaining positions (5) and money to DHHS to continue security coverage ($193,000)

TOTAL CUTS: ($3,137,622)

Governor's Budget Recommendations for DJJDP 2001-03 – What's Missing?

- Governor's original Continuation Budget Recommendation (prior to expected cuts) was $158 million (Vol. 4 JPS) compared to authorized budget of $147M in 2001. *Current recomm. $144.5*
- Current Recommended Budget does not include about $4 million in line items and salaries such as:
  - Annualization of MIS funded in 2000-01: $1,352,545
  - Annualization of Camp Woodson $255,112
  - Inflationary Items and Premium Pay Items
  - Equipment Increases
  - Contract increase for Eckerd Camps
- Projects cancelled or delayed by Governor (about $7 million)
  - New Wayne Detention Center and Multifunctional Pilot cancelled; Buncombe Detention Changes delayed
  - Cancel Forsyth Det. Center and Mecklen. Group Home

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday April 19, 2001
8:00 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Department of Juvenile Justice

-Juvenile Programs: Best Practices

Joel Rosch, Lead Juvenile Justice Planner
Governor's Crime Commission

-Governor's Crime Commission Funding for Juvenile Programs

David Jones, Executive Director
Governor's Crime Commission

-Juvenile Prevention Councils
-DJJDP Programs

Denise Thomas, Fiscal Research

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Tuesday April 24 – DJJDP Programs; Juvenile Court Counselors, Youth Development Centers; Sentencing Commission Juvenile Projections

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Thursday, April 19, 2001,** at 8:00 a.m. in Room 415 LOB. Four (4) Senators were present and the following members of the House were present:

Rep. Bill Culpepper, Co-Chair
Rep. Phil Haire, Co-Chair
Rep. Wayne Goodwin
Rep. John Hall
Rep. Larry Justus
Rep. Joe Kiser
Rep. Wayne Sexton

A Visitors' Registration Sheet is attached and made part of these minutes.

Sen. Jordan called the meeting to order and began with the introduction of Pages. Sen. Jordan then introduced Joel Rosch, Lead Juvenile Justice Planner, Governor's Crime Commission. **(Handout #1),** What Works in Prevention and Intervention, was then passed out to the members.

Rep. Haire asked if there had ever been a study done on juveniles who are in homes where there is domestic violence? Mr. Rosch said yes, and that exposure to domestic violence and child abuse rank near the highest of predictors. This would probably be one of the best intervention points. Rep. Haire asked if there is any sort of program that we could move children into - some sort of assessment when there are indicators? Ms. Donna Robinson, Governor's Crime Commission, stated that there are programs in the domestic violence shelters that deal with the children, that assess the child and the mother. Because of legal issues, the child cannot generally be removed from the home, but there are also after school programs that deal with the issues. Programs are being studied and developed for early intervention.

Mr. Rosch then talked about the reports and projects that have been tried and the National Strategy – what the system should look like. Sen. Bingham asked about the Aggressive Replacement Program, noting that it has been extremely successful – do we have that in North Carolina? Mr. Rosch said no, we do not have that program – we could get the information on it. Information could be passed around the state and if people want to try them – that could be done. These programs are difficult.

Rep. Kiser asked about the multi-county services and what the formula is in case you have seven counties? Mr. Rosch looks at the services wanted, the cost, and the budget and tries to come up with a reasonable amount of money. They gave a $300,000 grant to the seven western counties, but it comes down to $43,000 per county. Cost on multi-county projects tends to be low, considering the number of people served. Rep. Kiser asked if this was a 100% grant or is there county money involved? Mr. Rosch said that in these grants there is usually a lot of county money, but the JCPC money is usually pooled which gives them more than enough money for a match. Programs have proven to be

more effective when there is a local buy-in. Mr. David Jones commented that all the grants that we give are 25% cash match and it can be local funds or funds that come through JCPC. Rep. Kiser asked if there are any in-kind contributions. Mr. Jones said that it had to be cash match on this type of funding. Rep. Kiser asked when the federal money runs out, does the state have to pick this up? Mr. Jones said yes, but there are two things on that – one, they are able now to build secondary insurance or accept Medicaid or some of the services they couldn't do before, and secondly, they have been able to save - able to deliver programs more efficiently and effectively. Agencies feel they can do more with the money they have now than they could before. There is also much more cooperation now between the schools, and DHHS.

Rep. Justus asked what is 'evidence based funding'? Mr. Rosch said it is a program where there has been independent evaluation that the program has an effect, looking at different groups and comparing them – pretty expensive to do for all programs. The Federal Government spends quite a bit of money evaluating programs, then going into detail to find elements of those programs, publishing manuals, allowing visitation, so people can actually see the best information about what works. This is 'evidence based funding'.

Sen. Jordan then introduced Mr. David Jones, Executive Director, Governor's Crime Commission for a presentation on the Governor's Crime Commission 2001 Grant Announcement **(Handout #2)**.

Sen. Jordan inquired as to how much money for the juvenile programs is Federal money? Mr. Jones said that North Carolina is unique in that we use funds that are not necessarily designated by Washington as Juvenile Justice Funds. The Juvenile Delinquency Prevention Program, which we administer, is only about $2 million, and the Juvenile Accountability Program is around $5 million, but we also administer the Drug Control and System Improvement Funds, which is about $13 million. Gov. Hunt asked several years ago that they emphasize prevention in juvenile justice and Gov. Easley has asked for the same. We have designated around $20 million in three years that have been allocated. Also use Victims of Crimes Funds. Sen. Jordan asked how much in state funds is received? Mr. Jones said we have $600,000 for support of our staff and for match. Sen. Jordan asked how many positions and Mr. Jones answered that for the whole commission it is thirty-seven.

Rep. Sexton noted **(Handout #3)** that the Rockingham Youth Service had been approved, but not yet awarded – does that mean it is forthcoming? Mr. Jones said that was a one year grant and what we normally do is set aside two years worth of funding to give them time to get up and running and get picked up by state funds, and in the case of Rockingham, it was all awarded in one year. Rep. Sexton said that didn't make sense to him. Mr. Jones said they would give the specifics on that to him at a later date.

Sen. Ballance asked if the Commission ever looks around to make sure these grants are going into all areas of the State? Mr. Jones said that this was their job – administer the funds – visit programs and offer grant writing workshops across the state in the fall, and

openly solicit applications and solicit people to call us for help in putting the proposal together. Have really targeted those areas that do not have the fancy grant writers and have not received grants previously. Sen. Ballance asked if they ever make grants to groups who are not 501 C-3's? Mr. Jones said that the requirement that they have is that groups have to go through a unit of government of a state agency. Mr. Rosch said that staff made five or six trips to Vance and Warren Counties, to help them write grant requests and had been very successful.

Rep. Hall asked if the local government doesn't endorse the program, does this mean the application cannot be submitted? Mr. Jones said that there must be an implementing or pass through agency or unit of government involved. Mr. Jones stated that they worked on a reimbursement system – use your own money and you are quickly reimbursed. Rep. Hall asked if that was by policy? Mr. Jones said yes.

Rep. Justus inquired about the total amount received from the federal government. Mr. Jones stated that, right now, it's about $30 million per year. Rep. Justus asked if the $61 million was awarded over a 2-year cycle? Yes. Rep. Justus asked if it was about $35 million per year. Mr. Jones said that is was around $30 million – it fluctuates – and has more in recent years. Rep. Justus if some counties have more than one ID#? Mr. Jones said that each grant has its own ID#.

Sen. Ballance asked if the forfeitures and seizures are part of the drug money that we send up to Washington? Mr. Jones said that is fines and forfeitures that are based on Federal court cases, but not drug forfeitures.

Sen. Ballance asked what percentages of the grants that are funded are picked up? Do they maintain many of these programs? Mr. Jones replied that the Governor's Crime Commission had a two-year funding limit. Several years ago we amended our administrative rules for waiver of the two year funding limit. This was specifically in response to the Victims of Crime Act Program –a lot of the domestic violence shelters we were supporting out there could not get the support at the local level. There is no federal restriction on the VOCA funds on how long you can fund a program. The Drug Funds we administer have a four-year limit federally, so we couldn't exceed that, but the two-year funding rule can be waived under exceptional cases where they present a very compelling case saying that if it is not awarded that the program will die. It has to be seen as a successful program and has to go to the Crime Commission. Institutionalization reports are done for Washington and they have found out that the institutionalization rate is somewhere in the neighborhood of 60-70%.

Sen. Jordan asked if the $600,000 from the General Assembly is all that they get for salaries. Mr. Jones said that the actual state appropriation is $1.4 million, but there is like $250,000 that goes for a drug task force up in the northeastern part of the state Another $100,00 goes to the NC Victims' Assistance Network (NCVAN) that we pass through. Sen. Jordan asked if any were Domestic Violence funds? Mr. Jones said there was a grant that came to them that they pass straight through to NCVAN. Sen. Jordan stated that he

would like a breakdown – every penny that this committee is giving to the Crime Commission.

Rep. Haire had a question, saying that it appears that the projects that are currently funded, especially Domestic Violence appear to be continuing programs that continue on past the grant period. How many of these programs are rollover programs that you fund on a continuous basis – they get a grant, it runs out and then they get an additional grant? Mr. Jones answered that it varies because what we have is a lot of programs out there and this is true also of law enforcement agencies where we funded them multiple times over several years, but it may be for different programs. Mr. Jones said that it varies because of all the programs out there.

Ms. Denise Thomas, Staff, began a presentation on Juvenile Crime Prevention Councils, **(Handout #4)** and DJJDP Cost Center Report, **(Handout #5).**

Rep. Hall asked if agency heads could designate a representative and Ms. Thomas said that the statutes do allow designees and called on Ms. Susan Whitten, DJJDP, for a list of those who could designate representatives. They are school superintendents, local sheriff, chief court counselor, director of mental health, county manager, chief district court judge and local health director. Fifty one percent represent themselves on these councils and forty nine percent have designees.

Sen. Jordan asked who administers discretionary grant money? Ms. Thomas said those are administered by the Department of Juvenile Justice.

Ms. Thomas referred members to **Handout #6**, to see how much money each county is getting from JCPC.

Rep. Justus asked how you determine the match for the counties? Ms. Whittier said they use the social services equalization formula and the relative ability to pay from county to county.

Sen. Thomas said $22 million is allocated for the formula grant – is that state funds? Ms. Thomas replied yes. He also asked if there were programs that would be recommended that we participate in? Sec. Sweat, DJJDP, answered there were about 700 programs and the decision of what is funded is done on the local level. The determination is made at the local level based on their risk and needs assessment and how they spend this money – a real benefit. Mr. Rosch added that information is made available to be used in each county in making this determination. Mr. Jones added that there are models available of effective programs. Sec. Sweat emphasized the importance of local ownership – many put in more money than the amount they are given. Sen. Thomas asked if there was any program in place to evaluate the programs? Mr. Don Hargrove,DJJDP, said that all JCPC's are trained to evaluate and monitor. A member of the staff is assigned to and works with each JCPC. We can't do every program every year, but do one half to one third of the programs. Ms. Thomas said that a big thing that is lacking is information on what works and has an impact and what doesn't. She thinks the department is trying to

put a structure in place to gather that kind of data. Sec. Sweat somewhat disagreed by saying that the Jordan Institute's evaluation used empirical data to give eighteen characteristics to communities across the state. These characteristics have proven to be impacting on juvenile issues. There is one financial auditor who is sent when something doesn't look right. The State Auditor is called in for what appears to be a big problem. Sen. Thomas wants to see the money used effectively and some way for this committee to see how these programs are working.

Ms. Thomas pointed out that there are some very critical needs the Department has that were not included in the budget that Gov. Easley sent over, so when the committee is looking at the entire funding picture, they may want to consider whether these discretionary funds could be better used to address some of the more critical needs in the Department. They can do that without reducing the level of formula funding that is going out for the JCPC right now.

Sen. Jordan then adjourned the meeting.

Respectfully submitted,

Sen. Luther Jordan, Presiding Senate Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 4/19

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK.

NAME	FIRM OR AGENCY AND ADDRESS
George Sweat	DJJDP
Larry Dix	DJJDP
Steve Shaber	Poyner + Spruill
Mike Zell	GCC
Larry Jessup	GRASP
John McHugh	office of Governor
Ginny Hevener	NC Sentencing & Policy Advisory Commission
James Bowden	DJJDP
Kim Foster	DJJDP
Susan J. Whitten	DJJDP
D Hargrove	DJJDP

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Michael Schweitzer	DJJDP
Donna Robinson	BCC
David Jones	ECC
Nels Rosteland	OSBM
Jon Madler	NC Sentencing Commission
Shara Martin	GAL Alam Co
Anne Wilson	NCPA
Claudia Kadis	GAL Ambassador

Handout #1
April 19, 01

What Works in Prevention and Intervention

"America has both the knowledge and the money we need to substantially reduce adolescent crime and youth violence. We have the know-how to reduce the number of young people likely to join the next generation of adult criminals. Better yet, we can likely achieve this goal at a cost no greater (and perhaps considerably less) than what we will spend if current juvenile justice policies and programs remain in place."

Less Hype, More Help: Reducing Juvenile Crime, What Works – and What Doesn't (*American Youth Policy Forum*, June 2000)

Why some people think nothing works and others think that all prevention programs work

Robert Martinson – ***Nothing Works*** - what we know and do not know
What it means for things to work – the need for comparisons
Why it is hard for programs to "work"
Facts Most males and an increasing number of females will break the law once or twice – stop and never do it again
A small number will commit a large number of crimes and use the bulk of our juvenile justice resources
Why this makes evaluation difficult

What we know today
Sherman Report – reviewed what we learned from Federal Gov. funding
National Blue Prints Project – the gold standard for what works – only 10 programs – may be others but….. we just do not know other programs
Good reason to meet these standards, but few do
National Youth Council – Recent Report (staff has a copy)
The next level - Cost Benefit Analysis – not only what works, but what is cost effective
Rand Report
Washington State Legislative mandate – (staff has legislation)
Other lists - some evidence – common sense - National strategy – fits new NC code
(Most of these materials were provided to JCPC's)

The National Strategy – what the system should look like

1. Assessment – universal agreement that funds spent up front – assessing kids, determining the nature of problems and then getting the right services to the right kids is the key. The best programs put the first dollars here. Two purposes, early identification of high risk juveniles who need services and a way to ensure that we reserve high dollar programs for kids with the greatest needs. There is some evidence that this is especially helpful with Disproportionate Minority Confinement (DMC).

2. Graduated sanctions

A. 1st offenders have to have a sanction – they recommend restorative justice – restitution/reconciliation, victim driven offender/mediation, teen court, etc. - The key here is doing no harm – remember most will not return and we should avoid programs that actually increase odds of kids coming back – should only expect slight improvement – the motto should be "keep cost slow and do no harm"

B. More troubled juveniles – use evidence based – Blue Prints - There kids are going to be expensive – for their communities, for their families, for our agencies. *Out of home placement – whether it is juvenile justice, mental health, adult prisons, and substance abuse services – these kids are coming back for services. Spending these dollars wisely is essential. These programs all share certain basic elements.*

NC programs

We are trying to follow the National strategy –

1. Developing assessment tools – A good sign - DJJDP, DSS and MH/DD/SAS are working together on common tools

2. Core services – Long term goal of DJJDP is for each county/judicial district to have basic services including

   Restorative programs – restitution – teen court - mediation - community service
   These can serve large numbers of kids for a relatively low cost and do no harm

   Programs for suspended and expelled students – a special problem in North Carolina

   Intensive community based programming for more serious juveniles
   Again a very good sign - joint planning on "at risk children's plan" with DSS, MH/DD/SAS - this needs all the encouragement you can provide

   Emergency Shelters

There are issues of scale for intensive services that require specialized personnel. The GCC has encouraged multi county efforts – Far West Model – next year at least two other initiatives based upon this model. Important because there are tremendous efficiencies when smaller counties can share resources, especially for intensive services.

Under intensive programming we have a number of Blue Print Projects
MST – Durham – Orange - Chatham – Forsyth
Functional Family Therapy – Mecklenburg
Therapeutic Foster Care - Madison County

These are hard programs to implement – there are things that make them different.
They are intensive, attack a number of family based problems, family focused, specialized training, require flexible funding (like the at-risk fund we are trying to establish in MH/DD/SAS), in close supervision of staff, constantly evaluated and up dated.

Governor's Crime Commission - requires that drug prevention grants be based upon evidence based practice, Blue print and other federal guidelines

Structured Day Programs Governor's Crime Commission recommends using a model based in part on the Bethesda Model – working to pull services together – hard, but we have some great examples – where DJJDP, GCC, MAJORS, local education, and System of Care money are used together in the same program.

Governor's Crime Commission staff is constantly monitoring national research. We also work closely with area universities to assess new information.

THE NATIONAL BLUE PRINTS PROGRAM

The national BLUE PRINTS PROGRAM was developed to identify programs that had been proven to prevent juvenile violence. In 1996, the Center for the Study and Prevention of Violence (CSPV) in Colorado, with funding from the Colorado Division of Criminal Justice and the Centers for Disease Control, initiated a project to identify violence prevention programs that met a very high scientific standard of program effectiveness—*programs that worked.*

The objective was to identify truly outstanding programs, and to describe these interventions in a series of "blueprints" which describe the theoretical rationale, the core components of the program as implemented, the evaluation designs and results, and the practical experiences programs encountered while implementing the program at multiple sites.

Blueprints were designed to be practical descriptions of effective programs which would allow states, communities, and individual agencies to:

(1) determine the appropriateness of this intervention for their state or community;

(2) provide a realistic cost estimate for this intervention;

(3) provide an assessment of the organizational capacity needed to ensure its successful start-up and operation over time; and

(4) give some indication of the potential barriers and obstacles that might be encountered when attempting to implement this type of intervention.

The following Blue Prints Model Programs were selected from a review of over 450 violence prevention programs. The criteria for selecting the Blue Prints programs establishes a very high standard - one that proved difficult to meet. The Blue Prints program office can provide communities with detailed descriptions for each program.

Midwest Prevention Program
Big Brothers Big Sisters
Functional Family Therapy
Quantum Opportunities
Life Skills Training
Multisystemic Therapy
Nurse Home Visitation
Treatment Foster Care
Bullying Prevention
PATHS

Information about the Blueprints project can be found at:
http://www.Colorado.EDU/cspv/blueprints/index.html

(Or call Donna Robinson, Kimberly Joris, Roshanna Parker or Joel Rosch at the Governor's Crime Commission 733-4564.)

Summary of Key Economic Measures for Programs

(All Dollar Values are in 1998 Dollars)

	Estimated Program Cost Per Participant	Criminal Justice System Benefits (Taxpayer Cost Savings)		Criminal Justice System AND Crime Victim Benefits	
		Per Participant	Benefits Per Dollar of Cost	Per Participant	Benefits Per Dollar of Cost
	(1)	(2)	(3)	(4)	(5)
Early Childhood Programs					
Perry Pre-School	$13,938	$9,237	**$0.66**	$20,954	**$1.50**
Syracuse Family Development Research Program	$45,092	$8,613	**$0.19**	$15,487	**$0.34**
Nurse Home Visitation	$7,403	$6,155	**$0.83**	$11,369	**$1.54**
Middle Childhood Programs					
Seattle Social Development Project	$3,017	$2,704	**$0.90**	$5,399	**$1.79**
Adolescent (Non-Juvenile Offender) Programs					
Quantum Opportunities Program	$18,292	$1,582	**$0.09**	$2,290	**$0.13**
Big Brothers Big Sisters of America	$1,009	$1,313	**$1.30**	$2,143	**$2.12**
Juvenile Offender Programs					
Community-Based Programs					
Multi-Systemic Therapy	$4,540	$38,047	**$8.38**	$61,068	**$13.45**
Functional Family Therapy	$2,068	$14,167	**$6.85**	$22,739	**$10.99**
Aggression Replacement Training	$404	$7,896	**$19.57**	$12,674	**$31.40**
Adolescent Diversion Project	$1,509	$11,508	**$7.62**	$20,547	**$13.61**
Multidimensional Treatment Foster Care	$1,934	$27,202	**$14.07**	$43,661	**$22.58**
Juvenile Intensive Supervision (Probation)	$1,500	$1,347	**$0.90**	$2,235	**$1.49**
Juvenile Intensive Supervision (Parole)	n/a	n/a	**n/a**	n/a	**n/a**
Institutional-Based Programs					
Juvenile Boot Camps	-$1,964	($4,680)	**$0.42**	($7,511)	**$0.26**
Juvenile Institutional Treatment Services	n/a	n/a	**n/a**	n/a	**n/a**
Adult Offender Programs					
Community-Based Programs					
Job Counseling & Job Search for Inmates Leaving Prison	$539	$1,532	**$2.84**	$2,154	**$4.00**
Drug Courts	$2,000	$3,385	**$1.69**	$4,368	**$2.18**
Short-term Financial Assistance for Inmates Leaving Prison	$2,718	$2,080	**$0.77**	$2,924	**$1.08**
Subsidized Jobs for Inmates Leaving Prison	$10,089	$6,750	**$0.67**	$9,490	**$0.94**
Adult Intensive Supervision Programs	$3,345	$1,298	**$0.39**	$1,730	**$0.52**
Case Management Substance Abuse Programs	$2,144	($329)	**($0.15)**	($456)	**($0.21)**
Work Release Programs	$0	$0	**n/a**	$0	**n/a**
Community-Based Substance Abuse Treatment	n/a	n/a	**n/a**	n/a	**n/a**
In-Prison Programs					
Moral Reconation Therapy	$285	$2,330	**$8.17**	$3,275	**$11.48**
Reasoning and Rehabilitation	$296	$750	**$2.54**	$1,039	**$3.51**
In-Prison Vocational Education	$1,876	$4,316	**$2.30**	$6,068	**$3.23**
Adult Basic Education	$1,888	$3,220	**$1.71**	$4,528	**$2.40**
In-Prison Therapeutic Communities	$5,500	$4,202	**$0.76**	$5,908	**$1.07**
Sex Offender Treatment Programs	$6,435	$1,591	**$0.25**	$1,681	**$0.26**
Life Skills Programs	$809	$0	**$0.00**	$0	**$0.00**
Correctional Industries	n/a	$1,725	**n/a**	$2,426	**n/a**
In-Prison Non-residential Substance Abuse Treatment	n/a	n/a	**n/a**	n/a	**n/a**
Other Cognitive Behavioral Therapy	n/a	n/a	**n/a**	n/a	**n/a**

Note: An "n/a" means that the Institute was not able to develop estimates because of insufficient information.

For each program, three key summary measures are reported on the table.

1. **The cost of the program, per participant.** This estimated cost is shown in the first column of the table.
2. **Taxpayer benefits.** Columns 2 and 3 provide our estimates of the crime-related benefits to taxpayers that a program can produce. Column 2 indicates the estimated *total* dollar amount of benefits—per program participant—a taxpayer is expected to receive in avoided downstream criminal justice costs. Column 3 divides the total taxpayer benefits (in column 2) by the costs (in column 1) to arrive at a benefit-to-cost ratio. Values in column 3 greater than $1.00 mean that, from a taxpayer's perspective, the crime-reducing benefits are greater than the costs.
3. **Taxpayer *and* crime victim benefits.** Columns 4 and 5 provide our estimates of the taxpayer benefits (from column 2) AND the benefits to crime victims when a program lowers crime. Column 4 reports the *total* estimated taxpayer and victim benefits per program participant, while column 5 divides this sum by the program costs (from column one) to produce a benefit-to-cost ratio.

Handout # 2
April 19, 01

GOVERNOR'S CRIME COMMISSION
2001 GRANT ANNOUNCEMENT

JUVENILE DELINQUENCY PREVENTION COMMITTEE

Mission Statement:

The mission of the Juvenile Delinquency Prevention Committee is to prevent juveniles from becoming delinquent by educating the citizens of North Carolina to the fact that *"prevention pays."*

RECOMMENDED PROGRAM PRIORITIES

A. **After School and/or Summer and Weekend Programs that include academic tutoring, parent involvement and communication plus at least two** of the following components will be considered for funding:

- Mentoring
- Life Skills
- Structured Recreation
- Program Accessibility
- Community Service
- Conflict Resolution/Anger Management
- Basic Computer Skills
- Drop Out Prevention
- Vocation and Career Planning

B. **Child Victim Programs** which include the family in the following areas will be considered for funding:

- Provide counseling services for children who have been effected by domestic violence
- Programs that address breaking the cycle of abuse (sexual and physical) and neglect in families
- Programs to treat juvenile offenders who are victims of abuse and neglect
- Programs that address youth with aggressive behaviors, i.e. bullying
- Programs to address teen suicide

C. **School Readiness Programs** like the following will be considered for funding if they target the age group birth through 6 years of age:

- Programs that provide preschool youth with educational instruction, social interaction and other services necessary for school readiness
- Programs that provide skills that lead to reading readiness
- Programs for day care and kindergarten teachers that address diversity and cultural sensitivity issues

D. **Parent Education Programs**

- Programs that provide parenting and life skills education for all parents, (especially teen parents) family members or guardians
- Programs that provide parenting skills through home visits
- Programs that provide parenting and life skills training for parents who have been involved with the justice system and/or parents of juvenile offenders
- Programs that provide parenting and life skills for fathers
- Programs that help parents identify early warning signs for inappropriate behavior and methods to address them

E. Disproportionate Minority Confinement

- Programs that provide training and education for juvenile justice practitioners, law enforcement, appropriate elected and appointed officials, educators, and the public at large regarding issues related to disproportionate representation of minority youth in confinement
- Programs that provide training and education for the at risk population regarding issues related to disproportionate representation of minority youth in the juvenile justice system
- Programs that increase the availability of services which prevent at-risk minorities from becoming involved in the juvenile justice system
- Provide prevention programs in communities with a high percentage of minority over-representation by placing an emphasis on community based alternatives that serve minority youth
- Programs that address closing the minority achievement gap
- Programs that assist schools in keeping minority youth in school, including educational alternatives for suspended and expelled students
- Programs that address areas with high minority confinement

NON ALLOWABLE COSTS

Indirect costs will not be funded.
(This includes maintenance of facilities)

Purchasing of vehicles is not allowable but programs are encouraged to contract for transportation and the leasing of a vehicle.

Purchase of buildings is not allowable.

Purchase of land is not allowable.

Construction costs are not allowable.

PROGRAMS MUST

1. Explain how the proposed program meets the needs of the county's "plan of action" for the expenditure of juvenile sanctions and prevention funds drawn up by the Juvenile Crime Prevention Council (JCPC) as defined in statute **147-33.66**.

   147-33.66 reads as follows: *The Councils* (Juvenile Crime Prevention Councils) *shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated, undisciplined or delinquent and the resources available to address those needs.* ***The council shall develop and advertise a request for proposal process and submit a written plan of action for the expenditure of juvenile sanction and prevention funds to the board of county commissioners for its approval.*** *Upon the county's authorization, the plan shall be submitted to the Department of Juvenile Justice and Delinquency Prevention for final approval and implementation.*

2. Include a description of the at-risk youth population the program will target.

3. Assess community risk and protective factors and identify existing resources

4. Demonstrate a commitment through collaboration and/or partnerships

5. Incorporate an evaluation process that is outcome based

6. Evaluate effectiveness of the program by stating specific results you plan to achieve.

Juvenile Justice Intervention Committee

Mission Statement:

The mission of the Juvenile Justice Intervention Committee is to provide resources for juveniles who are delinquent, undisciplined or involved in the juvenile court intake process to prevent further illegal behavior. Families of those juveniles may also be served.

RECOMMENDED PROGRAM PRIORITIES

The following funding priorities MUST be designed for (1) juveniles who have been adjudicated delinquent or undisciplined; and/or (2) juveniles who are involved in the juvenile court intake process (diversion); and/or (3) the families of the above mentioned juveniles:

A. **Emergency shelter programs** that provide brief (1 to 30 days) placement for juveniles while the family is being stabilized.

B. **Programs** that help reduce disproportionate minority confinement . These programs should include three of the following elements: Mentoring, Life Skills Training, Structured Recreation, Academic Tutoring; Parent Involvement, Community Service, Conflict Resolution, Anger Management, or Basic Computer Skills.

C. **Programs that involve working with the family units of juveniles** who are delinquent, undisciplined or involved in the juvenile court intake process.

D. **Community-based day or after-school programs.** These programs should **include three of the following elements: Appropriate Educational Services, School Re-entry Planning, Life Skills Training, Structured Recreation, Parent Involvement, Community Service, Conflict Resolution, Anger Management, or Basic Computer Skills.**

E. **Restorative justice programs that serve juveniles**

PROGRAMS MUST:

1. Explain how the proposed program meets the needs of the county's "plan of action" for the expenditure of juvenile sanctions and prevention funds drawn up by the Juvenile Crime Prevention Council (JCPC) as defined in statute **147-33.66**.

   147-33.66 reads as follows: *The Councils (Juvenile Crime Prevention Councils) shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated, undisciplined or delinquent and the resources available to address those needs.* ***The council shall develop and advertise a request for proposal process and submit a written plan of action for the expenditure of juvenile sanction and prevention funds to the board of county commissioners for its approval.*** *Upon the county's authorization, the plan shall be submitted to the Department of Juvenile Justice and Delinquency Prevention for final approval and implementation.*
2. Be community-based and other than emergency shelters, must be non-residential.
3. Serve juveniles who are delinquent, undisciplined or involved in the juvenile court intake process.
4. Encourage multi-county collaboration.
5. Collaborate with the juvenile court counselor's office.
6. Have clear and appropriate evaluation components that include information about management of cases and collaboration with other service providers in the juvenile justice system.

THE GOVERNOR'S CRIME COMMISSION
JUVENILE JUSTICE FUNDING
By
PROGRAM PRIORITY
1999/2001

JUVENILE DELINQUENCY PREVENTION COMMITTEE

PRIORITY	No. of Programs	Total Dollar Amount
A. After school and Summer Programs	76	$6,397,700
B. Child Victim Programs	12	$1,347,755
C. School Readiness Programs	8	$ 798,610
D. Parent Education Programs	8	$ 683,451
TOTALS	**102**	**$ 9,227,516**

JUVENILE JUSTICE INTERVENTION COMMITTEE

PRIORITY	No. of Programs	Total Dollar Amount
A. Emergency Shelter Programs	1	$102,000
B. Disproportionate Minority Confinement	1	$196,125
C. Programs That Work With the Family Units of Court Involved Juveniles	16	$2,742,060
D. Community-Based Day or After-School Programs With Alternative Learning Programs	29	$7,658,428
E. Restorative Justice Programs	12	$712,288
TOTALS	**59**	**$11,410,901**

Projects Currently Funded by the Governor's Crime Commission

Handout 3 April 19, 01

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Alamance						
County of Alamance	**10006**	55,100.80	51,656.80	51,656.80	2000 VOCA	This project will provide a parent advocate and child specialist for domestic violence shelter residents and provide domestic violence prevention programming in the schools in Alamance County.
Family Abuse Services of Alamance Co	001-1-00-012-V-061	56,085.60	0.00	0.00	7/1/2000 - 6/30/2001	
Help for Victims of Domestic Violence	VICTIM'S SERVICES	111,186.40	51,656.80	51,656.80		
CROSSROADS	**10493**	48,945.60	48,945.60	48,945.60	2000 VOCA	Children's Advocacy Center (CAC) will provide state of the art coordination and expanded services to child sexual abuse victims and their supportive family members in Alamance County and referring jurisdictions.
CrossRoads: Sexual Assault Resp. & R	001-1-00-030-V-635	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
CrossRoads: Children's Advocacy Cent	VICTIM'S SERVICES	48,945.60	48,945.60	48,945.60		
City of Burlington	**10147**	12,944.25	12,944.25	12,944.25	2000 DCSI	This project will supply the Burlington Police Department with a mapping system to do a GIS project.
Burlington Police Department	001-1-00-15B-D-120	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Geographic Mapping / Crime Analysis	INFORMATION SYSTEMS &	12,944.25	12,944.25	12,944.25		
	County Totals:	173,076.25	113,546.65	113,546.65		
Alexander						
County of Alexander	**9795**	79,762.50	70,000.00	70,000.00	2000 DCSI	This project will upgrade and enhance the computer technology for the Alexander County Sheriff's Office. This proposed project includes several software packages which will assist the department. These programs include Records Management, Civil Documents, Evidence Management, and Jail Management.
Alexander County Sheriff's Office	002-1-00-15B-D-007	7,830.00	0.00	0.00	7/1/2000 - 6/30/2001	
Records Management System	INFORMATION SYSTEMS &	87,592.50	70,000.00	70,000.00		
SAFE, Inc.	**10018**	95,506.49	75,000.00	75,000.00	2000 VAWA	This project will hire a victim advocate to support domestic violence victims in Alexander County which currently does not have a local service provider. Services include establishment of crisis intervention services, and court advocacy.
Safe, Inc.	002-1-00-1VA-W-073	82,187.50	75,000.00	75,000.00	7/1/2000 - 6/30/2001	
Domestic Violence Resource Center of	VICTIM'S SERVICES	177,693.99	150,000.00	150,000.00		
	County Totals:	265,286.49	220,000.00	220,000.00		
Anson						
Anson County Schools	**10371**	30,336.75	30,336.75	30,336.75	2000 DCSI	This project will provide for a school resource officer for the Anson Middle School.
Anson Middle School	004-1-00-004-D-397	31,466.25	0.00	0.00	7/1/2000 - 6/30/2001	
Middle School SRO	DRUG CONTROL & SUBST	61,803.00	30,336.75	30,336.75		
	County Totals:	61,803.00	30,336.75	30,336.75		
AOC						
Administrative Office of the Courts	**10574**	541,799.99	541,799.99	541,800.00	2000 NCHIP	In North Carolina there is a need for a complete and effective Statewide Warrant Repository of process including warrants and orders for arrest. The new Statewide Warrant Repository system will support the automated entry and maintenance of warrants and orders for arrest.
Administrative Office of the Courts	110-1-00-001-N-901	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Statewide Warrant Repository	INFORMATION SYSTEMS &	541,799.99	541,799.99	541,800.00		
Administrative Office of the Courts	**9917**	38,844.75	38,844.75	38,844.75	2000 DCSI	This project will provide for a special prosecutor to target and prosecute habitual felons in the 20th Judicial District.
District Attorney's Office -- 20th	110-1-00-008-D-317	39,450.00	0.00	0.00	7/1/2000 - 6/30/2001	
Bullseye Project	DRUG CONTROL & SUBST	78,294.75	38,844.75	38,844.75		
Administrative Office of the Courts	**9916**	45,835.50	45,835.50	45,835.50	2000 DCSI	This project will provide training and certification of interpreters, development of guidelines, translation of criminal and cvil forms for non-English speaking persons.
Administrative Office of the Courts	110-1-00-010-D-316	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Judicial Branch Foreign Language Serv	DRUG CONTROL & SUBST	45,835.50	45,835.50	45,835.50		

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Administrative Office of the Courts	**9891**	69,119.20	64,935.20	64,935.20	2000 VOCA	This project will support staff to recruit, train, and supervise 100 pro bono attorneys to provide legal assistance to victims of child abuse and neglect. This is a statewide effort.
Guardian ad Litem Program	110-1-00-030-V-024	70,876.00	0.00	0.00	10/1/2000 - 9/30/2001	
Guardian ad Litem Pro Bono Attorney P	VICTIM'S SERVICES	139,995.20	64,935.20	64,935.20		
Administrative Office of the Courts	**9892**	119,649.60	98,800.80	98,800.80	2000 VOCA	This project will support staff to recruit 400 volunteers statewide to accompany victims of child abuse and neglect to court.
Guardian ad Litem Program	110-1-00-030-V-025	113,164.00	0.00	0.00	7/1/2000 - 6/30/2001	
Guardian ad Litem Corporate Volunteer	VICTIM'S SERVICES	232,813.60	98,800.80	98,800.80		
Administrative Office of the Courts	**9888**	21,627.20	20,200.00	20,200.00	2000 VOCA	This project will provide funding to support translation of brochures, public service announcements, and other literature related to victims' rights statewide. The literature explains the criminal justice system.
N.C. Conference of District Attorneys	110-1-00-042-V-021	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Victim's Services: Special Populations	VICTIM'S SERVICES	21,627.20	20,200.00	20,200.00		
Administrative Office of the Courts	**9889**	327,384.00	306,140.00	306,140.00	2000 VOCA	This project will support installation of equipment necessary to provide Statewide Automated Victim Assistance and Notification statewide, through all 39 prosecutorial districts.
N.C. Conference of District Attorneys	110-1-00-050-V-022	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Technology for Victims Services	VICTIM'S SERVICES	327,384.00	306,140.00	306,140.00		
Administrative Office of the Courts	**9792**	197,779.34	136,000.01	136,000.00	2000 DCSI	This project will allow all parts of the court system to share numerous types of information with the public and one another. Web site requests from court programs, divisions, commissions, and districts have increased significantly in number. Most requests are for needs shared by the court system statewide. This project will allow AOC to develop and implement a plan of action for addressing these needs.
Administrative Office of the Courts	110-1-00-15B-D-004	128,770.58	136,000.01	136,000.00	7/1/2000 - 6/30/2001	
Web Training & Intranet Development	INFORMATION SYSTEMS &	326,549.91	272,000.01	272,000.00		
Administrative Office of the Courts	**9920**	130,551.00	130,551.00	130,551.00	2000 DCSI	This project will redesign a system that has been in place since 1984. This Automated Criminal Information System will allow the AOC to have a relational database design for informational needs.
Administrative Office of the Courts	110-1-00-15B-D-046	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Data and Process Modeling	INFORMATION SYSTEMS &	130,551.00	130,551.00	130,551.00		
Administrative Office of the Courts	**10137**	28,275.00	28,275.00	28,275.00	2000 DCSI	This project will upgrade the current information systems in this office.
District Attorney's Office -- 20th	110-1-00-15B-D-110	28,275.00	28,275.00	28,275.00	7/1/2000 - 6/30/2001	
Information and Technology Improvem	INFORMATION SYSTEMS &	56,550.00	56,550.00	56,550.00		
Administrative Office of the Courts	**9867**	59,550.00	38,375.25	39,125.25	2000 VAWA	This project will support staff in the Wake County District Attorney's office to coordinate and provide services to domestic violence victims.
Wake County District Attorney's Office	110-1-00-3VA-W-018	61,147.50	0.00	0.00	10/1/2000 - 9/30/2001	
Domestic Violence Court Administrator	VICTIM'S SERVICES	120,697.50	38,375.25	39,125.25		
Administrative Office of the Courts	**9887**	77,156.63	77,156.25	77,156.25	2000 VAWA	This project will devote an assistant district attorney and other staff to provide services to domestic violence and sexual assault victims in Alamance County. This project will also expand services to the underserved Hispanic population.
District Attorney's Office -- 15A	110-1-00-3VA-W-020	82,435.21	0.00	0.00	10/1/2000 - 9/30/2001	
Domestic Violence/Sexual Assault Unit	VICTIM'S SERVICES	159,591.84	77,156.25	77,156.25		
Administrative Office of the Courts	**9890**	77,775.75	77,700.75	77,700.75	2000 VAWA	This project will develop a comprehensive domestic violence and sexual assault protocol and training curriculum to be used statewide. The guide and curriculum will improve law enforcement and prosecutor responses to domestic violence and sexual assault.
N.C. Conference of District Attorneys	110-1-00-3VA-W-023	77,775.75	0.00	0.00	7/1/2000 - 6/30/2001	
Law Enforcement / Prosecutor Coopera	VICTIM'S SERVICES	155,551.50	77,700.75	77,700.75		
Administrative Office of the Courts	**10221**	86,277.00	94,217.85	94,217.85	2000 VAWA	This project will support the creation of a domestic violence unit in the Gaston County district attorney's office. The project will hire an assistant district attorney, investigator and a victim witness coordinator to enhance services to domestic violence victims.
Administrative Office of the Courts	110-1-00-3VA-W-112	83,595.75	0.00	0.00	10/1/2000 - 9/30/2001	
Domestic Violence Unit	VICTIM'S SERVICES	169,872.75	94,217.85	94,217.85		

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Administrative Office of the Courts	**9793**	262,500.00	262,500.00	262,500.00	2000 JAIBG	This project will create a conceptual design study as a foundation for a comprehensive, fully integrated automation system to support Family Courts in scheduling, monitoring, and managing Family Court activities, including delivery of services, aggregation and compilation of appropriate data and creation of management reports as required by statute.
Administrative Office of the Courts -- C	110-1-00-CBP-K-005	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Family Courts Case Management & Da	INFORMATION SYSTEMS &	262,500.00	262,500.00	262,500.00		
Administrative Office of the Courts	**10199**	111,256.50	111,256.50	111,256.50	2000 JAIBG	This project will provide for the expansion of the N.C. Drug Treatment Court program to include adolescents and abusive/neglectful parents. This project will develop a case management-based state plan to include policies, procedures and guidelines for the implementation of more local drug court programs.
Administrative Office of the Courts	110-1-00-CBP-K-373	116,424.00	116,424.00	116,424.00	7/1/2000 - 9/30/2001	
NC Juvenile/Family Drug Treatment Co	DRUG CONTROL & SUBST	227,680.50	227,680.50	227,680.50		
Administrative Office of the Courts	**10424**	202,746.40	202,746.40	202,746.40	1998 VOCA	The Guardian as Litem Program will enhance services to child abuse and neglect victims through automating its 57 field offices and providing email and internet services from the field offices to the four regional and the central offices.
AOC -- Guardian ad Litem Program	110-1-98-003-V-576	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Guardian ad Litem Automation Project	VICTIM'S SERVICES	202,746.40	202,746.40	202,746.40		
Administrative Office of the Courts	**8535**	105,870.00	105,870.00	180,870.00	1998 DCSI	This project will establish and assess the first juvenile drug court in North Carolina. These program have worked well in other states.
Carolina Correctional Services, Inc.	110-1-98-013-D-229	105,795.75	105,795.75	0.00	7/1/1998 - 9/30/2001	
Wake Juvenile Drug Treatment Court	Judicial	211,665.75	211,665.75	180,870.00		
Administrative Office of the Courts	**9477**	105,187.50	105,187.50	211,500.00	1999 DCSI	This program will provide funding for a Family Drug Treatment Court which will refer, treat, and monitor parents suspected of drug and /or child abuse.
AOC - Mecklenburg Co. Drug Treatmen	110-1-99-013-D-450	106,312.50	106,312.50	0.00	7/1/1999 - 6/30/2001	
Mecklenburg County Family Drug Treat	DRUG CONTROL & SUBST	211,500.00	211,500.00	211,500.00		
Administrative Office of the Courts	**9515**	96,091.50	96,091.50	96,091.50	1999 DCSI	This program will provide funding for development of a modified resource allocation model.
NC Assn. of Clerks of Superior Court	110-1-99-019-D-433	0.00	0.00	0.00	7/1/1999 - 1/31/2001	
Clerks Resource Analysis Final Phase	DRUG CONTROL & SUBST	96,091.50	96,091.50	96,091.50		
Administrative Office of the Courts	**10396**	44,478.00	44,478.00	44,478.00	1999 DCSI	The basic question addressed in this project is whether factors other than those legally relevant affect the processing and disposition of criminal cases under North Carolina's Structured Sentencing law.
NC Sentencing and Policy Advisory Co	110-1-99-019-D-469	0.00	0.00	0.00	4/1/2000 - 4/30/2001	
Pilot Study of Sentencing Disparities	DRUG CONTROL & SUBST	44,478.00	44,478.00	44,478.00		
Administrative Office of the Courts	**9493**	344,599.13	78,841.50	78,841.50	1999 VAWA	This project will provide domestic violence teams--assistant district attorneys, victim witness assistants, follow-up coordinators, legal assistants, and a domestic violence training specialist in Anson, Stanly, Richmond and Union Counties.
District Attorney's Office - 20th	110-1-99-3VA-W-166	334,549.13	0.00	0.00	7/1/1999 - 9/30/2000	
Domestic Violence Training and Preven	VICTIM'S SERVICES	679,148.25	78,841.50	78,841.50		
Administrative Office of the Courts	**10594**	52,640.00	52,640.00	52,640.00	2000 VOCA	The Guardian ad Litem Volunteer Recruiter will continue her work to recruit 800 community volunteers to be trained to serve as court advocates of child victims or abuse and neglect across the state.
Guardian ad Litem Program	110-2-00-030-V-304	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Guardian ad Litem Volunteer Recruiter	VICTIM'S SERVICES	52,640.00	52,640.00	52,640.00		
Administrative Office of the Courts	**10598**	307,718.00	307,718.00	307,718.00	2000 VOCA	The 1996 Victim's Rights Constitutional Amendment focused on victim notification responsibilities in DA's offices. The SAVAN system handles many of the routine notifications as is required. An interface between SAVAN and the court's Case Management System will provide victims information and more effectviely provide the information across multi-county jurisdictions.
NC Administrative Office of the Courts	110-2-00-050-V-445	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Statewide Automated Victim Assistanc	VICTIM'S SERVICES	307,718.00	307,718.00	307,718.00		

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Administrative Office of the Courts	**10590**	39,246.00	39,246.00	39,246.00	2000 VAWA	This project will support a Victim/Witness Advocate to provide enhanced services to domestic violence and sexual assault victims in Durham County. Services will be provided through the DA's office and will include court advocacy, court preparation, support, and information and referral services.
District Attorney's Office -- 14th	110-2-00-3VA-W-081	0.00	0.00	0.00	1/1/2001 - 6/30/2001	
CJ Intervention Prog. For DV/SA Victim	VICTIM'S SERVICES	39,246.00	39,246.00	39,246.00		
Administrative Office of the Courts	**10548**	83,450.25	83,450.25	83,450.25	2000 VAWA	This project will provide domestic violence teams including assistant district attorneys, victim witness assistants, follow-up coordinators, legal assistants, and domestic violence training specialists in Anson, Stanly, Richmond, and Union counties.
District Attorney's Office -- 20th	110-2-00-3VA-W-166	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Domestic Violence Training & Preventio	VICTIM'S SERVICES	83,450.25	83,450.25	83,450.25		
	County Totals:	4,925,979.40	3,681,665.26	3,651,619.50		

Ashe

Ashe County Schools	**9818**	34,120.00	34,120.00	34,120.00	2000 JJDP	This project will provide academic assistance, counseling, attendance monitoring, and career preparation to 30 at-risk students who currently attend Ashe County High School.
Ashe County School System	005-1-00-P01-J-003	35,550.00	35,550.00	35,550.00	7/1/2000 - 6/30/2001	
TAP -- Targeted Assistance Program	JUV. DELINQ. PREVENTIO	69,670.00	69,670.00	69,670.00		
Ashe Partnership For Children	**10405**	73,038.00	73,038.00	73,038.00	2000 VAWA	This project will support services to domestic violence and abuse victims and their children, as related to domestic violence, in Ashe County. There are currently no domestic violence service providers in Ashe County.
Ashe Family Resource Center	005-2-00-4VA-W-057	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
A.S.H.E. -- A Safe Home for Everyone	VICTIM'S SERVICES	73,038.00	73,038.00	73,038.00		
	County Totals:	142,708.00	142,708.00	142,708.00		

Avery

County of Avery	**9413**	39,020.73	31,762.39	28,561.38	1999 VAWA	This project will support a deputy to provide services to domestic violence victims in Avery County.
Avery County Sheriff's Office	006-1-99-2VA-W-137	33,583.23	0.00	0.00	7/1/1999 - 12/31/2000	
Domestic Violence Intervention Progra	VICTIM'S SERVICES	72,603.96	31,762.39	28,561.38		
	County Totals:	72,603.96	31,762.39	28,561.38		

Beaufort

Mid-East Commission	**10479**	285,000.00	285,000.00	330,000.00	2000 TF 2000 TF	This project will fund the establishment of a multijurisdictional task force to address documented drug trafficking in rural northeastern North Carolina.
Roanoke-Chowan Narcotics Task Forc	007-1-00-001-S-628	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Roanoke-Chowan Narcotics Task Forc	DRUG CONTROL & SUBST	285,000.00	285,000.00	330,000.00		
Options, Inc.	**9905**	23,460.00	21,994.40	21,994.40	2000 VOCA	This project will provide support, counseling, shelter and other services to domestic violence and sexual assault victims in Beaufort County.
Options, Inc.	007-1-00-011-V-038	22,593.60	21,180.80	21,180.80	7/1/2000 - 6/30/2001	
Court Advoc. & Intermediate S.A. Grou	VICTIM'S SERVICES	46,053.60	43,175.20	43,175.20		
Options, Inc.	**10425**	55,799.20	55,799.20	55,799.20	2000 VOCA	
Options to Dom. Viol. & Sexual Assault,	007-1-00-011-V-601	54,947.20	0.00	0.00	7/1/2000 - 6/30/2001	
Hyde County Court Advocate / Program	VICTIM'S SERVICES	110,746.40	55,799.20	55,799.20		
Options, Inc.	**10411**	24,697.60	24,697.60	24,697.60	2000 VOCA	This project will provide services to domestic violence and sexual assault victims in rural areas of Hyde and Tyrrell counties and will improve outreach and services to the Hispanic population.
Options to Dom. Violence & Sexual Ass	007-2-00-011-V-039	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Court Advocate for Tyrrell	VICTIM'S SERVICES	24,697.60	24,697.60	24,697.60		
	County Totals:	466,497.60	408,672.00	453,672.00		

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Bladen						
County of Bladen	**9817**	25,500.00	25,500.00	25,500.00	2000 DCSI	This project will place four Mobile Data Terminals in the Bladen County Sheriff's Office to be placed within the department's patrol vehicles.
Bladen County Sheriff's Office	009-1-00-15B-D-017	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Terminals	INFORMATION SYSTEMS &	25,500.00	25,500.00	25,500.00		
County of Bladen	**9834**	84,063.75	84,063.75	84,063.75	2000 DCSI	This project will implement a GIS project for Bladen County. It will establish crime analysis data and software for sharing records and information among all law enforcment agencies in Bladen County.
Bladen County Sheriff's Office	009-1-00-15B-D-023	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Bladen County GIS	INFORMATION SYSTEMS &	84,063.75	84,063.75	84,063.75		
	County Totals:	109,563.75	109,563.75	109,563.75		
Brunswick						
City of Southport	**9799**	2,437.50	2,437.50	2,437.50	2000 DCSI	This project will allow the City of Southport Police Department to migrate from their current DCI network data to Unisys Uniscope legacy line to TCP/IP Compliance. This conversion is mandated by Federal and State regulations, via North Carolina Information Resource Management Commission.
Southport Police Department	010-1-00-15B-D-011	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
D.C.I. Upgrade	INFORMATION SYSTEMS &	2,437.50	2,437.50	2,437.50		
County of Brunswick	**9946**	75,000.00	69,999.75	70,000.00	2000 DCSI	This project will expand and enhance after school programming at two middle schools and five elementary schools. The project will serve approximately 150 students, ages 6-14.
Communities In Schools of Brunswick	010-1-00-P01-D-032	77,167.50	69,999.75	70,000.00	7/1/2000 - 6/30/2001	
After School Extended Learning	JUV. DELINQ. PREVENTIO	152,167.50	139,999.50	140,000.00		
Town of Oak Island	**10168**	37,540.00	27,470.00	27,470.00	2000 JJDP	This project will provide an after school and summer program for youth ages 13-17. The components will include educational, social, recreational and community service programs.
Oak Island Parks and Recreation Depa	010-1-00-P01-J-071	38,250.00	29,372.50	29,372.50	7/1/2000 - 6/30/2001	
"On the Right Track"	JUV. DELINQ. PREVENTIO	75,790.00	56,842.50	56,842.50		
County of Brunswick	**9971**	40,089.60	37,584.00	37,584.00	2000 VOCA	This project will serve children who have witnessed domestic violence and will assist their mother in working through the crisis situation.
Hope Harbor Home, Inc.	010-1-00-P02-V-057	40,618.40	38,079.75	38,079.75	7/1/2000 - 6/30/2001	
Children's Program	JUV. DELINQ. PREVENTIO	80,708.00	75,663.75	75,663.75		
City of Northwest	**10175**	30,330.00	30,330.00	30,180.00	2000 DCSI	This project will provide an after school program for youth ages 8-10. The components will include academic tutoring, recreation and computer training.
Northwest Police Department	010-1-00-P05-D-079	19,380.00	19,380.00	19,380.00	7/1/2000 - 6/30/2001	
Northwest Intercession Camp	JUV. DELINQ. PREVENTIO	49,710.00	49,710.00	49,560.00		
Brunswick County Schools	**9189**	44,877.58	44,877.58	85,141.44	1999 DCSI	This project will provide an after school program for suspended middle school students.
Shallotte Middle School	010-1-99-004-D-374	40,675.06	0.00	0.00	7/1/1999 - 6/30/2001	
RE-DIRECT	JUV. DELINQ. PREVENTIO	85,552.63	44,877.58	85,141.44		
City of Southport	**8899**	36,280.50	36,280.50	59,957.25	1999 DCSI	This program will provide funding for a property/narcotics nuisance abatement officer.
Southport Police Department	010-1-99-021-D-319	23,676.75	23,676.75	0.00	7/1/1999 - 6/30/2001	
Clean Sweep	DRUG CONTROL & SUBST	59,957.25	59,957.25	59,957.25		
	County Totals:	506,322.89	429,488.08	469,602.44		
Buncombe						
Helpmate, Inc.	**10232**	31,666.40	29,687.20	29,687.20	2000 VOCA	This project will support a court advocate to provide advocacy and counseling services to domestic violence victims in Buncombe County.
Helpmate, Inc.	011-1-00-010-V-125	31,266.40	29,287.20	29,287.20	7/1/2000 - 6/30/2001	
Court Advocate Project	VICTIM'S SERVICES	62,932.80	58,974.40	58,974.40		
City of Asheville	**10120**	44,400.00	44,400.00	34,931.25	2000 DCSI	This project will fund a clinical social worker at the Asheville Police Department to work at reducing the number of calls for service for family violence.
Asheville Police Department	011-1-00-018-D-351	41,550.00	41,550.00	41,550.00	7/1/2000 - 6/30/2001	
SWAPP	DRUG CONTROL & SUBST	85,950.00	85,950.00	76,481.25		

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Buncombe	**9931**	28,824.75	28,824.75	28,824.75	2000 DCSI	This project will provide a violence prevention curriculum for the Buncombe County School System that teaches youth to change their attitudes, beliefs and behaviors that contribute to violent and aggressive behavior. 75 teachers and one thousand students will receive this curriculum.
WNC Child Advocacy and Prevention S	011-1-00-0PA-D-017	28,911.75	28,911.75	28,911.75	7/1/2000 - 6/30/2001	
Second Step	JUV. DELINQ. PREVENTIO	57,736.50	57,736.50	57,736.50		
City of Asheville	**10084**	63,465.00	63,465.00	63,465.00	2000 DCSI	This project will support a consolidation of Asheville's police and other operating departments' GIS data.
Asheville Police Department	011-1-00-15B-D-105	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Community Policing GIS	INFORMATION SYSTEMS &	63,465.00	63,465.00	63,465.00		
County of Buncombe	**10322**	64,663.79	64,663.79	64,663.78	2000 JAIBG	This project will establish restorative justice programs in Buncombe, Henderson, Polk and Rutherford counties. Working through the Office of juvenile Justice the four community dispute settlement centers will offer victim offender mediation, conflict resolution, anger management and communications skills to court involved juveniles and their parents.
The Mediation Center	011-1-00-RJP-K-335	62,606.07	62,606.07	62,606.08	7/1/2000 - 6/30/2001	
28th/29th Jud. Dist. Restorative Just. M	JUV. JUST. INTERVENTION	127,269.86	127,269.86	127,269.86		
Pisgah Legal Services, Inc.	**10473**	65,054.40	65,054.40	65,054.40	1999 VOCA	This project will provide legal services to victims of domestic violence in Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania counties.
Pisgah Legal Services	011-1-99-010-V-623	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mountain Violence Prevention Project	VICTIM'S SERVICES	65,054.40	65,054.40	65,054.40		
County of Buncombe	**9131**	43,195.50	43,195.50	86,505.00	1999 DCSI	This project will establish a comprehensive family based substance abuse prevention program. Based on a nationally recognized Blue Print Model, this program will work with the CTC initiative and the new Juvenile Day Reporting center in Buncombe County.
The Mountain Center for Substance Ab	011-1-99-013-D-453	43,309.50	43,309.50	0.00	7/1/1999 - 6/30/2001	
RFP Program	DRUG CONTROL & SUBST	86,505.00	86,505.00	86,505.00		
City of Asheville	**9118**	19,950.00	19,950.00	19,950.00	1999 DCSI	This project will implement an incident based reporting system (IBASE) for the department.
Asheville Police Department	011-1-99-15B-D-071	19,950.00	0.00	0.00	7/1/1999 - 6/30/2001	
IBASE	INFORMATION SYSTEMS &	39,900.00	19,950.00	19,950.00		
Helpmate, Inc.	**10454**	32,144.80	32,144.80	32,144.80	2000 VOCA	This project will support a child coordinator to provide services to victims of domestic violence victims and their children in Buncombe County.
Helpmate, Inc.	011-2-00-030-V-090	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Children's Program	VICTIM'S SERVICES	32,144.80	32,144.80	32,144.80		
County of Buncombe	**10491**	133,151.44	133,151.44	133,150.00	2000 JAIBG	This project will establish a juvenile day reporting center. The school system is providing the teachers. A number of agencies were involved in this initiative including NC FACES and the local CTC effort.
Asheville City Schools	011-2-00-CBP-K-043	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Asheville/Buncombe Juvenile Day Rep	JUV. JUST. INTERVENTION	133,151.44	133,151.44	133,150.00		
	County Totals:	754,109.79	730,201.39	720,731.21		

Cabarrus

Cabarrus Victims Assistance Network	**10289**	42,506.40	39,850.40	39,850.40	2000 VOCA	This project will continue supporting crisis intervention, counseling, and shelter for adult, teen and child victims of domestic violence in Cabarrus County. The project will also increase services to include expanded court advocacy, community support groups, secondary victim services, and hospital response.
Cabarrus Victims Assistance Network	013-1-00-011-V-154	44,000.00	41,250.40	41,250.40	7/1/2000 - 8/31/2001	
Expanded Direct Services for Domestic	VICTIM'S SERVICES	86,506.40	81,100.80	81,100.80		
NorthEast Medical Center	**9896**	145,439.20	89,216.00	89,216.00	2000 VOCA	This project will expand services to child abuse victims in Cabarrus, Stanly, and Rowan Counties. Services will include resource referrals, family support, medical exams, and a one-stop location for child interviews.
Children's Advocacy Center	013-1-00-030-V-029	148,556.80	91,572.00	91,572.00	7/1/2000 - 6/30/2001	
Children's Advocacy Center	VICTIM'S SERVICES	293,996.00	180,788.00	180,788.00		

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Cabarrus Victim[redacted]sistance Network	**10423**	23,808.00	2[redacted].00	23,808.00	2000 VAWA	This project will support s[redacted]es to sexual assault victims in Cabarrus County. Services will include 24-hour crisis intervention, court advocacy, and counseling.
Cabarrus Victims Assistance Network	013-2-00-4VA-W-142	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Rape Crisis Program	VICTIM'S SERVICES	23,808.00	23,808.00	23,808.00		
	County Totals:	404,310.41	285,696.80	285,696.80		

Caldwell

Caldwell County Schools	**10183**	125,914.50	84,000.00	84,000.00	2000 DCSI	This project will provide for four school resource officers for all of the middle schools in the Caldwell County School System.
Caldwell County Schools	014-1-00-004-D-357	126,311.25	0.00	0.00	7/1/2000 - 6/30/2001	
SRO's in Middle Schools	DRUG CONTROL & SUBST	252,225.75	84,000.00	84,000.00		
Town of Hudson	**9854**	26,076.33	16,000.12	16,000.00	2000 DCSI	This project will provide the Town of Hudson with one Mobile Data Terminal and additional IBASE software.
Hudson Police Department	014-1-00-15B-D-030	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile IBASE / CJIN Initiative	INFORMATION SYSTEMS &	26,076.33	16,000.12	16,000.00		
City of Lenoir	**9923**	60,000.00	60,000.00	60,000.00	2000 DCSI	This project will provide an essential growth phase of GIS implementation for the City of Lenoir. All departments within the City of Lenoir will have access to GIS data through this project.
Lenoir Police Department	014-1-00-15B-D-049	32,625.00	32,625.00	32,625.00	7/1/2000 - 6/30/2001	
GIS in Lenoir	INFORMATION SYSTEMS &	92,625.00	92,625.00	92,625.00		
Town of Granite Falls	**10255**	25,663.11	16,000.81	16,000.00	2000 DCSI	This project will provide the Granite Falls Police Department access to the State DCI system using laptop computers in the patrol vehicles.
Granite Falls Police Department	014-1-00-15B-D-136	17,910.53	0.00	0.00	7/1/2000 - 6/30/2001	
Granite Falls GIS and Mobile	INFORMATION SYSTEMS &	43,573.64	16,000.81	16,000.00		
County of Caldwell	**8881**	79,544.99	72,044.99	132,683.97	1999 DCSI	This program will provide for the creation of a two-man narcotics enforcement team and database.
Caldwell County Sheriff's Office	014-1-99-07A-D-315	68,138.99	60,638.99	0.00	7/1/1999 - 9/30/2001	
C.A.S.T. Communities And Sheriff Tea	DRUG CONTROL & SUBST	147,683.97	132,683.97	132,683.97		
	County Totals:	562,184.70	341,309.91	341,308.97		

Carteret

County of Carteret	**10028**	32,249.71	32,249.71	32,249.70	2000 DCSI	This project will be a collaborative effort between domestic violence advocates, school resource officers, and other education professionals to provide at-risk youth with information and resources to help prevent dating violence in Carteret County.
Carteret County Domestic Violence Pro	016-1-00-018-D-083	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Interagency DV and Dating Violence Pr	JUV. DELINQ. PREVENTIO	32,249.71	32,249.71	32,249.70		
County of Carteret	**10024**	19,253.60	18,050.40	18,050.40	2000 VOCA	This project will provide services to underserved sexual assault victims in Carteret County. Two advocates will outreach to African American and Hispanic women and provide counseling, court advocacy, referrals and other coordinated services in conjunction with the local sexual assault response team.
Carteret County Rape Crisis Program	016-1-00-022-V-079	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Services and Support for Minority Victi	VICTIM'S SERVICES	19,253.60	18,050.40	18,050.40		
Carteret County Schools	**9457**	93,081.00	55,000.00	96,999.25	1999 JJDP	This project will establish an after school & summer program for grades 6-10. The components of this collaborative effort are academic tutoring, structured recreation, transportation, conflict resolution, and parenting.
Carteret County Schools	016-1-99-0PA-J-425	91,767.00	57,005.00	0.00	7/1/1999 - 6/30/2001	
After School Improvement Program	JUV. DELINQ. PREVENTIO	184,848.00	112,005.00	96,999.25		
County of Carteret	**10420**	13,343.20	13,343.20	13,343.20	2000 VOCA	This program will provide counseling and support services including crisis intervention, counseling, and justice system assistance to adolescent victims of sexual assault in Carteret County.
Carteret County Rape Crisis Program	016-2-00-021-V-052	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Teen Victims Services	VICTIM'S SERVICES	13,343.20	13,343.20	13,343.20		
	County Totals:	249,694.51	175,648.31	160,642.55		

Application/Agency/Project	Appl#/Appl#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Catawba						
County of Catawba	**10107**	59,901.00	59,901.00	59,901.00	2000 DCSI	This project will develop a partnership between the Catawba County Sheriff's Office and Mental Health Services by providing the Sheriff's Office with one full-time Clinical Social Worker Specialist to work in cooperation with deputies. Specific areas of work will include domestic violence, suicide and mental health situations.
Mental Health Services of Catawba Co	018-1-00-004-D-338	57,030.00	57,030.00	57,030.00	7/1/2000 - 6/30/2001	
Social Work and Police Partnership	DRUG CONTROL & SUBST	116,931.00	116,931.00	116,931.00		
Catawba County Schools	**10276**	178,860.00	67,500.00	67,500.00	2000 DCSI	This project will provide five school resources officers for each of the middle schools within the Catawba County Public School System.
Catawba County Schools	018-1-00-004-D-387	150,795.00	0.00	0.00	7/1/2000 - 6/30/2001	
SRO's in the Middle	DRUG CONTROL & SUBST	329,655.00	67,500.00	67,500.00		
County of Catawba	**10560**	33,592.50	33,592.50	33,592.50	2000 DCSI	This project will provide funding for an SRO program at two of the county's middle schools.
Catawba County Sheriff's Office	018-1-00-004-D-801	0.00	0.00	0.00	10/1/2000 - 7/31/2001	
SRO's in the Middle/COPS in Schools	DRUG CONTROL & SUBST	33,592.50	33,592.50	33,592.50		
Rape Crisis Center of Catawba County,	**10034**	84,610.00	63,350.00	62,875.00	2000 VAWA	This project will establish a community, interdisciplinary Sexual Assault Response Team (SART) in order to respond more effectively to sexual assault victims in Catawba County.
Rape Crisis Center of Catawba County	018-1-00-1VA-W-089	85,424.00	49,633.00	49,633.00	7/1/2000 - 6/30/2001	
Catawba County SART	VICTIM'S SERVICES	170,034.00	112,983.00	112,508.00		
County of Catawba	**9467**	64,300.00	45,000.00	53,380.00	1999 JJDP	This project will expand an existing after school program to target 350 youths ages 9-17. The components include: life skills, structured recreation, youth discussion groups which target teen pregnancy, violence, substance abuse, and family relations.
Catawba County Social Services	018-1-99-0PA-J-427	4,300.00	3,000.00	0.00	7/1/1999 - 6/30/2001	
Teen Up	JUV. DELINQ. PREVENTIO	68,600.00	48,000.00	53,380.00		
Rape Crisis Center of Catawba County,	**10448**	65,956.80	65,956.80	65,576.80	2000 VOCA	This project will provide support and advocacy services to sexual assault victims in Catawba and Alexander Counties.
Rape Crisis Center	018-2-00-020-V-047	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Sexual Assault Victim Empowerment	VICTIM'S SERVICES	65,956.80	65,956.80	65,576.80		
County of Catawba	**10431**	60,304.58	60,304.58	60,304.57	2000 VAWA	This project will support an assistant district attorney to prosecute sexual assault cases in Burke, Caldwell, and Catawba Counties.
District Attorney's Office	018-2-00-3VA-W-056	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Violence Against Women District Attorn	VICTIM'S SERVICES	60,304.58	60,304.58	60,304.57		
County of Catawba	**10492**	217,495.50	217,495.50	217,495.50	2000 JAIBG	This project will provide family centered services to court involved youth in a three county judicial district. Working with the court counselors, Repay will broker intensive in home services for targeted juveniles.
Repay, Inc.	018-2-00-CBP-K-037	0.00	0.00	0.00	8/1/2000 - 7/31/2001	
Juvenile Justice Intervention Collaborati	JUV. JUST. INTERVENTION	217,495.50	217,495.50	217,495.50		
	County Totals:	1,062,569.38	722,763.38	727,288.37		
CC&PS						
Department of Crime Control and Publi	**10463**	36,840.20	36,840.20	36,840.20	2000 DCSI	This project will provide superior export training through MANTA for narcotics officers of the Pitt, Greene, Lenoir, Edgecombe and surrounding counties at no expense to the departments or agencies.
Mid Atlantic Narcotics Training Academ	130-1-00-004-D-610	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Senator Warren Training Initiative	DRUG CONTROL & SUBST	36,840.20	36,840.20	36,840.20		
Department of Crime Control and Publi	**10488**	30,000.00	30,000.00	30,000.00	2000 DCSI	This project will fund the production of a public service announcement/video advertising the availability of college scholorships.
Law Enforcement Support Services	130-1-00-004-D-634	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
NC Police Corps Video / PSA	DRUG CONTROL & SUBST	30,000.00	30,000.00	30,000.00		
Department of Crime Control and Publi	**10554**	133,333.50	133,333.50	133,333.00	2000 DCSI	This project will provide riot control eqipment for the North Carolina State Highway Patrol.
NC State Highway Patrol	130-1-00-004-D-651	0.00	0.00	0.00	8/1/2000 - 7/31/2001	
Riot Control Equipment for NC State Hi	DRUG CONTROL & SUBST	133,333.50	133,333.50	133,333.00		

		Requested FY/Y2	Approved FY/Y2	Awarded FY/Y2	Source/Dates	Summary
Department of C[redacted] Control and Publi	**10418**	71,306.63	7[redacted].63	71,306.63	2000 DCSI	This project will fund an [redacted]chool and summer
North Carolina W[redacted], Civil Air Patrol	130-1-00-024-D-573	78,625.13	0.00	0.00	7/1/2000 - 6/30/2001	program that motivates youth to develop
NC CCPS CAP Cadet Program Initiativ	DRUG CONTROL & SUBST	149,931.75	71,306.63	71,306.63		leadership abilities and become responsible citizens through aviation and community-centered activities.
Department of Crime Control and Publi	**9830**	332,375.00	332,375.00	332,375.00	2000 DCSI	This project will provide uniform training for North Carolina narcotics officers at no cost to local departments and or agencies.
Mid Atlantic Narcotics Training Academ	130-1-00-07A-D-307	332,375.00	0.00	0.00	7/1/2000 - 6/30/2001	
MANTA	DRUG CONTROL & SUBST	664,750.00	332,375.00	332,375.00		
Department of Crime Control and Publi	**10046**	106,369.39	106,369.39	106,369.39	2000 DCSI	This project will provide the State Highway Patrol Criminal Justice Information Network-Mobile Data Network with support personnel. This personnel is needed as the system has now grown to provide service to over 104 public safety agencies.
N.C. State Highway Patrol	130-1-00-15B-D-067	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
CJIN - Mobile Data Network Room Pers	INFORMATION SYSTEMS &	106,369.39	106,369.39	106,369.39		
Department of Crime Control and Publi	**10398**	0.00	36,000.00	36,000.00	2000 DCSI	This project will provide MDT's for ALE
N.C. Alcohol Law Enforcement Division	130-1-00-15B-D-500	81,403.24	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Terminal Acquisition & Imp	INFORMATION SYSTEMS &	81,403.24	36,000.00	36,000.00		
Department of Crime Control and Publi	**10450**	1,286,736.20	1,286,736.20	1,286,736.20	2000 DCSI	These funds are being used to implement and monitor DCSI grant programs
GCC	130-1-00-ADM-D-801	0.00	0.00	0.00	7/1/2000 - 6/30/2002	
'00 DCSI Admin. Funds	Administrative Funds	1,286,736.20	1,286,736.20	1,286,736.20		
Department of Crime Control and Publi	**10452**	181,400.00	181,400.00	181,400.00	2000 JJDP	These funds are being used to implement and monitor JJDP grant programs
GCC	130-1-00-ADM-J-803	0.00	0.00	0.00	7/1/2000 - 6/30/2002	
'00 JJDP Admin. Funds	Administrative Funds	181,400.00	181,400.00	181,400.00		
Department of Crime Control and Publi	**10449**	496,600.00	496,600.00	496,600.00	2000 VOCA	These funds are being used to implement and monitor VOCA grant programs.
GCC	130-1-00-ADM-V-800	0.00	0.00	0.00	7/1/2000 - 6/30/2002	
'00 VOCA Admin. Funds	Administrative Funds	496,600.00	496,600.00	496,600.00		
Department of Crime Control and Publi	**10451**	167,500.00	167,500.00	167,500.00	2000 VAWA	These Funds are being used to implement and monitor VAWA funds.
GCC	130-1-00-ADM-W-802	0.00	0.00	0.00	7/1/2000 6/30/2001	
'00 VAWA Admin. Funds	Administrative Funds	167,500.00	167,500.00	167,500.00		
Department of Crime Control and Publi	**10553**	216,384.00	216,384.00	150,467.00	1997 NC SA	These funds are for the administration of the State Advisor Committee for Juvenile Justice.
G.C.C.	130-1-97-SAC-L-300	0.00	0.00	0.00	9/1/1997 - 8/31/2001	
NC S.A.C. Administrative Funds	Administrative Funds	216,384.00	216,384.00	150,467.00		
Department of Crime Control and Publi	**9702**	50,000.00	50,000.00	50,000.00	1998 DCSI	This grant will establish a fund to facilitate the expansion of Scholastic Crime Stopers (SCS) into the middle and high schools of North Carolina.
Governor's Crime Commission	130-1-98-004-D-805	0.00	0.00	0.00	8/1/1999 - 9/30/2001	
Scholastic Crime Stoppers Fund	DRUG CONTROL & SUBST	50,000.00	50,000.00	50,000.00		
Department of Crime Control and Publi	**8803**	38,270.00	38,270.00	38,270.00	1998 DCSI	This project will assume responsibility for administering the Governor's Award of Excellence in Community 2Policing program.
Crime Prevention Division	130-1-98-004-D-901	31,270.00	31,270.00	31,270.00	7/1/1998 - 6/30/2001	
Governor's Community Policing Award	Law Enforcement	69,540.00	69,540.00	69,540.00		
Department of Crime Control and Publi	**10253**	257,000.00	257,000.00	257,000.00	1998 DCSI	This project will provide the Victim and Justice Services office with computers and printers to assist the Community Service Work Program and provide better information to its many field sites around the state.
Division of Victim & Justice Services	130-1-98-15B-D-134	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Phase I	INFORMATION SYSTEMS &	257,000.00	257,000.00	257,000.00		
Department of Crime Control and Publi	**8716**	981,150.00	1,172,116.00	786,032.00	1998 DCSI	These funds are being used to implement and monitor DCSI grant programs.
GCC	130-1-98-ADM-D-600	0.00	0.00	0.00	7/1/1998 - 9/30/2000	
'98 DCSI Admin. Funds	Administrative Funds	981,150.00	1,172,116.00	786,032.00		

Application/Agency/Project	Appl/Approp/Strategy	Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
Department of Crime Control and Publi	**8731**	620,255.55	620,255.55	245,829.78	1998 JAIBG 1997 MATCH	These funds are being used to implement and monitor the JAIBG grant program. Using these funds the Sentencing Commission is developing a statistical model to estimate the need for training school and detention beds. These funds are also being used to help OJJ develop research and planning capability.
GCC	130-1-98-ADM-K-565	0.00	0.00	0.00	8/1/1998 - 9/30/2000	
'98 JAIBG Admin. Funds	jjdp	620,255.55	620,255.55	245,829.78		
Department of Crime Control and Publi	**8713**	362,800.00	362,800.00	42,800.00	1998 VOCA	These funds are used by the Governor's Crime Commission to pay for administrative costs associated with the management of the Victims of Crime Act funds that the State recieves from Washington every year.
GCC	130-1-98-ADM-V-600	0.00	0.00	0.00	7/1/1998 - 6/30/2000	
'98 VOCA Admin. Funds	Administrative Funds	362,800.00	362,800.00	42,800.00		
Department of Crime Control and Publi	**10501**	34,000.00	34,000.00	34,000.00	1999 CJ	This project will enable the GCC to pay for training in child abuse and neglect.
GCC	130-1-99-003-H-670	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Children's Justice Training	JUV. JUST. INTERVENTION	34,000.00	34,000.00	34,000.00		
Department of Crime Control and Publi	**9909**	15,000.00	15,000.00	35,000.00	1999 DCSI	This project will provide for a secure location to store undercover vehicles.
Law Enforcement Support Services	130-1-99-004-D-444	0.00	0.00	0.00	1/1/2000 - 9/30/2001	
Secure Operation Location	DRUG CONTROL & SUBST	15,000.00	15,000.00	35,000.00		
Department of Crime Control and Publi	**9910**	5,000.00	5,000.00	5,000.00	1999 DCSI	This program will provide resources to the Avaition Association for planning and implemataion of training conferences.
Law Enforcement Support Services	130-1-99-004-D-445	0.00	0.00	0.00	1/1/2000 - 5/31/2001	
N.C. Law Enforcement Avaition Assoc.	DRUG CONTROL & SUBST	5,000.00	5,000.00	5,000.00		
Department of Crime Control and Publi	**9142**	159,267.00	159,267.00	159,267.00	1999 DCSI	This program will provide funding for the Nuisance Abatement Team Enhancement Project.
N.C. Alcohol Law Enforcement Division	130-1-99-07A-D-350	149,235.75	0.00	0.00	7/1/1999 - 11/30/2000	
Nuisance Abatement Team Enhancem	DRUG CONTROL & SUBST	308,502.75	159,267.00	159,267.00		
Department of Crime Control and Publi	**9108**	1,837,500.00	180,000.00	200,250.00	1999 DCSI	This project will become Phase 4 of the CJIN-MDN Network program. This request will provide 31 remote base stations and network peripherals that will expand local connectivity. This will finalize the "backbone" of a statewide public safety mobile data network.
N. C. State Highway Patrol	130-1-99-15B-D-061	0.00	0.00	0.00	7/1/1999 - 12/31/2000	
CJIN - Mobile Data Network - Phase Fo	INFORMATION SYSTEMS &	1,837,500.00	180,000.00	200,250.00		
Department of Crime Control and Publi	**9566**	1,310,600.00	1,316,200.01	1,055,813.00	1999 DCSI	These funds are used in the implementation and mointoris of DCSI grant programs.
GCC	130-1-99-ADM-D-702	0.00	0.00	0.00	7/1/1999 - 6/30/2001	
'99 DCSI Admin. Funds	Administrative Funds	1,310,600.00	1,316,200.01	1,055,813.00		
Department of Crime Control and Publi	**9564**	90,550.00	90,550.00	181,100.00	1999 JJDP	These funds are used in the implementation and monitoring of the JJDP grant programs.
GCC	130-1-99-ADM-J-700	0.00	0.00	0.00	7/1/1999 - 6/30/2000	
'99 JJDP Admin. Funds	Administrative Funds	90,550.00	90,550.00	181,100.00		
Department of Crime Control and Publi	**9567**	313,250.00	313,250.00	313,250.00	1999 VOCA	These funds are being used to implement and monitor VOCA grant programs.I
GCC	130-1-99-ADM-V-703	0.00	0.00	0.00	7/1/1999 - 6/30/2002	
'99 VOCA Admin. Funds	Administrative Funds	313,250.00	313,250.00	313,250.00		
Department of Crime Control and Publi	**9565**	30,000.00	30,000.00	30,000.00	1999 JJDP	These funds are being used by the State Advisory Group for JJDP.
GCC	130-1-99-SAG-J-701	0.00	0.00	0.00	7/1/1999 - 6/30/2001	
'99 State Advisory Group Funds	Administrative Funds	30,000.00	30,000.00	30,000.00		
Department of Crime Control and Publi	**10443**	79,383.00	79,383.00	79,383.00	2000 VAWA	This project will sponsor local train-the-trainer seminars across the state of North Carolina to teach law enforcement trainers on how to effectively train law enfocement personnel on domestic violence.
GCC	130-3-00-2VA-W-606	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Law Enforcement Domestic Violence In	VICTIM'S SERVICES	79,383.00	79,383.00	79,383.00		
Department of Crime Control and Publi	**10442**	619,072.01	619,072.01	618,840.00	2000 VOCA	This project will provide for the implementation of the Statewide Victim Automation Network to sites that are not yet operational.
GCC	130-4-00-050-V-605	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
SAVAN – Phase IV	VICTIM'S SERVICES	619,072.01	619,072.01	618,840.00		

	Application/Application Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
	County Totals:	10,534,851.60	8,46[redacted].48	7,192,032.20		
Chatham						
Family Violence & Rape Crisis Services	**10001**	56,773.60	53,215.20	53,215.20	2000 VOCA	This project will coordinate a sexual assault response team to provide a community response to sexual assault victims in Chatham County.
Family Violence & Rape Crisis Services	019-1-00-020-V-056	65,742.40	0.00	0.00	7/1/2000 - 6/30/2001	
FVRC Sexual Assault Response Team	VICTIM'S SERVICES	122,516.00	53,215.20	53,215.20		
County of Chatham	**10350**	120,159.56	115,009.88	115,009.87	2000 JAIBG	This project will establish a Multisystemic Family intervention for court involved juveniles and their families in Chatham and Orange counties. The program will be run by the Chatham Dispute Settlement Center and will offer intensive home visitation services to identified chronic or violent juvenile offenders. Services will include intensive family based therapy, problem-solving skills, social support resources, and conflict resolution.
Chatham County Dispute Settlement C	019-1-00-FDJ-K-337	118,288.31	113,438.63	113,438.62	7/1/2000 - 6/30/2001	
About Face!	JUV. JUST. INTERVENTION	238,447.88	228,448.50	228,448.49		
Family Violence & Rape Crisis Services	**8729**	196,940.00	196,940.00	380,260.00	1998 RDV	This project will provide domestic violence training for victim service providers, criminal justice system professionals, and all other domestic violence human service providers. It will provide a school-based program to educate students about domestic violence issues. This project also provides direct services to women and children who are either victims of domestic violence or who are at risk of being a victim of domestic violence. This project is a statewide effort.
Family Violence & Rape Crisis Services	019-1-98-001-U-001	0.00	0.00	0.00	8/1/1998 - 1/31/2002	
Rural Domestic Violence and Child Victi	VICTIM'S SERVICES	196,940.00	196,940.00	380,260.00		
County of Chatham	**9093**	42,584.27	42,584.25	87,960.00	1999 DCSI	This project will provide an after school and weekend program for high risk or court referred youth. Components include school tutoring, recreation, counseling, vocational training and community service work.
Chatham County Together!	019-1-99-004-D-358	45,388.52	45,375.75	0.00	7/1/1999 - 6/30/2001	
Guided Growth Project	JUV. DELINQ. PREVENTIO	87,972.79	87,960.00	87,960.00		
Family Violence & Rape Crisis Services	**10456**	178,881.60	178,881.60	178,881.60	2000 VOCA	This project will support staff to provide crisis intervention, advocacy, and counseling services to domestic violence and sexual assault victims in Chatham County.
Family Violence & Rape Crisis Center	019-2-00-011-V-158	0.00	0.00	0.00	8/1/2000 - 7/31/2001	
Shelter & Comprehensive Services	VICTIM'S SERVICES	178,881.60	178,881.60	178,881.60		
Hispanic Liaison of Chatham County	**10438**	56,714.40	56,714.40	56,714.40	2000 VOCA	This program will provide information and resource referral, and translation services to all Latino crime victims in Chatham County.
Hispanic Liaison of Chatham county	019-2-00-041-V-007	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Bilingual Victim's Assistance Program	VICTIM'S SERVICES	56,714.40	56,714.40	56,714.40		
	County Totals:	881,472.68	802,159.70	985,479.69		
Cherokee						
County of Cherokee	**10012**	29,574.40	27,726.40	27,726.40	2000 VOCA	This project will hire an advocate for current and adult survivors of child sexual abuse in Cherokee County. Services will include crisis intervention and advocacy to the victim and non-offending parent, improvement of the local response system, assistance in developing a child advocacy center, support groups for adult survivors of child sexual abuse, and outreach programming in the schools.
Task Force on Family Violence, REAC	020-1-00-031-V-067	30,379.20	28,480.00	28,480.00	7/1/2000 - 6/30/2001	
Child Sexual Abuse Survivors Project	VICTIM'S SERVICES	59,953.60	56,206.40	56,206.40		
County of Cherokee	**10252**	33,300.00	20,000.25	20,000.00	2000 DCSI	This grant will provide the Cherokee County Sheriff's Office with computer equipment to conduct IBASE reporting.
Cherokee County Sheriff's Office	020-1-00-15B-D-133	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Cherokee County Technology Assistan	INFORMATION SYSTEMS &	33,300.00	20,000.25	20,000.00		

Application/Agency/Project	Appl#/Appr#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Cherokee	**10467**	73,823.25	73,823.25	73,823.25	2000 VAWA	This project will support two deputy sheriffs to respond to domestic violence, sexual assault, and child abuse cases in Cherokee County. This project is part of a multi-jurisdictional law enforcement effort to develop procedures for effective response to these cases.
Cherokee County Sheriff's Office	020-2-00-2VA-W-066	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence Enforcement Unit	VICTIM'S SERVICES	73,823.25	73,823.25	73,823.25		
	County Totals:	167,076.85	150,029.90	150,029.65		

Clay

County of Clay	**10013**	31,837.50	29,838.00	31,827.20	2000 VOCA	This project will expand services for domestic violence and sexual assault victims into Clay County via a satellite office for REACH of Cherokee County. A coordinator will be hired to provide crisis intervention services, support groups, court advocacy, awareness programs, shelter referrals to the Cherokee County shelter, and assistance in the development of a Domestic Violence Task Force.
Task Force on Family Violence, REAC	022-1-00-011-V-068	32,497.50	30,467.25	32,498.40	7/1/2000 - 6/30/2001	
Clay Co. D.V./S.A. Program	VICTIM'S SERVICES	64,335.00	60,305.25	64,325.60		
Clay County Schools	**10160**	49,938.00	46,000.00	46,000.00	2000 JJDP	This project will provide and early childhood education program for twenty-five families. This program will allow children ages 3-5 to attend a preschool program.
Clay County Schools	022-1-00-P03-J-003	51,560.00	50,000.00	50,000.00	7/1/2000 - 6/30/2001	
The B.E.S.T. Project	JUV. DELINQ. PREVENTIO	101,498.00	95,000.00	95,000.00		
County of Clay	**9819**	139,249.50	139,249.50	139,249.00	1999 DCSI	This project will provide for establishment of a narcotics investigative unit in Clay and surrounding western NC counties
Clay County Sheriff's Office	022-1-99-002-D-488	0.00	0.00	0.00	10/1/1999 - 10/30/2000	
Multiple Agency Narcotics Unit (MAN U	DRUG CONTROL & SUBST	139,249.50	139,249.50	139,249.00		
	County Totals:	305,082.50	294,554.75	296,574.60		

Cleveland

County of Cleveland	**10102**	60,504.02	51,504.02	51,504.01	2000 DCSI	This project will provide 2 School Resource Officers for 2 middle schools in Cleveland County through the Cleveland County Schools and the Cleveland County Sheriff's Office.
Cleveland County Sheriff's Office	023-1-00-004-D-333	60,292.23	0.00	0.00	8/1/2000 - 7/31/2001	
Middle School Resource Officers	DRUG CONTROL & SUBST	120,796.85	51,504.02	51,504.01		
County of Cleveland	**10494**	42,900.00	42,900.00	42,900.00	2000 DCSI	This project will be used to purchase equipment for the two SRO's obtained through the COPS office.
Cleveland County Sheriff's Office	023-1-00-004-D-636	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Equipment	DRUG CONTROL & SUBST	42,900.00	42,900.00	42,900.00		
Cleveland County Abuse Prevention Co	**9897**	246,098.30	150,000.00	150,000.00	2000 VOCA	This project will provide staff to offer improved services to domestic violence and sexual assault victims in Cleveland County.
Cleveland Co. Abuse Prevention Counc	023-1-00-010-V-030	233,931.76	0.00	0.00	7/1/2000 - 6/30/2001	
RESPONSE PROGRAM	VICTIM'S SERVICES	480,030.06	150,000.00	150,000.00		
County of Cleveland	**9847**	53,943.00	55,290.00	55,290.00	2000 VAWA	This project will provide a dedicated assistant district attorney and two investigators to address improved responses to domestic violence cases in Cleveland and Lincoln Counties.
District Attorney's Office -- 27-B	023-1-00-3VA-W-006	53,943.00	0.00	0.00	1/1/2001 - 12/31/2001	
Multi-Disciplinary Response Team	VICTIM'S SERVICES	107,886.00	55,290.00	55,290.00		
County of Cleveland	**9716**	40,200.00	40,200.00	40,000.00	1999 T5	
United Way of Cleveland County	023-1-99-001-T-808	0.00	0.00	0.00	9/1/1999 - 5/31/2001	
Cleveland County Communities That C	JUV. DELINQ. PREVENTIO	40,200.00	40,200.00	40,000.00		
City of Shelby	**8851**	34,537.49	34,537.49	70,271.99	1999 DCSI	This project wil provide services to at risk youth and their families through home visits. This program will also provide training for officers and parents in communication skills and in available resources.
Family Service, Inc. of Gaston County	023-1-99-004-D-303	35,796.40	35,796.40	0.00	7/1/1999 - 8/31/2001	
LEAPS (Law Enforcment and Parent S	JUV. DELINQ. PREVENTIO	70,333.90	70,333.90	70,271.99		
	County Totals:	862,146.81	410,228.52	409,966.60		

Applicant/Agency/Project	Appl#/Aprvl#/Strategy	Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
Columbus						
Whiteville City Schools	**9958**	79,800.00	79,800.00	79,800.00	2000 JJDP	This project will provide an after school program for 100 at-risk students in the Whiteville city school district.
Columbus County Dream Center	024-1-00-P01-J-044	78,100.00	78,100.00	78,100.00	7/1/2000 - 6/30/2001	
Safe Haven	JUV. DELINQ. PREVENTIO	157,900.00	157,900.00	157,900.00		
County of Columbus	**10439**	37,280.00	37,280.00	37,280.00	2000 VOCA	This program will provide services to children of women in a battered shelter. This program will helpchildren cope with problems associated with domestic violence. The mothers of these children will be taught positive parenting skills while in the shelter.
Families First, Inc.	024-2-00-030-V-341	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Families First, Inc. Children's Program	VICTIM'S SERVICES	37,280.00	37,280.00	37,280.00		
	County Totals:	195,180.00	195,180.00	195,180.00		
Craven						
Craven County School System	**10090**	125,250.00	125,250.00	125,250.00	2000 DCSI	This project will provide a School Resource Officer program for 4 middle schools in Craven County.
Craven County Schools	025-1-00-004-D-321	125,250.00	0.00	0.00	7/1/2000 - 6/30/2001	
Middle School SRO Program	DRUG CONTROL & SUBST	250,500.00	125,250.00	125,250.00		
County of Craven	**10200**	30,864.80	28,936.00	28,936.00	2000 VOCA	This project will expand current services to victims of rape, sexual assault, and child sexual abuse in Craven, Jones, and Pamlico Counties. This project will focus on underserved teen and minority populations.
Craven County Council on Women, Inc.	025-1-00-021-V-091	32,002.40	30,002.40	30,002.40	7/1/2000 - 6/30/2001	
Victim Advocacy Program	VICTIM'S SERVICES	62,867.20	58,938.40	58,938.40		
Coastal Women's Shelter	**9992**	64,137.60	106,582.40	99,921.00	2000 VOCA	This project will support staff to provide counseling and shelter services to domestic violence victims in Craven County.
Coastal Women's Shelter	025-1-00-0VB-V-047	64,137.60	0.00	0.00	7/1/2000 - 6/30/2001	
Re-Newing the Basics	VICTIM'S SERVICES	128,275.20	106,582.40	99,921.00		
City of New Bern	**10158**	38,915.25	28,125.00	28,125.00	2000 DCSI	This project will provide an after school program for 60-80 youth ages 9-15. The components will include academic tutoring, life skill development, parenting classes, community service and recreation.
New Bern Recreation and Parks Depart	025-1-00-P01-D-061	38,823.75	29,062.50	29,062.50	7/1/2000 - 6/30/2001	
New Bern B.E.A.R. Program	JUV. DELINQ. PREVENTIO	77,739.00	57,187.50	57,187.50		
Coastal Women's Shelter	**9935**	29,977.50	29,977.50	29,977.50	2000 VOCA	This project will provide an advocacy program on the issues of domestic violence for children and their families in Craven, Pamlico and Jones County. Children will be accessed through a three-county school district and will be taught domestic violence laws and educated about domestic violence resources.
Coastal Women's Shelter	025-1-00-P02-V-021	29,977.50	29,977.50	29,977.50	7/1/2000 - 6/30/2001	
Court Advocate & Juvenile Program	JUV. DELINQ. PREVENTIO	59,955.00	59,955.00	59,955.00		
County of Craven	**9607**	26,960.00	25,624.02	68,420.80	1999 VOCA	This project will provide services to elder crime victims in Craven and Jones counties. Services will include personal contacts, security checks, and group support meetings.
United Senior Services, Inc.	025-2-99-043-V-088	0.00	0.00	0.00	7/1/1999 - 6/30/2001	
Silver Crime Advocacy Program	VICTIM'S SERVICES	26,960.00	25,624.02	68,420.80		
	County Totals:	606,296.40	433,537.32	469,672.70		
Cumberland						
County of Cumberland	**10110**	60,520.50	60,520.50	42,316.50	2000 DCSI	This project will allow for a partnership with the Cumberland County Sheriff's Office and the Cumberland County Mental Health Center to develop social work and law enforcement services to meet neighborhood needs.
Cumberland County Sheriff's Office	026-1-00-004-D-341	75,942.75	75,942.75	75,942.75	7/1/2000 - 6/30/2001	
Social Work and Police Partnership	DRUG CONTROL & SUBST	136,463.25	136,463.25	118,259.25		
Rape Crisis Volunteers of Cumberland	**10022**	125,205.75	102,279.20	102,279.20	2000 VOCA	This project will hire a legal advocate, direct services coordinator, prevention educator, child advocate, and counselor to assist child sexual abuse victims in Cumberland, Hoke, and Bladen Counties.
Rape Crisis Volunteers of Cumberland	026-1-00-031-V-077	128,151.15	0.00	0.00	7/1/2000 - 6/30/2001	
Child Sexual Abuse Project	VICTIM'S SERVICES	253,356.89	102,279.20	102,279.20		

Applicant/Proj. Agency/Project	Appl#/Appl#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Town of Spring Lake	**10047**	11,337.00	11,337.00	11,337.00	2000 DCSI	This project will provide two Mobile Data Terminals for the Spring Lake Police Department.
Spring Lake Police Department	026-1-00-15B-D-068	126.00	126.00	126.00	7/1/2000 - 6/30/2001	
Mobile Data Terminal Expansion	INFORMATION SYSTEMS &	11,463.00	11,463.00	11,463.00		
City of Fayetteville	**10154**	170,482.50	127,863.00	127,863.00	2000 DCSI	This project will provide thirty Mobile Data Terminals for the City of Fayetteville Police Department.
Fayetteville Police Department	026-1-00-15B-D-127	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Computer Project	INFORMATION SYSTEMS &	170,482.50	127,863.00	127,863.00		
County of Cumberland	**10378**	76,903.00	74,000.00	74,000.00	2000 JJDP	This project will provide an after school program for youth ages 6-15 residing in and around the East Cumberland community. The program will include academic enrichment, mentoring, parent involvement and community outreach.
Cumberland County CommuniCare, Inc	026-1-00-P01-J-122	65,123.00	63,000.00	63,000.00	6/1/2000 - 6/30/2001	
East Cumberland Enrichment Opportun	JUV. DELINQ. PREVENTIO	142,026.00	137,000.00	137,000.00		
County of Cumberland	**8705**	100,000.03	100,000.03	100,000.03	1998 DCSI	
Cumberland County CommuniCare, Inc	026-1-98-004-D-284	0.00	0.00	0.00	7/1/1998 - 6/30/2000	
Cumberland County Communities That	DRUG CONTROL & SUBST	100,000.03	100,000.03	100,000.03		
County of Cumberland	**9242**	62,250.00	62,250.00	62,250.00	1999 DCSI	This program will provide funding for facility renovations for the Cumberland Co. LEC.
Cumberland County Sheriff's Office	026-1-99-011-D-403	0.00	0.00	0.00	7/1/1999 - 4/1/2001	
Facility Upgrades	DRUG CONTROL & SUBST	62,250.00	62,250.00	62,250.00		
Town of Stedman	**9255**	6,273.00	6,273.00	6,651.00	1999 DCSI	The project will allow the police department to implement a phased Mobile Data Terminal acquisition program.
Stedman Police Department	026-1-99-15B-D-122	378.00	378.00	0.00	7/1/1999 - 6/30/2001	
Mobile Data Terminal	INFORMATION SYSTEMS &	6,651.00	6,651.00	6,651.00		
Town of Spring Lake	**9264**	13,362.00	13,362.00	13,822.50	1999 DCSI	This program will allow for the acquisition of Mobile Data Terminals for the police department
Spring Lake Police Department	026-1-99-15B-D-124	460.17	460.50	0.00	7/1/1999 - 6/30/2001	
Mobile Data Terminal Upgrade	INFORMATION SYSTEMS &	13,822.17	13,822.50	13,822.50		
County of Cumberland	**9268**	190,580.25	120,000.00	120,000.00	1999 DCSI	This program will fund one mobile data computer for every 10 sworn officers of the Sheriff's office
Cumberland County Sheriff's Office	026-1-99-15B-D-125	1,674.00	0.00	0.00	7/1/1999 - 4/1/2001	
Mobile Data Computers	INFORMATION SYSTEMS &	192,254.25	120,000.00	120,000.00		
County of Cumberland	**10489**	141,471.00	141,471.00	141,471.00	1999 JAIBG	This project will serve an umbrella administrative group for prevention & intervention programs. This program will conduct comprehensive youth & family assessments as well as provide prevention oriented direct services.
Cumberland County CommuniCare, Inc	026-2-99-007-K-424	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Delinquency & Community Intervention/	JUV. JUST. INTERVENTION	141,471.00	141,471.00	141,471.00		
	County Totals:	1,230,240.10	959,262.99	941,058.98		

Dare

Outer Banks Hotline, Inc.	**10277**	64,000.00	60,000.00	60,000.00	2000 VOCA	This project will employ domestic violence shelter staff to provide safe shelter, case management and referrals for domestic violence victims in Dare County. Outreach to underserved populations in the Hispanic community will be emphasized.
Outer Banks Hotline, Inc.	028-1-00-010-V-142	64,000.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence Recovery Project	VICTIM'S SERVICES	128,000.00	60,000.00	60,000.00		
Town of Manteo	**10268**	48,971.25	48,971.25	48,971.25	2000 DCSI	This project will provide for a juvenile community resource officer assigned to the police department's Juvenile Community Oriented Policing Initiative.
Manteo Police Department	028-1-00-024-D-379	23,585.25	0.00	0.00	7/1/2000 - 6/30/2001	
J-COP Manteo	DRUG CONTROL & SUBST	72,556.50	48,971.25	48,971.25		
	County Totals:	200,556.50	108,971.25	108,971.25		

Davidson

Lexington City Schools	**9801**	39,567.75	39,567.75	39,567.75	2000 DCSI	This project will provide for the hiring of a school resource officer for the Lexington Middle School.
Lexington City Schools	029-1-00-004-D-302	37,803.75	0.00	0.00	7/1/2000 - 6/30/2001	
Lexington Middle School Resource Offi	DRUG CONTROL & SUBST	77,371.50	39,567.75	39,567.75		

Project/Agency/Project	Appl#/Appl#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Family Services of Davidson County, In	**10216**	36,095.70	33,840.00	33,840.00	2000 VOCA	This project will provide services to sexual assault and domestic violence victims in Davidson County. The focus of this proposal is to address services to underserved populations like the elderly, minorities, survivors of incest and others.
Family Services of Davidson County, In	029-1-00-040-V-107	37,323.20	34,991.20	34,991.20	7/1/2000 - 6/30/2001	
Family Services Special Populations Ad	VICTIM'S SERVICES	73,418.90	68,831.20	68,831.20		
City of Thomasville	**10045**	80,781.75	56,000.00	56,000.00	2000 DCSI	This project will improve and expand the Thomasville Police Department with seven Mobile Data Terminals.
Thomasville Police Department	029-1-00-15B-D-066	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Terminal Phase II Plan	INFORMATION SYSTEMS &	80,781.75	56,000.00	56,000.00		
City of Lexington	**10058**	44,573.25	44,573.25	46,321.50	2000 DCSI	This project will provide the Lexington Police Department with seven Mobile Data Terminals.
Lexington Police Department	029-1-00-15B-D-078	378.00	378.00	378.00	7/1/2000 - 6/30/2001	
Mobile Data Laptops	INFORMATION SYSTEMS &	44,951.25	44,951.25	46,699.50		
County of Davidson	**10177**	103,582.48	70,000.00	70,000.00	2000 DCSI	This project will provide an after school program for at risk youth ages 10-15. The components of the program include life skills, recreation, parenting classes and tutoring.
Family Services of Davidson County, In	029-1-00-P01-D-081	106,955.75	70,000.00	70,000.00	7/1/2000 - 6/30/2001	
After-School Treatment Program	JUV. DELINQ. PREVENTIO	210,538.23	140,000.00	140,000.00		
Family Services of Davidson County, In	**9608**	31,848.00	31,848.00	31,848.00	1999 VOCA	This project will support staff to improve services to domestic violence and sexual assault victims in Davidson County and increase support to the crisis intervention team.
Family Services of Davidson County, In	029-2-99-011-V-087	0.00	0.00	0.00	7/1/1999 - 9/30/2000	
Family Services VOCA Advocacy	VICTIM'S SERVICES	31,848.00	31,848.00	31,848.00		
	County Totals:	518,909.63	381,198.20	382,946.45		

Davie

County of Davie	**10035**	19,972.00	18,724.00	18,724.00	2000 VOCA	This project will provide crisis line intervention, advocacy, support groups, community awareness programs, and assistance filing protective orders for underserved victims of domestic violence and sexual assault to include Hispanic victims and elder abuse victims in Davie County.
Davie Domestic Violence Services & R	030-1-00-011-V-090	19,224.80	18,023.20	18,023.20	7/1/2000 - 6/30/2001	
The Underserved Population Project	VICTIM'S SERVICES	39,196.80	36,747.20	36,747.20		
County of Davie	**10174**	20,000.00	20,000.00	20,000.00	2000 JJDP	This project will provide an after school and summer program. This program will target at risk middle school students. The components will include academic achievement, conflict resolution, life skills, parent education and individual counseling.
Family Services, Inc.	030-1-00-P01-J-077	19,036.00	20,000.00	20,000.00	7/1/2000 - 6/30/2001	
Strengthening Youth Project	JUV. DELINQ. PREVENTIO	39,036.00	40,000.00	40,000.00		
	County Totals:	78,232.80	76,747.20	76,747.20		

DHHS

Department of Health and Human Servi	**10401**	1,000,008.00	1,000,008.00	1,000,008.00	2000 DCSI	This project will put substance abuse counselors in selected schools across North Carolina. The program will target schools with large numbers of at risk students. There will be a special focus on alternative schools.
Women's & Children's Substance Abus	160-1-00-013-D-600	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
The CHATS Program	DRUG CONTROL & SUBST	1,000,008.00	1,000,008.00	1,000,008.00		
Department of Health and Human Servi	**9699**	159,345.00	159,345.00	417,969.00	1998 DCSI	The purpose of this project is to coordinate North Carolina's efforts to prevent access to and use of tobacco products by juveniles.
Office of the Secretary, DHHHS	160-1-98-004-D-825	0.00	0.00	0.00	6/1/1999 - 7/31/2001	
Coordinated Anti Underage Smoking Ini	DRUG CONTROL & SUBST	159,345.00	159,345.00	417,969.00		
Department of Health and Human Servi	**9544**	5,970.00	5,970.00	5,970.00	1999 DCSI	This project will purchase a mobile data terminal for the Dorthea Dix Hospital Police Department to tie into the CJIN network.
Dorothea Dix Hospital Police Departme	160-1-99-15B-D-164	0.00	0.00	0.00	7/1/1999 - 6/30/2000	
DDH Mobile Data Terminals and Autom	INFORMATION SYSTEMS &	5,970.00	5,970.00	5,970.00		
	County Totals:	1,165,323.00	1,165,323.00	1,423,947.00		

Applicant/Imp. Agency/Project	Appid/Appnbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
DOA						
Department of Administration	**10142**	58,425.00	54,642.50	54,642.50	2000 DCSI	This project will upgrade the existing radio communication system for the State Capitol Police.
State Capital Police Division	120-1-00-15B-D-115	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Communications and Computer Upgrad	INFORMATION SYSTEMS &	58,425.00	54,642.50	54,642.50		
Department of Administration	**11210**	16,840.79	16,840.79	16,840.80	2000 VAWA	This grant will support the hiring of a Deputy Director to coordinate trainings for criminal justice system professionals on domestic violence. This position will also work on developing a protocol on responding to workplace violence to include a section on domestic violence. This is a statewide effort
NC Dept. of Administration -- D. V. Co	120-1-00-4VA-W-300	0.00	0.00	0.00	3/1/2001 - 6/30/2001	
Deputy Director, DV Commission	VICTIM'S SERVICES	16,840.79	16,840.79	16,840.80		
Department of Administration	**9723**	148,797.00	148,797.00	148,797.00	1999 DCSI	This project will address the issues of health education and disease prevention in the wake of Hurricane Floyd.
Legal Services of North Carolina, Inc.	120-1-99-018-D-497	0.00	0.00	0.00	10/1/1999 - 12/31/2000	
Project HEAL/Disaster Relief	DRUG CONTROL & SUBST	148,797.00	148,797.00	148,797.00		
Department of Administration	**11214**	15,600.00	15,600.00	15,600.00	1999 JJDP	
Youth Advocacy and Involvement Offic	120-1-99-0PD-J-504	0.00	0.00	0.00	2/1/2001 - 9/30/2001	
Juvenile Justice Publications	JUV. DELINQ. PREVENTIO	15,600.00	15,600.00	15,600.00		
Department of Administration	**10591**	557,504.81	557,504.81	557,504.80	2000 VOCA	This project will support the hiring of attorneys to work with local domestic violence service agencies to provide legal assistance to DV victims. Funding will go to Legal Service of North Carolina for statewide services.
Legal Services of North Carolina, Inc.	120-2-00-015-V-301	0.00	0.00	0.00	1/1/2001 - 6/30/2001	
Project PASS	VICTIM'S SERVICES	557,504.81	557,504.81	557,504.80		
Department of Administration	**9656**	1,115,075.02	1,115,075.22	1,472,652.60	1999 VOCA	This project will support the hiring of attorneys to work with local domestic violence service agencies to provide legal assistance to DV victims. Funding will go to Legal Service of North Carolina for statewide services.
Legal Services of North Carolina, Inc.	120-2-99-010-V-043	0.00	0.00	0.00	7/1/1999 - 1/31/2001	
Project PASS	VICTIM'S SERVICES	1,115,075.02	1,115,075.22	1,472,652.60		
	County Totals:	1,912,242.62	1,908,460.32	2,266,037.70		
DOC						
Department of Correction	**10346**	409,293.00	409,293.00	409,293.00	2000 DCSI	This project will provide for a comprehensive residential and treament program targeting inmates within the North Carolina Prison system.
N.C. Department of Correction	140-1-00-011-D-393	409,293.00	0.00	0.00	7/1/2000 - 6/30/2001	
Residential Drug and Alcohol Treatmen	DRUG CONTROL & SUBST	818,586.00	409,293.00	409,293.00		
Department of Correction	**10332**	106,335.00	106,335.00	106,335.00	2000 DCSI	This project will implement new case management policies and procedures. This will work with the structured sentencing policies.
DOC -- Division of Community Correcti	140-1-00-15B-D-141	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Automated Case Management System	INFORMATION SYSTEMS &	106,335.00	106,335.00	106,335.00		
Department of Correction	**10333**	141,135.75	141,135.75	141,135.75	2000 DCSI	This project will develop customized software to link the ACD/OPUS information systems with databases of other departments and organizations.
N.C. Department of Correction	140-1-00-15B-D-142	69,848.25	69,848.25	69,848.25	7/1/2000 - 6/30/2001	
ACD/OPUS Computer Program Enhan	INFORMATION SYSTEMS &	210,984.00	210,984.00	210,984.00		
Department of Correction	**7509**	20,262.00	19,451.52	111,000.00	1997 DCSI	This grant will provide aftercare for youthful offenders leaving the new residential substance abuse program established within the Youth Command. Working with DAPP the program will contract directly with local providers as is presently done with adults residential programs.
NC Department of Correction	140-1-97-012-D-183	40,524.00	19,451.52	0.00	7/1/1997 - 6/30/2000	
SARGE Community Transition Aftercar	Corrections	60,786.00	38,903.04	111,000.00		
Department of Correction	**8275**	101,436.80	103,684.63	103,684.63	1998 VOCA	This project will provide improved services to crime victims by increasing victims access to the Parole Commission, developing new educational materials, and creating a statewide public awareness campaign.
DOC - Post-Release Supervision & Par	140-1-98-003-V-042	87,618.40	0.00	0.00	7/1/1998 - 6/30/2000	
Parole Commission Victim Services	VICTIM'S SERVICES	189,055.20	103,684.63	103,684.63		

Applicant/Agency/Project	Appl/Approp/Strategy	Requested FY/Yr	Approved FY/Yr	Awarded FY/Yr	Source/Dates	Summary
Department of Correction	**8296**	606,128.45	35[illegible].61	454,139.61	1998 DCSI	This project will provide i[illegible]start up funding for process design, equipment acquisition, staff training and implementation for video conferencing throughout the Division of Prisons.
DOC - Division of Prisons	140-1-98-011-D-221	188,715.95	99,[illegible]33.11	0.00	7/1/1998 - 9/30/2000	
Prison Video Conferencing	Corrections	794,844.39	454,453.73	454,139.61		
Department of Correction	**8540**	224,958.75	224,958.75	445,522.50	1998 DCSI	This project will establish pilot sites to implement cognitive behavioral interventions for offenders who are under the supervision and/or control of D.O.C.
DOC - Office of Research & Planning	140-1-98-013-D-224	220,563.75	220,563.75	0.00	7/1/1998 - 9/30/2001	
Cognitive Behavioral Interventions Gran	Corrections	445,522.50	445,522.50	445,522.50		
Department of Correction	**8541**	36,136.50	36,136.50	207,190.75	1998 DCSI	This project will enable the parole Commission to establish a statewide victim education outreach program.
DOC - Post-Release Supervision & Par	140-1-98-018-D-223	36,846.00	36,846.00	0.00	7/1/1998 - 6/30/2001	
Commission Education Outreach	Corrections	72,982.50	72,982.50	207,190.75		
Department of Correction	**8193**	263,236.50	262,659.75	262,659.75	1998 DCSI	state: This grant request will fund activities to further enhance data availability between agencies using guidelines established by the CJIN Study of 1995. This grant team will identify data sharing needs andinitiate projects to fulfil those needs.
NC Department of Correction	140-1-98-15B-D-167	270,873.00	0.00	0.00	7/1/1998 - 8/31/1999	
Criminal Justice Data Services	INFORMATION SYSTEMS &	534,109.50	262,659.75	262,659.75		
Department of Correction	**8542**	524,565.00	527,565.00	473,858.25	1998 DCSI	This project will provide assistance for completion of a two-year project to expand the ability of the Department of Correction to provide open access to information, to respond to simple and repetitive information requests in a timely manner, to reduce duplication of effort, to generate custom reports for information-users, and to assist customers in analyzing and interpreting data.
DOC - Office of Research & Planning	140-1-98-15B-D-222	0.00	0.00	0.00	7/1/1998 - 9/30/2001	
Decision Support Grant	INFORMATION SYSTEMS &	524,565.00	527,565.00	473,858.25		
Department of Correction	**9166**	45,000.00	56,250.00	56,250.00	1999 DCSI	This program will provide funding for residential treatment aftercare for youthful/juvenile offenders
Division of Alcoholism and Chemical D	140-1-99-011-D-367	67,500.00	56,250.00	56,250.00	7/1/1999 - 9/30/2001	
SARGE Community Aftercare Program	DRUG CONTROL & SUBST	112,500.00	112,500.00	112,500.00		
Department of Correction	**9776**	99,535.00	75,000.00	75,000.00	1999 DCSI	This project will produce North Carolina's first unified data set containing linked information on adult probationers and their children. This project will use exploratory research methods to examine the frequency and characteristics of high risk families.
Office of Research and Planning	140-1-99-019-D-607	68,712.00	0.00	0.00	4/1/2000 - 9/30/2001	
High-Risk Families	RESEARCH & EVALUATION	168,247.00	75,000.00	75,000.00		
Department of Correction	**9161**	320,301.00	286,488.00	560,874.00	1999 DCSI	This project will involve data sharing between DOC & AOC and to begin preparing for offense code standardization.
NC Department of Correction	140-1-99-15B-D-086	327,075.75	0.00	0.00	7/1/1999 - 9/30/2001	
Criminal Justice Data Sharing	INFORMATION SYSTEMS &	647,376.75	286,488.00	560,874.00		
Department of Correction	**9657**	86,044.00	86,023.20	139,651.20	1999 VOCA	
DOC - Office of Constituent Services	140-2-99-010-V-042	0.00	0.00	0.00	7/1/1999 - 6/30/2001	
Parole Commission Victim Services	VICTIM'S SERVICES	86,044.00	86,023.20	139,651.20		
Department of Correction	**9667**	749,625.00	749,625.00	913,475.25	1998 RSAT	This project is the continuation of the collaborative, multi-agency program known as SARGE.
DOC - Div. of Alcoholism & Chemical D	140-3-98-001-R-500	0.00	0.00	0.00	7/1/1999 - 6/30/2001	
SARGE Program "Continuation" Year 3	DRUG CONTROL & SUBST	749,625.00	749,625.00	913,475.25		
Department of Correction	**10565**	987,282.75	987,282.75	987,282.75	1998 RSAT	This project will establish residential substance abuse programs in selected North Carolina prisons. These programs will last six to twelve months at the end of an inmate's sentence. Inmates will be housed apart from the general population.
NC Department of Correction	140-4-98-001-R-805	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
D.O.C. Residential Subs. AbuseTreatm	DRUG CONTROL & SUBST	987,282.75	987,282.75	987,282.75		
	County Totals:	6,508,845.60	4,929,302.10	5,573,450.69		

Applicant/Imp. Agency/Project	AppID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
DOJ						
Department of Justice	**10576**	297,441.89	297,441.89	297,441.90	2000 NCHIP	
NC Department of Justice	170-1-00-001-N-902	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Computerized Crim. History.Sex Offend	INFORMATION SYSTEMS &	297,441.89	297,441.89	297,441.90		
Department of Justice	**10581**	285,200.00	285,200.00	285,200.00	1999 GTEAP	The overall goal of this project is to support improved enforcement of the Full Faith & Credit provision of the Violence Against Women Act.
N. C. State Bureau of Investigation	170-1-99-001-X-100	0.00	0.00	0.00	11/1/2000 - 10/31/2001	
Domestic Violence Prevention Grant	VICTIM'S SERVICES	285,200.00	285,200.00	285,200.00		
	County Totals:	582,641.89	582,641.89	582,641.90		
Duplin						
Town of Beulaville	**9822**	28,125.00	28,125.00	28,125.00	2000 DCSI	This project will provide substance abuse training and an after-school program to 35 students, ages 5-16, in a predominately African American community.
Beulaville Youth Center	031-1-00-004-D-004	28,125.00	28,125.00	28,125.00	7/1/2000 - 6/30/2001	
Limestone Substance Abuse Prev. Afte	DRUG CONTROL & SUBST	56,250.00	56,250.00	56,250.00		
Town of Rose Hill	**9835**	13,317.00	13,317.00	13,317.00	2000 DCSI	This project will provide Mobile Data Terminals for the patrol vehicles of the Rose Hill Police Department. This will provide two MDT's for the agency.
Rose Hill Police Department	031-1-00-15B-D-024	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Terminals	INFORMATION SYSTEMS &	13,317.00	13,317.00	13,317.00		
Town of Warsaw	**10043**	12,345.00	12,345.00	12,345.00	2000 DCSI	This project will allow the Warsaw Police Department to obtain two Mobile Data Terminals for vehicles in the department.
Warsaw Police Department	031-1-00-15B-D-064	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
To become compatible w/ DCI and CJI	INFORMATION SYSTEMS &	12,345.00	12,345.00	12,345.00		
County of Duplin	**10094**	6,587.81	14,062.43	14,062.50	2000 JAIBG	This project will provide expansion of the Duplin County Teen Court by adding a full time coordinator and administrative assistant.
Duplin County Dispute Settlement Cent	031-1-00-CBP-K-325	6,587.81	14,062.43	14,062.50	7/1/2000 - 9/30/2001	
Duplin County Teen Court	DRUG CONTROL & SUBST	13,175.63	28,124.87	28,125.00		
Town of Magnolia	**8867**	41,641.50	41,639.25	68,125.50	1999 DCSI	This program will provide funding for a full-time investigator for property crimes/narcotics investigation.
Magnolia Police Department	031-1-99-005-D-306	27,090.00	26,486.25	0.00	7/1/1999 - 6/30/2001	
Property Crimes & Drugs Initiative	DRUG CONTROL & SUBST	68,731.50	68,125.50	68,125.50		
County of Duplin	**9297**	55,164.66	50,000.00	100,000.00	1999 JJDP	This project will provide an after school, Sat. and summer program for 60 black youth. Components are tutoring, parenting, life skills, recreation, mentoring, and transportation.
Duplin County Sheriff's Office	031-1-99-0PA-J-382	54,004.66	50,000.00	0.00	7/1/1999 - 6/30/2001	
Another Chance	JUV. DELINQ. PREVENTIO	109,169.32	100,000.00	100,000.00		
Town of Magnolia	**8847**	9,425.25	9,425.25	10,587.75	1999 DCSI	This program will enable the Magnolia Police Department to support the State's Automated Incident-Based Reporting Requirement.
Magnolia Police Department	031-1-99-15B-D-006	1,162.50	1,162.50	0.00	7/1/1999 - 6/30/2001	
I-BASE Implementation Program	INFORMATION SYSTEMS &	10,587.75	10,587.75	10,587.75		
Sarah's Refuge, Inc.	**10445**	120,812.00	120,812.00	120,812.00	2000 VAWA	This program will expand services to domestic violence victims in Duplin county including a 24 hour hotline for crisis intervention.
Sarah's Refuge, Inc.	031-2-00-4VA-W-005	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
The Shelter	VICTIM'S SERVICES	120,812.00	120,812.00	120,812.00		
	County Totals:	404,388.20	409,562.12	409,562.25		
Durham						
County of Durham	**10194**	93,804.00	93,804.00	93,804.00	2000 DCSI	This project will provide for a structured day treatment program for youthful offenders ages 16-18 in collaboration with Durham Techincal Community College.
Durham County Criminal Justice Resou	032-1-00-011-D-368	98,457.00	0.00	0.00	7/1/2000 - 6/30/2001	
Just Us	DRUG CONTROL & SUBST	192,261.00	93,804.00	93,804.00		
Rape Crisis of Durham	**10000**	78,584.00	73,672.80	73,672.80	2000 VOCA	This project will provide comprehensive crisis intervention services to sexual assault victims in Durham County. The focus of this proposal is to extend services to unserved or underserved populations.
Rape Crisis of Durham	032-1-00-020-V-055	82,177.60	82,137.60	82,137.60	7/1/2000 - 6/30/2001	
Sexual Assault Services	VICTIM'S SERVICES	160,761.60	155,810.40	155,810.40		

Applicant/Imp. Agency/Project	Appl ID/App Nbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
N.C. Coalition A[redacted] Domestic Violen	**10010**	142,241.00	10[redacted].00	92,532.00	2000 VAWA	This project will expand th[redacted]nical assistance capabilities of the NC Coal[redacted]n Against Domestic Violence. Services include information, program support, and training to domestic violence programs and other allied professionals statewide including training regarding outreach and service provision to underserved populations.
N.C. Coalition Against Domestic Violen	032-1-00-1VA-W-065	146,911.00	109,834.00	109,834.00	7/1/2000 - 6/30/2001	
Technical Assistance Expansion	VICTIM'S SERVICES	289,152.00	216,515.00	202,366.00		
Durham Public Schools	**10159**	225,122.00	99,750.75	99,750.75	2000 DCSI	This project will provide an early childhood education program for four-year-olds in neighborhoods served by seven targeted elementary schools. The components will include screening and identifying at risk children and the Preschool Behavior Project.
Durham Public Schools	032-1-00-P03-D-062	245,131.50	99,750.00	99,750.00	7/1/2000 - 6/30/2001	
Ready to Learn In Durham	JUV. DELINQ. PREVENTIO	470,253.50	199,500.75	199,500.75		
County of Durham	**10134**	29,152.50	29,152.50	29,152.50	2000 JAIBG	This project will provide a Victim and Juvenile Offender Mediation program for referred adjudicated youth and their victims in Durham County. Objectives include providing support to victims and teaching accountability and responsibility to offenders for their actions on the victims. Agreements can include restitution and compensation. Partners include Durham County Teen Court & Restitution, Juvenile Court and Durham Public Schools
Durham County Teen Court & Restitutio	032-1-00-RJP-K-327	30,150.00	30,150.00	30,150.00	7/1/2000 - 6/30/2001	
Let's Talk	JUV. JUST. INTERVENTION	59,302.50	59,302.50	59,302.50		
County of Durham	**9218**	99,976.50	99,976.50	212,876.25	1999 DCSI	This project will establish a multi-agency intensive family and community based treatment program for level 2 court involved juveniles. It is based on MST, a nationally recognized Blue Prints program that has proven effective with this population.
Center for Child & Family Health - North	032-1-99-001-D-034	112,899.75	112,899.75	0.00	7/1/1999 - 6/30/2001	
MST-Durham (Delinquency)	JUV. JUST. INTERVENTION	212,876.25	212,876.25	212,876.25		
City of Durham	**10407**	99,990.00	99,990.00	99,984.07	1999 T5	This project will provide an after school program for youth. The program will include various components an includes tutoring, parenting and life skills.
Durham Parks & Recreation Departme	032-1-99-001-T-521	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Durham Afterschool Program	JUV. DELINQ. PREVENTIO	99,990.00	99,990.00	99,984.07		
County of Durham	**9785**	269,863.03	269,863.03	207,480.00	1999 JAIBG	This project will establish a structured day program for court invovled juveniles who have been placed out of school.
Durham County Criminal Justice Resou	032-1-99-011-K-490	0.00	0.00	0.00	1/1/2000 - 6/30/2001	
Juvenile Day Reporting Center	JUV. JUST. INTERVENTION	269,863.03	269,863.03	207,480.00		
City of Durham	**9309**	42,694.88	34,293.00	70,002.99	1999 JJDP	This project will provide an after school & summer program for minority youth ages 4 to 15. The components are life skills, community service, conflict resolution and parenting skills.
El Centro Hispano	032-1-99-0PA-J-391	43,787.07	34,978.86	0.00	7/1/1999 - 6/30/2001	
Project Chamos	JUV. DELINQ. PREVENTIO	86,481.95	69,271.86	70,002.99		
County of Durham	**10570**	91,224.46	91,224.46	91,213.00	2000 T5	This project is designed to help middle school students transition to high school. Both Students and Parents will have the opportunity to understand expectations and be exposed to educational policy and procedural changes relative to high school.
Youth Coordinating Board	032-2-00-001-T-807	0.00	0.00	0.00	11/1/2000 - 10/31/2001	
TRANSITIONS	JUV. DELINQ. PREVENTIO	91,224.46	91,224.46	91,213.00		
County of Durham	**10561**	132,000.00	132,000.00	132,000.00	1999 JAIBG	This project will provide high quality affordable After-School and Summer Day programming for Durham County at-risk youths aged 4 - 17.
The Salvation Army Boys & Girls Club	032-2-99-007-K-410	0.00	0.00	0.00	10/1/2000 - 8/31/2001	
Services Expansion Program	JUV. JUST. INTERVENTION	132,000.00	132,000.00	132,000.00		
North Central Legal Assistance Progra	**9592**	83,653.00	83,653.00	165,988.00	1999 VAWA	This project will provide legal services to domestic violence, such as custody/child support, post separation support, possession of homes and vehicles and assistance in the enforcement of protective orders.
North Central Legal Assistance Progra	032-2-99-4VA-W-062	0.00	0.00	0.00	7/1/1999 - 7/31/2001	
North Central Domestic Violence Projec	VICTIM'S SERVICES	83,653.00	83,653.00	165,988.00		
	County Totals:	2,147,819.28	1,683,811.24	1,690,327.96		

Application/Agency/Project	Appl#/Approp#/Strategy	Requested FY/Y2	Approved FY/Y2	Awarded FY/Y2	Source/Dates	Summary
Eastern Band of Cherokee						
Eastern Band of Cherokee Indians	**10269**	70,620.00	50,000.00	50,000.00	2000 JJDP	This project will provide for a countywide science-based drug and alcohol abuse prevention program for youth ages 9-17.
Cherokee Center for Family Services	201-1-00-P01-J-380	36,120.00	30,000.00	30,000.00	7/1/2000 - 6/30/2001	
Cherokee Challenge	JUV. DELINQ. PREVENTIO	106,740.00	80,000.00	80,000.00		
	County Totals:	106,740.00	80,000.00	80,000.00		
Edgecombe						
County of Edgecombe	**10402**	75,000.00	75,000.00	37,500.00	2000 DCSI	
Episcopal Diocese of NC Christian Soc.	033-1-00-004-D-500	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Operation UPLIFT	DRUG CONTROL & SUBST	75,000.00	75,000.00	37,500.00		
City of Rocky Mount	**10188**	221,547.75	259,999.50	259,999.50	2000 DCSI	This project will provide a network of substance abuse treatment, counseling, and support services for children and families dealing with post-Hurricane Floyd trauma in the City of Rocky Mount, Nash and Edgecombe
Down East Partnership for Children	033-1-00-013-D-362	225,000.00	0.00	0.00	7/1/2000 - 6/30/2001	
Project Recovery	DRUG CONTROL & SUBST	446,547.75	259,999.50	259,999.50		
Town of Princeville	**10153**	122,800.00	36,000.00	36,000.00	2000 DCSI	This project will assist the Town of Princeville with its communications system after the town was destroyed by a flood.
Princeville Police Department	033-1-00-15B-D-126	28,900.00	0.00	0.00	7/1/2000 - 6/30/2001	
A.H.C.A.P.	INFORMATION SYSTEMS &	151,700.00	36,000.00	36,000.00		
My Sister's House	**10441**	29,791.00	29,791.00	29,791.00	2000 VAWA	This project will expand services to victims of domestic violence residing in Nash and Edgecombe counties, including : a satellite office in rural Edgecombe county; a larger shelter with increased security, court advocacy, training of law enforcement and court personnel and protocol development.
My Sister's House, Inc.	033-2-00-4VA-W-013	0.00	0.00	0.00	9/1/2000 - 8/31/2001	
Project Outreach	VICTIM'S SERVICES	29,791.00	29,791.00	29,791.00		
	County Totals:	703,038.75	400,790.50	363,290.50		
Forsyth						
County of Forsyth	**10114**	68,350.50	68,350.50	68,350.50	2000 DCSI	This project will provide, through STEP ONE, Inc., assessments, case management, referrals and treatment services for persons incarcerated in the Forsyth County detention center who are awaiting trial.
STEP ONE, Inc	034-1-00-013-D-345	69,262.50	0.00	0.00	7/1/2000 - 6/30/2001	
Pretrial Intervention & Treatment of ST	DRUG CONTROL & SUBST	137,613.00	68,350.50	68,350.50		
County of Forsyth	**10197**	85,112.25	85,112.25	85,112.25	2000 DCSI	This project will provide for a three-person team that work as with youth in high crime areas in conjunction with the federal Safe School Initiative as part of the U.S. Attorney's Middle District Violence Reduction Strategy.
Visions Work Youth Services, Inc.	034-1-00-024-D-371	97,879.13	0.00	0.00	7/1/2000 - 6/30/2001	
"Street Workers" Project	DRUG CONTROL & SUBST	182,991.38	85,112.25	85,112.25		
City of Winston-Salem	**9930**	270,435.00	202,826.00	202,826.00	2000 DCSI	This project will improve community policing efforts in the City of Winston-Salem by purchasing forty-four Mobile Data Terminals.
Winston-Salem Police Department	034-1-00-15B-D-056	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Communications	INFORMATION SYSTEMS &	270,435.00	202,826.00	202,826.00		
County of Forsyth	**10259**	109,245.38	150,002.19	150,000.00	2000 JAIBG	This project will provide Multisystemic Therapy (MST) in Forsyth County through intensive home visitation services to identified chronic or violent juvenile offenders, aged 7 to 17 who are referred by the court counselors and local law enforcement (Juvenile Repeat Offenders Unit). Intervention services include youth and their families and include building problem-solving skills, social support resources, and addressing concrete needs and services such as housing.
Youth Opportunities, Inc.	034-1-00-FDJ-K-331	112,985.13	150,002.19	150,000.00	7/1/2000 - 6/30/2001	
Multisystemic Therapy	JUV. JUST. INTERVENTION	222,230.51	300,004.38	300,000.00		

Applicant/Agency/Project	Appl#/Approp/Strategy	Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
Winston-Salem / Forsyth County Schoo	**10328**	37,519.50	32,812.50	32,812.50	2000 DCSI	This project will provide [illegible] after school program for 25 at risk Hispanic youth. The program will address juvenile crime, gang involvement, youth violence and teenage pregnancy.
Support Our Students/YMCA of Greater	034-1-00-P01-D-106	38,883.00	33,750.00	33,750.00	7/1/2000 - 6/30/2001	
Albergue Para Ninos Hispanos	JUV. DELINQ. PREVENTIO	76,402.50	66,562.50	66,562.50		
County of Forsyth	**7437**	155,797.30	91,828.50	180,116.25	1997 DCSI	A system-wide network will 1) eliminate gaps in Forsyth County's response to domestic violence, and 2) reduce domestic violence in the county with a special emphasis on preventing the escalation of misdemeanor cases into felon-level assaults or homicides. The objective is to form a district level Family Violence Court which will handle all misdemeanor domestic cases and related civil actions.
Forsyth County District Attorney's Offic	034-1-97-018-D-288	152,256.93	88,287.75	0.00	7/1/1997 - 9/30/2000	
Integrated Community Response to Fa	Judicial	308,054.23	180,116.25	180,116.25		
County of Forsyth	**9008**	93,750.00	65,000.36	130,000.73	1999 DCSI	This project will offer academic, social, and psychological service to court involved juveniles. VisionWorks already offers after school and alternative day services and transition from out of home placement services. This project will enable VisionWorks to expand its services to meet the needs created by the new juvenile code.
VisionWorks Youth Services, Inc.	034-1-99-001-D-010	123,750.00	65,000.37	0.00	7/1/1999 - 6/30/2001	
VisionWork Youth Services, Inc.	JUV. JUST. INTERVENTION	217,500.00	130,000.73	130,000.73		
Northwest Peidmont Council of Govern	**8831**	84,527.25	84,526.50	167,534.25	1999 DCSI	This program will fund three pre-trial services specialists to develop and facilitate drug treatment for youthful offenders in a three county collaborative effort for Surry, Stokes, and Davie Counties.
NWPCOG Criminal Justice Department	034-1-99-010-D-311	83,007.00	83,007.00	0.00	7/1/1999 - 9/30/2001	
Pretrial Release/Day Reporting	DRUG CONTROL & SUBST	167,534.25	167,533.50	167,534.25		
Winston-Salem / Forsyth County Schoo	**9097**	41,049.26	39,800.36	77,479.91	1999 JJDP	This project will provide a structured curriculum for 500 middle school students at risk of dropping out. This program, along with the structured curriculum, has a recreation component, mentoring and substance abuse prevention.
YMCA of Greater Winston-Salem	034-1-99-0PA-J-362	41,671.85	37,679.33	0.00	7/1/1999 - 6/30/2001	
After's Cool	JUV. DELINQ. PREVENTIO	82,721.11	77,479.69	77,479.91		
County of Forsyth	**10123**	0.00	104,148.75	104,148.75	2000 DCSI	This project will provide funding for continued support of Forsyth County's Interagency Gang Intelligence Network to provide continued development and support of the intelligence database and operation of the Intelligence Unit.
District Attorney's Office	034-2-00-024-D-354	104,148.75	0.00	0.00	7/1/2000 - 6/30/2001	
Interagency Gang Intelligence Network	DRUG CONTROL & SUBST	104,148.75	104,148.75	104,148.75		
Northwest Peidmont Council of Govern	**10550**	118,172.25	118,172.25	118,172.25	1999 JAIBG	Will establish a weekend program for court involved juveniles in a four county area covering two judicial districts. The program draws on the resources of a number of social service agencies
Camp I Can, Inc.	034-2-99-007-K-027	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Camp I Can Structured Weekend Progr	JUV. JUST. INTERVENTION	118,172.25	118,172.25	118,172.25		
	County Totals:	1,887,802.97	1,500,306.80	1,500,303.39		

Franklin

Safe Space, Inc.	**10427**	154,400.00	154,400.00	154,400.00	2000 VOCA	This project will continue to offer services to victims of domestic violence in Franklin County including court advocacy, translation (Spanish), shelter, counseling, transportation, coordination with local legal services, and mentoring domestic violence programs in the area.
Safe Space, Inc.	035-2-00-010-V-016	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Safe Space, Inc.	VICTIM'S SERVICES	154,400.00	154,400.00	154,400.00		
	County Totals:	154,400.00	154,400.00	154,400.00		

Gaston

City of Belmont	**9876**	28,450.50	28,450.50	28,450.50	2000 DCSI	This project will place a school resource officer at the Belmont Middle School in Gaston County.
Belmont Police Department	036-1-00-P05-D-007	29,873.25	0.00	0.00	7/1/2000 - 6/30/2001	
Belmont Police SRO	JUV. DELINQ. PREVENTIO	58,323.75	28,450.50	28,450.50		
	County Totals:	58,323.75	28,450.50	28,450.50		

Gates

Gates County Board of Education	**10189**	35,701.63	35,701.63	35,701.63	2000 DCSI	This project will provide for school resource officer to be assigned to the county's middle school.
Gates County Sheriff's Office	037-1-00-004-D-363	0.00	0.00	0.00	7/26/2000 - 5/31/2001	
School Resource Officer - Central Middl	DRUG CONTROL & SUBST	35,701.63	35,701.63	35,701.63		
	County Totals:	35,701.63	35,701.63	35,701.63		

Graham

County of Graham	**9949**	33,364.50	33,364.50	33,364.50	2000 DCSI	This project will help to expand an existing after-school program, which will include prevention and intervention services that address a variety of mental-health and social needs of at risk students. The project will target students of county elementary, middle, and high schools.
Graham County Schools	038-1-00-P01-D-035	35,412.00	35,412.00	35,412.00	7/1/2000 - 6/30/2001	
Project Link	JUV. DELINQ. PREVENTIO	68,776.50	68,776.50	68,776.50		
County of Graham	**8996**	45,012.34	44,292.78	51,292.77	1999 DCSI	This project will expand an existing after school program to provide a transportation component. Other components include academic tutoring, structured recreation, mentoring and like skills
Graham County Schools	038-1-99-004-D-346	20,235.44	20,235.44	0.00	7/1/1999 - 6/30/2000	
Project TASP	JUV. DELINQ. PREVENTIO	65,247.78	64,528.22	51,292.77		
County of Graham	**10440**	63,132.75	63,132.75	63,132.75	2000 VAWA	This project will support the development of a law enforcement unit of respond to domestic violence, sexual assault, and child abuse in Graham County.
Graham County Sheriff's Office	038-2-00-2VA-W-065	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence Enforcement Unit	VICTIM'S SERVICES	63,132.75	63,132.75	63,132.75		
	County Totals:	197,157.03	196,437.47	183,202.02		

Granville

City of Oxford	**8903**	123,429.00	47,527.50	76,999.50	1999 DCSI	This program will provide for a full-time juvenile crimes investigator and a departmental social worker for providing protective services and emergency placements in child abuse situations.
Oxford Police Department	039-1-99-024-D-448	73,742.25	29,472.00	0.00	7/1/1999 - 6/30/2001	
Juvenile Delinquency Prevention	DRUG CONTROL & SUBST	197,171.25	76,999.50	76,999.50		
	County Totals:	197,171.25	76,999.50	76,999.50		

Guilford

City of Greensboro	**10195**	58,047.75	58,047.75	58,047.75	2000 DCSI	This project will provide a non-sworn community resource coordinator who will be resposible for research and liaison for the Greensboro Violent Crimes Task as part of the U.S. Attorney's Middle District Violence Reduction Strategy.
Greensboro Police Department	041-1-00-008-D-369	55,801.50	55,801.50	55,801.50	7/1/2000 - 9/30/2001	
Greensboro Violent Crime Task force	DRUG CONTROL & SUBST	113,849.25	113,849.25	113,849.25		
City of High Point	**10196**	39,568.50	39,568.50	39,568.50	2000 DCSI	This project will provide for a non-sworn community resource coordinator who will be responsible for research and liaison for the high Point Violent Crimes Task Force which is part the the U. S. Attorney's Middle District Violence Reduction Strategy.
High Point Community Development &	041-1-00-008-D-370	39,600.00	39,600.00	39,600.00	7/1/2000 - 6/30/2001	
Violent Crimes Task Force's Resource	DRUG CONTROL & SUBST	79,168.50	79,168.50	79,168.50		
City of High Point	**10373**	142,575.00	142,575.00	142,575.00	2000 DCSI	This project will provide second year funding for the pilot Hispanic Community Family Alcohol and Drug Prevention /Treatment Center for the City of High Point.
Hispanic Center	041-1-00-013-D-399	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
HOPE: Esperanza	DRUG CONTROL & SUBST	142,575.00	142,575.00	142,575.00		
Family Service of the Piedmont, Inc.	**9849**	83,917.60	78,672.80	78,672.80	2000 VOCA	This project will support a forensic interviewer, a victim advocate, and administrative staff to provide services to victims and witnesses of child abuse in Guilford County.
Family Service of the Piedmont, Inc.	041-1-00-030-V-008	87,958.40	0.00	0.00	7/1/2000 - 6/30/2001	
Children's Advocacy Center Expansion	VICTIM'S SERVICES	171,876.00	78,672.80	78,672.80		
City of High Point	**10083**	49,500.00	49,500.00	49,500.00	2000 DCSI	This project will involve acquiring a livescan device for capturing digital fingerprint images.
High Point Police Department	041-1-00-15B-D-104	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
LIVESCAN	INFORMATION SYSTEMS &	49,500.00	49,500.00	49,500.00		

					Source/Dates	Summary
City of Greensbo[illegible]	**10156**	87,157.50	7[illegible]1.75	78,441.75	2000 DCSI	This project will provide t[illegible]eensboro Police
Greensboro Pol[illegible]epartment	041-1-00-15B-D-129	0.00	[illegible]0.00	0.00	7/1/2000 - 6/30/2001	Department with ten Mobile Data Terminals
Mobile Reporting	INFORMATION SYSTEMS &	87,157.50	78,441.75	78,441.75		
County of Guilford	**10260**	59,558.25	59,558.25	59,558.25	2000 JAIBG	This project will provide for Life Skills Conflict Resolution Skills (LSCR) training, including expansion of LSCR training in the Guilford County Detention Center and Teen Court for court adjudicated youths, an expansion of the mentoring program, and other services in Guilford County. Partnerships include Guilford County Schools, law enforcement, Department of Social Services, Juvenile Justice Office, Support Our Students and others.
One Step Further, Inc.	041-1-00-RJP-K-332	58,485.75	0.00	0.00	7/1/2000 - 6/30/2001	
Juvenile Community-Based Life Skills	JUV. JUST. INTERVENTION	118,044.00	59,558.25	59,558.25		
City of High Point	**9230**	133,875.00	100,000.50	123,250.50	1999 DCSI	This program will provide funding for drug and alcohol treatment services geared toward the Hispanic population and their cultural needs.
Hispanic Center (Catholic Social Servic	041-1-99-013-D-397	97,425.00	0.00	0.00	7/1/1999 - 12/31/2000	
HOPE: Esperanza	DRUG CONTROL & SUBST	231,300.00	100,000.50	123,250.50		
County of Guilford	**10498**	290,003.00	290,003.00	290,000.00	2000 JAIBG	This project will develop a day reporting center to serve 45 level 2 court involved middle school students. Drawing upon resources from other local initiatives including NCFACES, MAJORS and other CBA funded programs, this program will offer education, family empowerment, mental health and substance abuse services.
Juvenile Detention Center	041-2-00-DRC-K-030	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Juvenile Day Reporting Center	JUV. JUST. INTERVENTION	290,003.00	290,003.00	290,000.00		
	County Totals:	1,283,473.26	991,769.06	1,015,016.05		

Halifax

City of Roanoke Rapids	**9860**	23,260.50	23,260.50	23,260.50	2000 DCSI	This project will provide the Roanoke Rapids Police Department with three Mobile Data Terminals to tie into the CJIN network.
Roanoke Rapids Police Department	042-1-00-15B-D-036	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Quick Report III	INFORMATION SYSTEMS &	23,260.50	23,260.50	23,260.50		
Town of Littleton	**8896**	8,999.91	8,999.91	10,552.01	1999 DCSI	This project will update the paper reporting system for the Town of Littleton by utilizing the IBASE system.
Littleton Police Department	042-1-99-15B-D-032	1,539.00	1,539.00	0.00	7/1/1999 - 6/30/2001	
Information System 2000	INFORMATION SYSTEMS &	10,538.91	10,538.91	10,552.01		
	County Totals:	33,799.41	33,799.41	33,812.51		

Harnett

County of Harnett	**10349**	88,835.25	88,835.25	88,835.25	2000 DCSI	This project will provide for second year funding for this countywide drug treatment program which began in 1999.
Eleventh Judicial District, ReEntry	043-1-00-013-D-396	96,000.00	0.00	0.00	7/1/2000 - 6/30/2001	
ReEntry Drug Diversion and Education	DRUG CONTROL & SUBST	184,835.25	88,835.25	88,835.25		
City of Dunn	**9872**	51,659.06	34,121.16	20,000.00	2000 DCSI	This project will allow the Dunn Police Department to update their current system with new servers and workstations.
Dunn Police Department	043-1-00-15B-D-041	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
CONNECT 2000	INFORMATION SYSTEMS &	51,659.06	34,121.16	20,000.00		
City of Dunn	**10464**	35,000.00	35,000.00	35,000.00	1999 JJDP	
Dunn Recreation Department	043-1-99-0PA-J-611	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
FAST START AFTER SCHOOL PROG	JUV. DELINQ. PREVENTIO	35,000.00	35,000.00	35,000.00		
County of Harnett	**9351**	55,266.00	35,000.00	75,000.00	1999 JJDP	This project will provide therapy and support services for child victims of abuse & neglect. Abusive women will be educated on learning alternative means of coping with abusive behaviors. Children in the shelter will receive one-on-one support and group therapy.
S.A.F.E. of Harnett County, Inc.	043-1-99-0PB-J-415	58,029.00	40,000.00	0.00	7/1/1999 - 6/30/2001	
W.A.V.E. (Women Accessing Violence	JUV. DELINQ. PREVENTIO	113,295.00	75,000.00	75,000.00		

Applicant/Agency/Project	Appl#/Approp/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
S.A.F.E. of Harnett County, Inc.	**10474**	98,967.00	98,967.00	98,967.00	2000 VAWA	This project wil provide education, information, advocacy, and support to victims of domestic violence and sexual assault residing in Harnett County, including Dunn and the Anderson Creek/Spring Lake military area. Latinas will also be targeted by this intervention.
S.A.F.E. of Harnett County, Inc.	043-2-00-1VA-W-136	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
S.A.F.E. Expansion Services	VICTIM'S SERVICES	98,967.00	98,967.00	98,967.00		
County of Harnett	**10435**	116,998.50	116,998.50	116,998.50	2000 VAWA	This project will establish a domestic violence/sexual assault unit within the Harnett County District Attorney's office (11th Prosecutorial District)
District Attorney's Office -- 11th	043-2-00-3VA-W-153	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence / Sexual Assault Uni	vawa	116,998.50	116,998.50	116,998.50		
	County Totals:	600,754.80	448,921.91	434,800.75		

Haywood

Haywood County Schools	**9804**	37,500.00	37,125.00	37,125.00	2000 DCSI	This project will provide for the hiring of a school resource officer to be shared between Canton Middle School and Bethel Middle School.
Haywood County Schools	044-1-00-004-D-305	37,500.00	0.00	0.00	7/1/2000 - 6/30/2001	
School Resource Officer / Safe Schools	DRUG CONTROL & SUBST	75,000.00	37,125.00	37,125.00		
REACH of Haywood County	**10209**	51,191.20	47,992.00	47,992.00	2000 VOCA	This project will provide enhanced services to victims of sexual assault and domestic violence in Haywood County. Services will include a comprehensive children's program.
REACH of Haywood County	044-1-00-013-V-100	51,476.80	48,259.20	48,259.20	7/1/2000 - 6/30/2001	
"VAP" Victim Advocacy Project	VICTIM'S SERVICES	102,668.00	96,251.20	96,251.20		
County of Haywood	**10566**	17,626.50	17,626.50	17,626.50	1998 DCSI	This project will provide for the purchase of equipment that will allow for the Sheriffs Department to provide information on the Unifor Crime Reporting electronically
Haywood County Sheriff's Office	044-1-98-15B-D-806	0.00	0.00	0.00	10/1/2000 - 7/31/2001	
UCR Network Upgrade	DRUG CONTROL & SUBST	17,626.50	17,626.50	17,626.50		
Town of Waynesville	**9497**	85,846.00	50,000.00	100,000.00	1999 JJDP	This project will provide an after school and day program for youth ages 11-17. Components of the program are life skills, conflict resolution, academic tutoring, structured recreation and parental involvement.
Waynesville Parks & Recreation Depart	044-1-99-0PA-J-437	87,134.00	50,000.00	0.00	7/1/1999 - 6/30/2001	
Camp Waynesville	JUV. DELINQ. PREVENTIO	172,980.00	100,000.00	100,000.00		
30th Jud. Dis. DV&SA Alliance, Inc.	**9051**	150,700.00	162,534.00	121,900.50	1999 VAWA	This project will establish a domestic violence alliance coordinating policies and protocols of agencies in the seven counties that make up the 30th Judicial District: Cherokee, Clay, Graham, Haywood, Jackson, Macon, and Swain.
30th Jud. Dis. DV&SA Alliance, Inc.	044-1-99-4VA-W-064	143,340.00	0.00	0.00	7/1/1999 - 9/30/2000	
Coordinated Response to DV&SA in th	VICTIM'S SERVICES	294,040.00	162,534.00	121,900.50		
30th Jud. Dis. DV&SA Alliance, Inc.	**10487**	137,051.50	137,051.50	137,051.50	2000 VAWA	This project will establish a domestic violence alliance coordinating policies and protocols of agencies in seven counties that make up the 30th Judicial District: Cherokee, Clay, Graham, Haywood, Jackson, Macon and Swain.
30th Judicial District DV-SA Alliance, In	044-2-00-4VA-W-064	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Coordinated Resp. to DV & SA in the 3	VICTIM'S SERVICES	137,051.50	137,051.50	137,051.50		
	County Totals:	799,366.00	550,588.20	509,954.70		

Henderson

The Healing Place, Inc.	**10355**	37,146.40	34,824.80	34,824.80	2000 VOCA	This project will provide support and advocacy to child abuse victims and their families in Henderson County via the children's advocacy center. A child abuse task force will be implemented as well as training for child abuse professionals in the area.
The Healing Place	045-1-00-030-V-167	39,777.60	37,292.00	37,292.00	7/1/2000 - 6/30/2001	
CARE	VICTIM'S SERVICES	76,924.00	72,116.80	72,116.80		
City of Hendersonville	**9912**	47,778.99	59,999.88	60,000.00	2000 DCSI	This project will provide collaborative after-school and summer programs for at-risk youth ages 6 to 18.
Boys & Girls Club of Hendersonville	045-1-00-P01-D-014	47,778.99	63,370.05	60,000.00	7/1/2000 - 6/30/2001	
After School / Summer Program	JUV. DELINQ. PREVENTIO	95,557.99	123,369.93	120,000.00		
City of Hendersonville	**9439**	21,810.75	21,810.75	21,810.75	1999 DCSI	This program will provide for funding for a partnership between DAPP and PD for arrests of PP violators.
Hendersonville Police Department	045-1-99-011-D-380	0.00	0.00	0.00	7/1/1999 - 6/30/2000	
Criminal Apprehension Program (C.A.P	DRUG CONTROL & SUBST	21,810.75	21,810.75	21,810.75		

							Summary
City of Hender[redacted]ille	**9295**	70,000.00	[redacted]0.00	95,000.00	1999 JJDP		This project wil provide a[redacted]er school and
Hendersonville[redacted]e Department	045-1-99-0PA-J-379	68,500.00	[redacted]0.00	30,000.00	7/1/1999	- 6/30/2001	summer program for at ri[redacted] youth. This
P.A.Y.: Police and Youth	JUV. DELINQ. PREVENTIO	138,500.00	125,000.00	125,000.00			collaborative community effort has as its components structured recreation, mentoring, life skills, academic tutoring, and parental involvement.
The Healing Place, Inc.	**10422**	49,288.00	49,288.00	49,288.00	2000 VOCA		This project will provide support, assistance, and resources to victims of sexual assault or abuse residing in Henderson County.
The Healing Place, Inc.	045-2-00-020-V-127	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
Support for Survivors	VICTIM'S SERVICES	49,288.00	49,288.00	49,288.00			
	County Totals:	382,080.74	391,585.48	388,215.55			

Hertford

County of Hertford	**9874**	24,750.00	24,750.00	24,750.00	2000 DCSI		This project will provide for drug assessments and transportation costs for offenders assigned to the Hertford County Day Reporting Center.
Hertford County Day Reporting Center	046-1-00-011-D-312	24,750.00	0.00	0.00	7/1/2000	- 6/30/2001	
Combat Drug Abuse	DRUG CONTROL & SUBST	49,500.00	24,750.00	24,750.00			
County of Hertford	**9995**	82,871.39	77,685.60	60,467.20	2000 VOCA		This project will provide staff to assist victims of sexual assault and domestic violence in Chowan, Northampton, Bertie, and Gates Counties.
Roanoke-Chowan S.A.F.E.	046-1-00-011-V-050	86,822.96	81,428.00	81,428.00	7/1/2000	- 6/30/2001	
Direct Services for DV and SA	VICTIM'S SERVICES	169,694.35	159,113.60	141,895.20			
County of Hertford	**10481**	28,460.00	28,460.00	28,460.00	2000 VOCA		This project will support staff to provide services to domestic violence victims. Services will be provided through a satellite office in Gates County and will include court advocacy and information and referral services.
Roanoke-Chowan S.A.F.E.	046-1-00-011-V-630	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
GATES -- VICTIM'S SERVICES	VICTIM'S SERVICES	28,460.00	28,460.00	28,460.00			
County of Hertford	**10482**	27,528.80	27,528.80	27,528.80	2000 VOCA		This project will support staff to provide services to domestic violence victims. Services will be provided through a satellite office in Northampton County and will include court advocacy and information and referral services.
Roanoke-Chowan S.A.F.E.	046-1-00-011-V-631	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
NORTHAMPTON -- VICTIM'S SERVIC	VICTIM'S SERVICES	27,528.80	27,528.80	27,528.80			
County of Hertford	**10486**	25,051.20	25,051.20	25,051.20	2000 VOCA		This project will support staff to provide services to domestic violence victims. Services will be provided through a satellite office in Bertie County and will include court advocacy and information and referral services.
Roanoke - Chowan S.A.F.E.	046-1-00-011-V-633	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
BERTIE -- VICTIM'S SERVICES	VICTIM'S SERVICES	25,051.20	25,051.20	25,051.20			
Town of Ahoskie	**10080**	10,138.50	10,138.50	10,138.50	2000 DCSI		This project will provide the Ashokie Police Department with two Mobile Data Terminals.
Ahoskie Police Department	046-1-00-15B-D-101	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
Ahoskie Police Mobile Terminal Project	INFORMATION SYSTEMS &	10,138.50	10,138.50	10,138.50			
Town of Murfreesboro	**10138**	9,867.75	9,867.75	9,867.75	2000 DCSI		This project will enable Chowan College to convert from paper to automated records using the IBASE reporting standards.
Chowan College Campus Police	046-1-00-15B-D-111	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
CJIN Compliant Reporting Project	INFORMATION SYSTEMS &	9,867.75	9,867.75	9,867.75			
County of Hertford	**9147**	27,626.43	27,626.43	46,979.39	1999 DCSI		This program will provide funding for treatment services for juvenile and young offenders.
Roanoke-Chowan Human Services Cen	046-1-99-013-D-355	26,147.06	26,147.06	0.00	7/1/1999	- 6/30/2001	
Project Intervention	DRUG CONTROL & SUBST	53,773.49	53,773.49	46,979.39			
	County Totals:	374,014.09	338,683.34	314,670.84			

Hoke

City of Raeford	**10321**	21,150.00	16,000.01	16,000.00	2000 DCSI		This project will provide two Mobile Data Terminals for the Raeford Police Department.
Raeford Police Department	047-1-00-15B-D-140	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
Computerized Information Network	INFORMATION SYSTEMS &	21,150.00	16,000.01	16,000.00			
Hoke County Schools	**10364**	72,209.25	67,228.13	67,228.12	2000 DCSI		This project will provide an after school program for 60 middle school students. The components include reading, math and parental involvement.
Hoke County Schools	047-1-00-P01-D-113	0.00	0.00	0.00	7/1/2000	- 6/30/2001	
CARE -- After School Project	JUV. DELINQ. PREVENTIO	72,209.25	67,228.13	67,228.12			

Applicant/Agency/Project	Appl#/Appl#/Strategy	Requested FY1/Y2	Approved FY1/Y2	Awarded FY1/Y2	Source/Dates	Summary
County of Hoke	**9482**	211,260.00	121,881.00	121,881.00	1999 DCSI	This program will provide funding for a comprehensive overhaul of policing strategy for the Hoke County Sheriff's Office.
Hoke County Sheriff's Office	047-1-99-004-D-390	139,792.50	0.00	0.00	7/1/1999 - 6/30/2001	
Comprehensive Policing Strategies	DRUG CONTROL & SUBST	351,052.50	121,881.00	121,881.00		
County of Hoke	**9253**	30,276.75	15,687.75	15,687.75	1999 DCSI	This project will allow the Hoke County Sheriff's Office to purchase two (2) MDT's.
Hoke County Sheriff's Office	047-1-99-15B-D-106	0.00	0.00	0.00	7/1/1999 - 6/30/2000	
Technology Upgrade Project	INFORMATION SYSTEMS &	30,276.75	15,687.75	15,687.75		
	County Totals:	474,688.50	220,796.88	220,796.87		
Iredell						
Diakonos, Inc.	**10280**	26,467.20	24,812.80	24,812.80	2000 VOCA	This project will expand the number of individual and group counseling sessions per domestic violence and/or sexual assault victim in Iredell, Alexander and Davie Counties.
Diakonos, Inc.	049-1-00-013-V-145	28,129.60	26,372.00	26,372.00	7/1/2000 - 6/30/2001	
S.Y.N.C. Program	VICTIM'S SERVICES	54,596.80	51,184.80	51,184.80		
Town of Mooresville	**9839**	24,525.00	24,525.00	24,525.00	2000 DCSI	This project will be used to purchase five Mobile Data Terminals for the Moorseville Police Department. This will enhance communications in the field for patrol, investigative, and narcotic officers.
Mooresville Police Department	049-1-00-15B-D-028	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Communications System Upgrade	INFORMATION SYSTEMS &	24,525.00	24,525.00	24,525.00		
County of Iredell	**10067**	83,699.82	83,699.82	83,699.82	2000 DCSI	This project will provide the Iredell County Sheriff's Office with twelve Mobile Data Terminals.
Iredell County Sheriff's Office	049-1-00-15B-D-087	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
B.U.S.T.E.D.	INFORMATION SYSTEMS &	83,699.82	83,699.82	83,699.82		
County of Iredell	**9982**	28,125.19	27,591.75	29,431.20	2000 JAIBG	This project, offered through Piedmont Mediation Center, will provide a Juvenile Victim-Offender Program for Iredell, Alexander, Davie and Davidson Counties. Using a trained mediator, victim offender mediation will involve fact-to-face meetings between youth perpetrators and the victims of their crimes. Opportunities offered through the mediation include the opportunity for the juveniles to apologize, repair damages, show remorse or otherwise take responsibility for their actions. Parental/guardian involvement is included.
Piedmont Mediation Center, Inc.	049-1-00-RJP-K-315	28,012.50	25,037.33	25,037.33	7/1/2000 - 6/30/2001	
Juvenile Victim Offender Program	JUV. JUST. INTERVENTION	56,137.69	52,629.08	54,468.53		
	County Totals:	218,959.31	212,038.70	213,878.15		
Jackson						
County of Jackson	**9828**	25,104.80	23,537.60	23,537.60	2000 VOCA	This project will support staff to coordinate services to victims of child abuse in Jackson County, to include the underserved Eastern Band of Cherokees.
AWAKE, Inc.	050-1-00-030-V-001	25,044.80	23,480.00	23,480.00	7/1/2000 - 6/30/2001	
AWAKE Victim Services	VICTIM'S SERVICES	50,149.60	47,017.60	47,017.60		
County of Jackson	**9055**	113,208.75	42,963.00	42,963.00	1999 VAWA	This project will establish a county-wide multi-jurisdictional law enforcement unit to respond to victims of domestic violence and sexual assault in Jackson County. This unit includes officers from the Sheriff of Jackson County, Western Carolina University and Blue Ridge Public Safety.
Jackson County Sheriff's Office	050-1-99-2VA-W-068	86,553.00	0.00	0.00	7/1/1999 - 2/28/2000	
Domestic Violence Enforcement Unit	VICTIM'S SERVICES	199,761.75	42,963.00	42,963.00		
County of Jackson	**10468**	83,343.00	83,343.00	114,030.10	2000 VAWA	This project will establish a county-wide multi-jurisdictional law enforcement unit to respond to victims of domestic violence and sexual assault in Jackson County. This unit incudes officers from the Sheriff of Jackson County, Western Carolina University and Blue Ridge Public Safety.
Jackson County Sheriff's Office	050-2-00-2VA-W-068	0.00	0.00	0.00	3/1/2000 - 6/30/2001	
Domestic Violence Enforcement Unit	VICTIM'S SERVICES	83,343.00	83,343.00	114,030.10		

		Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
REACH of Jack[redacted] County	**10428**	133,568.00	1[redacted]8.00	133,568.00	2000 VAWA	This project will provide [redacted]t services to victims of domestic violence residing in Jackson County, including advocacy, mentoring, life skills training, volunteer training, and outreach to underserved Hispanics, Native Americans and African Americans.
REACH of Jack[redacted] County, Inc.	050-2-00-2VA-W-072	0.00	[redacted]0.00	0.00	7/1/2000 - 6/30/2001	
REACH for Success	VICTIM'S SERVICES	133,568.00	133,568.00	133,568.00		
	County Totals:	466,822.35	306,891.60	337,578.70		
Johnston						
Harbor, Inc.	**9844**	67,430.20	63,216.00	63,216.00	2000 VOCA	This project will provide staff who will offer crisis intervention services to domestic violence victims and their children in Johnston County.
Harbor, Inc.	051-1-00-010-V-003	70,392.20	66,006.00	66,006.00	7/1/2000 - 6/30/2001	
Project Protect	VICTIM'S SERVICES	137,822.40	129,222.00	129,222.00		
Johnston County Schools	**10126**	145,264.50	119,009.25	119,009.25	2000 JAIBG	This project will provide psychiatric and learning problem screening for all children referred to the Johnston County Office of Juvenile Justice (OJJ), a triage approach to children for testing and treatment, parent support groups, and training on how to respond effectively to children with behavioral. An interdisciplinary team of the Johnston County Schools, OFF, UNC-Chapel Hill Departments of Psychiatry and School of Social Work and the National Institute of Environmental Health Sciences will coordinate intervention plans for the referred youth and their families.
Johnston County Schools	051-1-00-FDJ-K-319	143,250.00	99,506.25	99,506.25	7/1/2000 - 6/30/2001	
Juvenile Partnership Project	JUV. JUST. INTERVENTION	288,514.50	218,515.50	218,515.50		
	County Totals:	426,336.90	347,737.50	347,737.50		
Jones						
Jones County Public Schools	**9435**	25,014.19	25,014.19	51,028.95	1999 DCSI	This program will provide for funding of a School Resource Officer.
Jones County Public Schools	052-1-99-004-D-379	26,014.75	26,014.75	0.00	7/1/1999 - 6/30/2001	
School Resource Officer	DRUG CONTROL & SUBST	51,028.94	51,028.94	51,028.95		
	County Totals:	51,028.94	51,028.94	51,028.95		
Lee						
HAVEN in Lee County, Inc.	**10005**	70,080.00	65,700.00	65,700.00	2000 VOCA	This project will fund domestic violence shelter staff in Lee County who will manage the operations of the shelter.
HAVEN in Lee County, Inc.	053-1-00-010-V-060	72,182.40	67,670.40	67,670.40	7/1/2000 - 6/30/2001	
Haven Shelter for Victims of DV and th	VICTIM'S SERVICES	142,262.40	133,370.40	133,370.40		
County of Lee	**9855**	29,269.50	29,269.50	29,269.50	2000 DCSI	This project will provide the Lee County Sheriff's Office with 5 Mobile Data Terminals for their patrol vehicles.
Lee County Sheriff's Office	053-1-00-15B-D-031	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
LAPTOP	INFORMATION SYSTEMS &	29,269.50	29,269.50	29,269.50		
County of Lee	**9231**	31,804.50	31,804.50	63,474.75	1999 DCSI	This program will provide funding for intensive substance abuse treatment services for adult offenders on probation.
Lee-Harnett Criminal Justice Alliance	053-1-99-011-D-398	31,670.25	31,670.25	0.00	7/1/1999 - 6/30/2001	
Lee-Harnett Substance Abuse Outpatie	DRUG CONTROL & SUBST	63,474.75	63,474.75	63,474.75		
	County Totals:	235,006.65	226,114.65	226,114.65		
Lenoir						
S.A.F.E. in Lenoir County, Inc.	**10002**	36,568.00	34,282.00	34,282.00	2000 VOCA	This project will allow SAFE of Lenoir County to place an advocate in Greene County full time to provide services to domestic violence victims. This outreach will address the currently underserved victims in Greene County.
S.A.F.E. in Lenoir County, Inc.	054-1-00-010-V-057	37,920.00	0.00	0.00	7/1/2000 - 6/30/2001	
Victim Outreach	VICTIM'S SERVICES	74,488.00	34,282.00	34,282.00		

Applicant/Proj. Agency/Project	Appl#/Appl#n/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Lenoir Community College	**10186**	69,789.75	69,789.75	69,789.75	2000 DCSI	This project will provide for academic and job readiness skills training for inmates serving sentences in the Lenoir County Dentention Center.
Lenoir Community College	054-1-00-011-D-360	0.00	0.00	0.00	7/1/2000 - 9/30/2001	
Lenoir Community College Outreach Pr	DRUG CONTROL & SUBST	69,789.75	69,789.75	69,789.75		
	County Totals:	144,277.75	104,071.75	104,071.75		

Lincoln

County of Lincoln	**10286**	123,160.00	114,644.00	114,644.00	2000 VOCA	This project will support staff to provide counseling, shelter and many other services to domestic violence victims and their children in Lincoln county.
Amy's House	055-1-00-012-V-151	0.00	114,644.00	114,644.00	7/1/2000 - 6/30/2001	
Lincoln Co. Coalition Domestic Violenc	VICTIM'S SERVICES	123,160.00	229,288.00	229,288.00		
	County Totals:	123,160.00	229,288.00	229,288.00		

Macon

County of Macon	**10230**	70,191.20	59,080.40	59,080.40	2000 VOCA	This project will support a court advocate to provide legal support and services to sexual assault and domestic violence victims in Macon County. This is a collaborative effort between REACH, Legal services, Macon County Sheriff's office, and the District Attorney's office.
R.E.A.C.H. of Macon County, Inc.	056-1-00-011-V-123	72,175.20	63,615.20	63,615.20	7/1/2000 - 6/30/2001	
Victim Services Inhancement Project	VICTIM'S SERVICES	142,366.40	122,695.60	122,695.60		
County of Macon	**9824**	13,063.35	13,063.35	13,180.35	2000 DCSI	This project will allow the Macon County Sheriff's Office to access secure DCI and NCIC Information from the field. This will provide two Mobile Data Terminals for the department.
Macon County Sheriff's Office	056-1-00-15B-D-018	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Macon Mobile Information Project	INFORMATION SYSTEMS &	13,063.35	13,063.35	13,180.35		
County of Macon	**9929**	21,652.50	20,000.00	20,000.00	2000 DCSI	This project will allow the Macon County Sheriff's Office to complete its conversion to Incident-Based Crime Reporting and allow Macon County to use personal computers to connect to the Division of Criminal Information databases.
Macon County Sheriff's Office	056-1-00-15B-D-055	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Criminal Justice Information System	INFORMATION SYSTEMS &	21,652.50	20,000.00	20,000.00		
County of Macon	**10403**	24,000.00	24,000.00	24,000.00	2000 VOCA	This project will provide for a victim advocate to assist domestic violence and sexual assault victims through crisis intervention, court advocacy, and information and referrals in Macon County.
REACH of Macon County, Inc.	056-2-00-011-V-800	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Dom. Violence & Sexual Assault Victim'	VICTIM'S SERVICES	24,000.00	24,000.00	24,000.00		
County of Macon	**10429**	78,966.75	78,966.75	78,966.75	2000 VAWA	This project will support the development of a Domestic Violence law enforcement unit, developing protocols, conducting investigations, and coordinating response to domestic violence in Macon County.
Macon County Sheriff's Office	056-2-00-2VA-W-008	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence Enforcement Unit	VICTIM'S SERVICES	78,966.75	78,966.75	78,966.75		
	County Totals:	280,049.00	258,725.70	258,842.70		

Madison

Rape Crisis Center of Buncombe Count	**10004**	10,292.00	9,648.80	9,648.80	2000 VOCA	This project will enhance services to sexual assault victims by expanding outreach and care to include victims of child sexual abuse in Buncombe and Madison Counties.
Rape Crisis Center, Inc.	057-1-00-021-V-059	10,292.00	9,648.80	9,648.80	10/1/2000 - 9/30/2001	
Intake Case Manager	VICTIM'S SERVICES	20,584.00	19,297.60	19,297.60		

		Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
County of Madis[illegible]	**9907**	46,829.94	46[illegible]94	46,829.74	2000 JAIBG	This project will develop a[illegible]limensional Treatment Foster Care (MT[illegible]) program, a Blue Prints for Violence Prevention model program, to provide community based intervention for delinquent and undisciplined juveniles and their families. Collaborative partners include the Madison Office of Juvenile Justice, Madison County Sheriff's Office, Juvenile Crime Prevention Council, Madison County Schools, Department of Social Services and others. Services include Temporary Specialized Foster Care, home based services and home based counseling.
Madison County D[illegible]t. of Social Service	057-1-00-FDJ-K-305	47,433.32	46,[illegible]94	46,829.75	7/1/2000 - 6/30/2001	
Multidimensional Treatment Foster Car	JUV. JUST. INTERVENTION	94,263.26	93,659.88	93,659.49		
Helpmate of Madison, Inc.	**10460**	54,666.00	54,666.00	54,666.00	2000 VAWA	This project will provide emergency housing and comprehensive services to victims of domestic violence in Madison County.
Helpmate of Madison County, Inc.	057-2-00-1VA-W-141	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Helpmate-Madison Shelter Project	VICTIM'S SERVICES	54,666.00	54,666.00	54,666.00		
	County Totals:	169,513.26	167,623.48	167,623.09		

Mecklenburg

County of Mecklenburg	**10559**	45,000.00	45,000.00	45,000.00	2000 DCSI	This project will fund the production and dissemination of crime prevention and children's safety materials in the Mecklenburg County area.
Mecklenburg County Sheriff's Office	060-1-00-004-D-656	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Crime Prevention and Children's Safety	DRUG CONTROL & SUBST	45,000.00	45,000.00	45,000.00		
United Family Services	**9863**	44,352.80	41,580.80	41,580.80	2000 VOCA	This project will support a victim advocate to provide services to domestic violence victims in Mecklenburg County.
Victim Assistance, United Family Servic	060-1-00-010-V-013	45,426.40	42,587.20	42,587.20	7/1/2000 - 6/30/2001	
Extended Services	VICTIM'S SERVICES	89,779.20	84,168.00	84,168.00		
County of Mecklenburg	**10583**	68,935.50	68,935.50	68,935.50	2000 DCSI	This project will address the problem of recidivism within the county's criminal justice system.
Mecklenburg County Sheriff's Office	060-1-00-013-D-102	0.00	0.00	0.00	10/1/2000 - 6/30/2001	
Refuse to Repeat	DRUG CONTROL & SUBST	68,935.50	68,935.50	68,935.50		
City of Charlotte	**9913**	73,364.25	69,483.00	69,483.00	2000 DCSI	This project will provide collaborative services with the Charlotte-Mecklenburg PD, Department of Social Services and other local agencies that focus on early identification, intervention and prevention/reduction of violence, child abuse and neglect.
Charlotte-Mecklenburg Police Departm	060-1-00-P05-D-015	91,683.00	65,643.00	65,643.00	7/1/2000 - 6/30/2001	
Family Solutions / Child Development	JUV. DELINQ. PREVENTIO	165,047.25	135,126.00	135,126.00		
Legal Services of Southern Piedmont, I	**10597**	29,825.00	29,825.00	29,825.00	1997 VAWA	This project will support staff to provide legal advocacy services to domestic violence victims in Cabarrus, Stanly, and Union Counties.
Legal Services of Southern Piedmont	060-1-97-3VA-W-305	0.00	0.00	0.00	1/1/2001 - 6/30/2001	
Cabarrus, Stanly, & Union Counties DV	VICTIM'S SERVICES	29,825.00	29,825.00	29,825.00		
County of Mecklenburg	**8956**	64,667.44	64,833.62	120,000.00	1999 DCSI	This project will offer a sports-based after school program for 300 inter-city youths 7-16 from two targeted communities. Components are mentoring, substance abuse education, transportation and parental involvement.
Chemical Dependency Center	060-1-99-004-D-335	66,067.97	66,682.39	0.00	7/1/1999 - 6/30/2001	
Up with Hope Youth Development Proje	JUV. DELINQ. PREVENTIO	130,735.41	131,516.01	120,000.00		
City of Charlotte	**9550**	0.00	87,592.50	87,592.50	1999 DCSI	This project will create an afterschool program with the components being family management, conflict resolution, academic tutoring and mentoring for youth and their families.
YMCA of Greater Charlotte	060-1-99-004-D-477	109,356.00	0.00	0.00	7/1/1999 - 12/31/2000	
West Corridor Family Support Project	JUV. DELINQ. PREVENTIO	109,356.00	87,592.50	87,592.50		
County of Mecklenburg	**10563**	91,000.00	91,000.00	91,000.00	1999 JAIBG	This project will provide collaborative services under the Communities That Care model to develop and implement a county wide needs assessment and planning model for children and families.
Mecklenburg Co. Department of Court	060-1-99-006-K-803	0.00	0.00	0.00	10/1/2000 - 8/31/2001	
Juv. Just. Comprehensive Planning & A	JUV. JUST. INTERVENTION	91,000.00	91,000.00	91,000.00		

Applicant/Agency/Project	Appl#/Appl#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Mecklenburg	**10558**	61,497.00	61,497.00	61,497.00	1999 JAIBG	This project will help establish a juvenile day reporting center in Mecklenburg County to serve court involved juveniles.
Mecklenburg County Sheriff's Office	060-1-99-007-K-655	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
RISE Program	JUV. JUST. INTERVENTION	61,497.00	61,497.00	61,497.00		
County of Mecklenburg	**10499**	184,311.00	184,311.00	184,311.00	2000 JAIBG	This project will provide intensive family based services to court involved juveniles and their families. It is a collaborative effort between the Chief Court Counselor, the Charlotte Police Department, and social service agencies. The program uses a Blue Prints program and works with the CTC effort.
The Relatives, Inc.	060-2-00-FDJ-K-007	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Family Focus	JUV. JUST. INTERVENTION	184,311.00	184,311.00	184,311.00		
County of Mecklenburg	**9626**	90,307.19	90,307.23	90,307.22	1999 VOCA	This project will provide a collaboration between the Mecklenburg D.A.'s office and local law enforcement to improve services to domestic violence victims.
District Attorney's Office -- 26th	060-2-99-010-V-003	0.00	0.00	0.00	7/1/1999 - 11/30/2000	
District Attorney's DV Project	VICTIM'S SERVICES	90,307.19	90,307.23	90,307.22		
	County Totals:	1,065,793.54	1,009,278.24	997,762.22		

Mitchell

Mitchell County SafePlace, Inc.	**9864**	48,768.00	47,720.00	47,720.00	2000 VOCA	This project will support staff to provide services to domestic violence victims and their children in Mitchell County.
Mitchell County SafePlace	061-1-00-012-V-014	51,600.00	48,376.00	48,376.00	7/1/2000 - 6/30/2001	
Mitchell County SafePlace	VICTIM'S SERVICES	100,368.00	96,096.00	96,096.00		
County of Mitchell	**10459**	33,011.03	33,011.03	33,011.00	2000 VAWA	This project will allow the Mitchell County Sheriff's Office to hire a deputy dedicated to investigations of all domestic violence calls. This deputy will be a member of the local domestic violence task force and develop domestic violence protocols.
Mitchell County Sheriff's Department	061-2-00-2VA-W-044	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Deputy for Domestic Violence Calls	VICTIM'S SERVICES	33,011.03	33,011.03	33,011.00		
County of Mitchell	**10490**	348,616.68	348,616.68	348,615.00	2000 JAIBG	This project will expand an effective system of intermediate sanctions to the Judicial districts 6a and 6b. Halifax, Northampton, Hertford and Bertie Counties have few services for court involved juveniles.
Project Challenge North Carolina, Inc.	061-2-00-CBP-K-032	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Project Challenge	JUV. JUST. INTERVENTION	348,616.68	348,616.68	348,615.00		
	County Totals:	481,995.71	477,723.71	477,722.00		

Montgomery

Crisis Council, Inc.	**10593**	31,678.14	31,678.14	31,678.14	2000 VOCA	This project will expand domestic violence shelter and services into Stanly County by Crisis Council, Inc. which is the domestic violence victims service provider of Montgomery County.
Crisis Council, Inc.	062-1-00-010-V-303	0.00	0.00	0.00	1/1/2001 - 6/30/2001	
Domestic Violence Shelter	VICTIM'S SERVICES	31,678.14	31,678.14	31,678.14		
Crisis Council, Inc.	**9990**	29,128.00	27,315.20	27,315.20	2000 VOCA	This project will support a victim advocate to provide services to sexual assault and domestic violence victims in Montgomery County. Services will be coordinated with law enforcement, clerk of court, probation, and the courts.
Crisis Council, Inc.	062-1-00-0VB-V-045	29,229.60	27,403.25	27,403.24	7/1/2000 - 6/30/2001	
Victim Advocate	VICTIM'S SERVICES	58,357.60	54,718.45	54,718.44		
	County Totals:	90,035.75	86,396.59	86,396.58		

Moore

County of Moore	**9796**	41,245.36	47,999.71	48,000.00	2000 DCSI	This project will provide six Mobile Data Terminals for the Moore County Sheriff's Office. This will assist the department to integrate with the statewide Criminal Justice Information Network and help the officers in working with neighboring agencies.
Moore County Sheriff's Office	063-1-00-15B-D-008	41,245.36	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Information System	INFORMATION SYSTEMS &	82,490.73	47,999.71	48,000.00		

		Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
County of Moo[redacted]	**9507**	85,836.24	[redacted]86.24	142,086.24	1999 DCSI	This program will provi[redacted]ding for treatment
Moore County [redacted] Reporting Center	063-1-99-013-D-425	84,080.29	[redacted]080.29	0.00	7/1/1999 - 6/30/2001	services for young women w/children
The HOPE Project	DRUG CONTROL & SUBST	169,916.53	169,916.53	142,086.24		
Town of Cameron	**8890**	13,904.78	13,904.78	17,504.03	1999 DCSI	This project will involve IBASE conversion and
Cameron Police Department	063-1-99-15B-D-027	3,599.25	3,599.25	0.00	7/1/1999 - 6/30/2001	the utilization of MDT's.
Moore Law Computer	INFORMATION SYSTEMS &	17,504.03	17,504.03	17,504.03		
	County Totals:	269,911.29	235,420.27	207,590.27		
Nash						
County of Nash	**10109**	368,090.25	39,999.74	39,999.73	2000 DCSI	This project will provide for a 5 officer narcotics
Nash County Sheriff's Office	064-1-00-07A-D-340	207,382.50	0.00	0.00	7/1/2000 - 6/30/2001	unit in the Nash County Sheriff's Office to help
Narcotics Enforcement Unit	DRUG CONTROL & SUBST	575,472.75	39,999.74	39,999.73		decrease the amount of criminal drug activity. Both enforcement and prevention programs will be utilized.
County of Nash	**10124**	104,702.14	100,951.77	100,951.77	2000 JAIBG	This project will provide community based
Edgecombe Nash Mental Health / DD /	064-1-00-FDJ-K-317	107,278.35	103,528.35	103,528.35	7/1/2000 - 6/30/2001	coordination of services, a System of Care
System of Care Coordination	JUV. JUST. INTERVENTION	211,980.49	204,480.12	204,480.12		Coordination, for families who receive services from multiple agencies and is an active partnership with Mental Health, Seventh District Juvenile Court, Edgecombe County Schools, Nash-Rocky Mount Schools, Edgecombe Nash Parent Alliance and Nash and Edgecombe Counties Departments of Social Services. Services are provided for referred youth with serious emotional disturbance and include assignment of a case coordinator, appropriate service plans, access to needed services, response to crisis situations, advocacy for children and their families and documented client progress.
County of Nash	**10410**	85,000.00	85,000.00	85,000.00	1999 T5	This project will provide for an after-school and
Communities In Schools / Rocky Mount	064-1-99-001-T-524	0.00	0.00	0.00	7/1/2000 - 8/31/2001	summer program that will target youth age 10-15
After Hours	JUV. DELINQ. PREVENTIO	85,000.00	85,000.00	85,000.00		who lack beyond the school day supervision and community involvemnet.This project will have a specific Latino outreach.I
City of Sharpsburg	**9030**	69,565.50	55,960.50	98,715.00	1999 DCSI	This program will allow for a plan of action to
Sharpsburg Police Department	064-1-99-07A-D-337	48,513.75	42,754.50	0.00	7/1/1999 - 6/30/2001	attack the infiltration of drugs into the community.
Leave Our Town	DRUG CONTROL & SUBST	118,079.25	98,715.00	98,715.00		
	County Totals:	990,532.49	428,194.85	428,194.85		
New Hanover						
Domestic Violence Shelter & Services,	**10020**	101,913.60	95,544.00	95,544.00	2000 VOCA	This project will utilize a multi-disciplinary
Domestic Violence Shelter and Service	065-1-00-014-V-075	106,756.00	100,084.00	100,084.00	7/1/2000 - 6/30/2001	approach to continue and expand services to
Domestic Violence Direct Services and	VICTIM'S SERVICES	208,669.60	195,628.00	195,628.00		domestic violence victims in New Hanover County to include comprehensive direct services, criminal justice services and programming to increase awareness of domestic violence. Underserved populations will be targeted and include Latina and African American women.
County of New Hanover	**10217**	124,760.00	117,075.20	117,075.20	2000 VOCA	This project will support staff to provide
Coastal Horizons Center, Inc.	065-1-00-020-V-108	130,998.40	0.00	0.00	7/1/2000 - 6/30/2001	enhanced, collaborative services to sexual
Rape Crisis Cooperative Services	VICTIM'S SERVICES	255,758.40	117,075.20	117,075.20		assault victims in New Hanover County.

Application/Agency/Project	Appln/Applnlt/Strategy	Requested FY/Y2	Approved FY/Y2	Awarded FY/Y2	Source/Dates	Summary
City of Wilmington	**9859**	156,000.00	117,000.00	117,000.00	2000 DCSI	This project will provide the Wilmington Police Department with 26 Mobile Data Terminals to tie into the CJIN network.
Wilmington Police Department	065-1-00-15B-D-035	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Wilmington Mobile Data 2000	INFORMATION SYSTEMS &	156,000.00	117,000.00	117,000.00		
County of New Hanover	**9981**	131,047.88	126,047.25	126,047.25	2000 JAIBG	This project, offered through Family Services of the Lower Cape Fear, Inc., will provide a collaboration of community based services to adjudicated and intake-diverted youth referred by the Court to receive evaluations, treatment and other interventions. Programs will include youth and their families and include conflict resolution skills, problem solving, effective communication strategies and an introduction to the arts through dance, music and drama classes.
Family Services of the Lower Cape Fea	065-1-00-FDJ-K-314	132,795.00	127,794.75	127,794.75	7/1/2000 - 6/30/2001	
Services for Adjudicated Youth	JUV. JUST. INTERVENTION	263,842.88	253,842.00	253,842.00		
City of Wilmington	**10562**	30,000.00	30,000.00	30,000.00	2000 JJDP	
Warner Outreach Ministries, CDC	065-1-00-P01-J-802	30,000.00	30,000.00	30,000.00	10/1/2000 - 9/30/2001	
First Step Enrichment Program	JUV. DELINQ. PREVENTIO	60,000.00	60,000.00	60,000.00		
City of Wilmington	**10505**	98,000.00	98,000.00	98,000.00	1999 CHLNG	
Community Mediation Centrer of Cape	065-1-99-001-C-701	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
PACE (Providing Adolescent Choices t	JUV. DELINQ. PREVENTIO	98,000.00	98,000.00	98,000.00		
City of Wilmington	**10409**	35,000.18	35,000.18	35,000.00	1999 T5	
Housing Authority of the City of Wilmin	065-1-99-001-T-523	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Kids Making It: A Woodworking Progra	JUV. DELINQ. PREVENTIO	35,000.18	35,000.18	35,000.00		
City of Wilmington	**9185**	19,350.00	19,350.00	41,784.75	1999 DCSI	This project will provide classes in dance, drama, music & art for youth ages 8 to 16. The program will target referrals from the juvenile court system and the police department's special gang task force. It offers a positive alternative to gangs.
DREAMS of Wilmington, Inc.	065-1-99-004-D-370	22,875.00	22,875.00	0.00	7/1/1999 - 6/30/2001	
DREAMS of Wilmington, Inc.	JUV. DELINQ. PREVENTIO	42,225.00	42,225.00	41,784.75		
City of Wilmington	**8962**	104,148.75	102,385.50	198,870.00	1999 DCSI	This project will identify and provide services to at risk children through coordination between the police department and social service agencies. As part of New Hanover County's CTC effort, this project will pay for a social worker and a crime analyst to work with the Wilmington police department.
Wilmington Police Department	065-1-99-024-D-441	95,985.00	96,484.50	0.00	7/1/1999 - 6/30/2001	
Youth Violence Intervention Program	DRUG CONTROL & SUBST	200,133.75	198,870.00	198,870.00		
Legal Services of the Lower Cape Fear,	**10455**	52,040.80	52,040.80	52,040.80	2000 VOCA	This project will assist low income adult and child victims of domestic violence by funding a staff attorney, case related costs, training for shelter staff, victim advice workshops, preparation of victims for court and a litigation fund. This project will serve Bladen, Brunswick, Columbus, Duplin, New Hanover, Onslow, and Pender Counties.
Legal Services of the Lower Cape Fear,	065-2-00-010-V-014	0.00	0.00	0.00	9/1/2000 - 8/31/2001	
Dom. Violence & Child Abuse Legal Se	VICTIM'S SERVICES	52,040.80	52,040.80	52,040.80		
	County Totals:	1,371,670.61	1,169,681.18	1,169,240.75		

Northampton

County of Northampton	**10099**	101,260.50	85,818.00	95,052.00	2000 DCSI	This project will fund two officers for the Northampton County Sheriff's Office to create a unit to investigate and arrest serious and violent offenders.
Northampton County Sheriff's Office	066-1-00-07A-D-330	54,168.00	0.00	0.00	7/1/2000 - 6/30/2001	
Aggressive Criminal Enforcement - AC	DRUG CONTROL & SUBST	155,428.50	85,818.00	95,052.00		
County of Northampton	**9254**	6,000.00	6,000.00	12,150.00	1999 DCSI	This program will provide funding for a program driver to transport program participants.
Northampton County Day Reporting Ce	066-1-99-013-D-409	6,150.00	6,150.00	0.00	7/1/1999 - 6/30/2001	
NCDRC Express	DRUG CONTROL & SUBST	12,150.00	12,150.00	12,150.00		

		Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
County of North[redacted]ton	**9257**	17,204.25	[redacted]4.25	34,829.25	1999 DCSI	This program will provide[redacted]ing for an on-site
Northampton C[redacted] Day Reporting Ce	066-1-99-013-D-410	17,625.00	[redacted]25.00	0.00	7/1/1999 - 6/30/2001	substance abuse counsel[redacted]
NCDRC Combat Drug Abuse	DRUG CONTROL & SUBST	34,829.25	34,829.25	34,829.25		
	County Totals:	202,407.75	132,797.25	142,031.25		

Office of Juvenile Justice

Dept. of Juvenile Justice & Delinquency	**10585**	85,000.00	85,000.00	85,000.00	2000 CHLNG	This project will provide gender specific training to juvenile justice officials.
Dept. of Juv. Just. & Delinquency Prev.	204-1-00-001-C-103	0.00	0.00	0.00	1/1/2001 - 12/31/2001	
Gender Specific Services Protocol Man	JUV. DELINQ. PREVENTIO	85,000.00	85,000.00	85,000.00		
Dept. of Juvenile Justice & Delinquency	**10130**	18,906.00	18,906.00	18,906.00	2000 JAIBG	This project will provide for pet therapy, utilizing dogs as a means to reach desired behavior, for juveniles who have been committed through the courts to the Stonewall Jackson Training School Project outcomes include promoting responsibility, teamwork and interactions, building empathy skills and increasing self-esteem.
Stonewall Jackson Training School	204-1-00-SCP-K-323	6,624.75	6,624.75	6,624.75	7/1/2000 - 6/30/2001	
Pet Therapy / Vocational Education	JUV. JUST. INTERVENTION	25,530.75	25,530.75	25,530.75		
Dept. of Juvenile Justice & Delinquency	**10131**	231,902.25	221,902.50	221,902.50	2000 JAIBG	This project will assess and improve the reading skills of juveniles in training schools throughout North Carolina and includes remedial reading, computers with "learning to read" software, and age/subject appropriate reading materials. Expected outcomes include improving academic success and overall achievement in life.
Office of Juvenile Justice	204-1-00-SCP-K-324	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Reading - The Great Escape	JUV. JUST. INTERVENTION	231,902.25	221,902.50	221,902.50		
Dept. of Juvenile Justice & Delinquency	**10472**	241,383.59	241,383.59	241,383.60	1998 JAIBG	This project will pay for a statewide training conference for the office of juvenile justice.
Office of Juvenile Justice	204-1-98-005-K-622	0.00	0.00	0.00	6/1/2000 - 1/31/2001	
OJJ Conference: The Right Prog. at Th	JUV. JUST. INTERVENTION	241,383.59	241,383.59	241,383.60		
Dept. of Juvenile Justice & Delinquency	**10384**	2,072,283.84	2,072,283.84	2,647,274.81	1998 JAIBG	JAIBG funds will be used to supplement an existing NCHIP award which involves developing a statewide juvenile justice information network (J-NET).
Office of Juvenile Justice	204-1-98-006-K-601	0.00	0.00	0.00	10/1/1999 - 1/31/2001	
Management Information Services	INFORMATION SYSTEMS &	2,072,283.84	2,072,283.84	2,647,274.81		
Dept. of Juvenile Justice & Delinquency	**10504**	120,000.00	120,000.00	120,000.00	1999 CHLNG	This pilot project will provide one training school with the professional resources to perform in-depth assessments. These assessments will assist in the development of interventions to enhance juveniles efficacy in managing their problems while in training school and when they return to the community.
North Carolina Office of Juvenile Justic	204-1-99-001-C-700	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Training School Health Incentive	JUV. DELINQ. PREVENTIO	120,000.00	120,000.00	120,000.00		
Dept. of Juvenile Justice & Delinquency	**10471**	215,800.19	215,800.19	215,800.20	1999 JAIBG	Camp Woodson East is a short-term program for adolescents. It will be used as both a pre-release program for juveniles committed to North Carolina's training schools and as an alternative to training school. Camp Woodson's program uses outdoor, therapeutic, adventure based activities to build self-esteem and responsible community membership. The program will operate year round in Eastern North Carolina.
Office of Juvenile Justice	204-1-99-001-K-621	0.00	0.00	0.00	8/1/2000 - 7/31/2001	
Camp Woodson East	JUV. JUST. INTERVENTION	215,800.19	215,800.19	215,800.20		
Dept. of Juvenile Justice & Delinquency	**10571**	587,632.50	587,632.50	587,632.00	1999 RSAT	This project will establish residential substance abuse programs in selected North Carolina Training Schools. These programs will last six to twelve months at the end of an inmate's sentence. Inmates will be housed apart from the general population.
Dept. of Juvenile Justice & Delinquency	204-1-99-001-R-551	0.00	0.00	0.00	10/15/2000 - 10/14/2001	
Res. Subs. Abuse Treatment for Delinq	JUV. JUST. INTERVENTION	587,632.50	587,632.50	587,632.00		

Applicant/Imp. Agency/Project	Appl/Approl/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Dept. of Juvenile Justice & Delinquency	**10582**	97,259.15	97,259.15	97,258.00	1999 JAIBG	This project will provide training to local juvenile justice officials.
Office of Juvenile Justice	204-1-99-002-K-101	0.00	0.00	0.00	1/1/2001 - 8/31/2001	
JCPC Technical Assistance and Trainin	JUV. JUST. INTERVENTION	97,259.15	97,259.15	97,258.00		
Dept. of Juvenile Justice & Delinquency	**10595**	100,000.00	100,000.00	100,000.00	1999 JAIBG	This project will provide minority sensitivity training to juvenile justice officials.
Dept. of Juv. Justice & Delinquency Pre	204-1-99-002-K-305	0.00	0.00	0.00	12/1/2000 - 9/30/2001	
Minority Sensitivity Training	JUV. JUST. INTERVENTION	100,000.00	100,000.00	100,000.00		
Dept. of Juvenile Justice & Delinquency	**10387**	217,113.98	217,113.98	217,970.37	1999 JAIBG	This project will increase the ability of the new Department of juvenile justice to analyze the juvenile justice system.
Office of Juvenile Justice	204-1-99-002-K-604	0.00	0.00	0.00	6/1/1999 - 8/31/2001	
Researching and Evaluating Graduated	JUV. JUST. INTERVENTION	217,113.98	217,113.98	217,970.37		
Dept. of Juvenile Justice & Delinquency	**10580**	193,488.00	193,488.00	193,488.00	1999 DCSI	This project will set up a statewide school violence prevention hot line.
Center for the Prevention of School Viol	204-1-99-004-D-821	0.00	0.00	0.00	10/1/2000 - 6/30/2001	
Statewide School Violence Prevention	DRUG CONTROL & SUBST	193,488.00	193,488.00	193,488.00		
Dept. of Juvenile Justice & Delinquency	**11209**	297,000.00	297,000.00	297,000.00	1999 JAIBG	
Dept. of Juvenile Justice & Delinquency	204-1-99-006-K-604	0.00	0.00	0.00	12/1/2000 - 11/30/2001	
The Rural County Information Systems	JUV. JUST. INTERVENTION	297,000.00	297,000.00	297,000.00		
Dept. of Juvenile Justice & Delinquency	**10385**	600,000.28	600,000.28	600,000.00	1999 JAIBG	JAIBG funds will be used to continue Phase 1 of the J-NET project. This involves developing a plan for building a statewide juvenile justice information system which will link into the statewide CJIN system.
Office of Juvenile Justice	204-1-99-010-K-602	0.00	0.00	0.00	5/17/1999 - 8/31/2001	
Juvenile Network (J-NET) Phase 1	INFORMATION SYSTEMS &	600,000.28	600,000.28	600,000.00		
Dept. of Juvenile Justice & Delinquency	**9138**	129,537.00	129,537.00	241,299.00	1999 DCSI	This program will provide funding for a specialized treatment program for young female offenders.
Office of Juvenile Justice	204-1-99-011-D-346	111,762.00	111,762.00	0.00	7/1/1999 - 9/30/2001	
Samarkand Rooms of their Own	DRUG CONTROL & SUBST	241,299.00	241,299.00	241,299.00		
Dept. of Juvenile Justice & Delinquency	**9704**	696,012.78	696,012.78	0.00	1999 JAIBG	This project will involve the development of community risk and needs assessment instruments and the process to be used at the local level to develop, plan, review, and coordinate comprehensive multidisciplinary services.
Office of Juvenile Justice	204-1-99-011-K-200	0.00	0.00	0.00	10/1/1999 - 12/31/2000	
JCPC Training	JUV. JUST. INTERVENTION	696,012.78	696,012.78	0.00		
Dept. of Juvenile Justice & Delinquency	**9169**	1,956,232.88	319,999.81	399,999.75	1999 DCSI	This project will implement the Juvenile Network Planning Project under the guidance of the CJIN network. This proposal will help all law enforcement agencies in North Carolina.
Office of Juvenile Justice	204-1-99-15B-D-088	0.00	0.00	0.00	7/1/1999 - 9/30/2001	
Juvenile Network (J-Net) - Phase II	INFORMATION SYSTEMS &	1,956,232.88	319,999.81	399,999.75		
Dept. of Juvenile Justice & Delinquency	**10588**	0.00	27,649.09	24,161.71	1998 JJDP	
Center for the Prevention of School Viol	204-2-98-003-J-045	0.00	0.00	0.00	7/1/2000 - 9/30/2000	
Street Law	JUV. DELINQ. PREVENTIO	0.00	27,649.09	24,161.71		
Dept. of Juvenile Justice & Delinquency	**10589**	41,077.60	41,077.60	88,177.60	1999 DCSI	This project will provide staff to work on preventing school violence
Center for the Prevention of School Viol	204-2-99-004-D-275	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
School Violence Prevention Prog. & Pol	DRUG CONTROL & SUBST	41,077.60	41,077.60	88,177.60		
	County Totals:	8,019,016.80	6,400,433.08	6,403,878.29		

Onslow

Onslow Women's Center, Inc.	**10033**	56,369.19	52,846.00	52,846.00	2000 VOCA	This project will expand services for children of domestic violence victims in Onslow County. A children's crisis line, therapeutic activities, intensive parenting classes and a mentoring program will be developed.
Onslow Women's Center, Inc.	067-1-00-012-V-088	55,700.00	52,218.86	52,218.86	7/1/2000 - 6/30/2001	
C.H.I.L.D. II	VICTIM'S SERVICES	112,069.19	105,064.87	105,064.86		
City of Jacksonville	**10148**	61,410.00	60,000.00	60,000.00	2000 DCSI	This project will provide the Jacksonville Police Department with ten Mobile Data Terminals.
Jacksonville Police Department	067-1-00-15B-D-121	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Technology on the Move	INFORMATION SYSTEMS &	61,410.00	60,000.00	60,000.00		

Applicant/Agency/Project	Appl#/Appl#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Onslow County [redacted]ools	**10305**	48,750.00	[redacted].00	28,350.00	2000 DCSI	This project will expand [redacted]rvices in an existing year round after school program. The program provides academic tutoring, recreation and conflict management for youth ages 10-15.
Onslow County [redacted]ools	067-1-00-P01-D-094	50,000.25	30,937.50	30,937.50	7/1/2000 - 6/30/2001	
ONSLOW ACCESS	JUV. DELINQ. PREVENTIO	98,750.25	59,287.50	59,287.50		
Eastern Carolina Council	**9332**	77,025.00	77,025.00	116,325.00	1999 DCSI	This project will expand an existing after school program . The components of this program are gang resistance education, conflict resolution, transportation, and academic tutoring.
Boys & Girls Club of Onslow County, In	067-1-99-004-D-450	39,300.00	39,300.00	0.00	7/1/1999 - 6/30/2001	
SMART CHOICES	JUV. DELINQ. PREVENTIO	116,325.00	116,325.00	116,325.00		
	County Totals:	388,554.44	340,677.37	340,677.36		

Orange

Town of Carrboro	**9886**	45,018.75	45,018.75	45,018.75	2000 DCSI	This project will provide for a full time narcotics investigator, officer training, and a animated fingerprint index system (AFIX) system.
Carrboro Police Department	068-1-00-004-D-314	27,250.50	0.00	0.00	7/1/2000 - 6/30/2001	
Drug and Criminal Activity Focus	DRUG CONTROL & SUBST	72,269.25	45,018.75	45,018.75		
County of Orange	**10157**	16,526.25	16,526.25	16,526.25	2000 DCSI	This project will provide mentors for children at risk of becoming delinquent.
Volunteers for Youth	068-1-00-P01-D-060	16,099.50	16,099.50	16,099.50	7/1/2000 - 6/30/2001	
Mentors for Kids	JUV. DELINQ. PREVENTIO	32,625.75	32,625.75	32,625.75		
Family Violence Prevention Center of O	**11207**	101,164.00	101,164.00	101,164.00	1997 VAWA	This project will fund start up costs for a domestic violence victim service provider in Orange County.
Family Violence Prevention Center of O	068-1-97-1VA-W-600	0.00	0.00	0.00	1/1/2001 - 6/30/2001	
Orange County DV Services	VICTIM'S SERVICES	101,164.00	101,164.00	101,164.00		
Town of Hillsborough	**8968**	45,649.50	45,649.50	74,854.50	1999 DCSI	This program will provide funding for a specialized juvenile investigator.
HILLSBOROUGH POLICE DEPARTM	068-1-99-024-D-332	29,205.00	29,205.00	0.00	7/1/1999 - 6/30/2001	
Juvenile Investigator	DRUG CONTROL & SUBST	74,854.50	74,854.50	74,854.50		
Orange County Rape Crisis Center	**10461**	71,029.60	71,029.60	71,029.60	2000 VOCA	This project will train people who may receive disclosures from sexual assault victims, train direct services volunteers, and enhance outreach to minority and rural Orange County residents.
Orange County Rape Crisis Center	068-2-00-020-V-046	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Victim Services Project	VICTIM'S SERVICES	71,029.60	71,029.60	71,029.60		
County of Orange	**10432**	17,760.75	17,760.75	17,760.75	2000 VAWA	This project will provide for a special training of deputies on crisis intervention for victims of crime, implementation of a victim notification system, and responsibilities under the Victims' Rights Act. Trained deputies will then train other deputies in the Orange County Sheriff's Department.
Orange County Sheriff's Office	068-2-00-2VA-W-124	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
RAVE Training for Law Enforcement	VICTIM'S SERVICES	17,760.75	17,760.75	17,760.75		
County of Orange	**10503**	31,583.10	31,583.10	31,583.00	1999 JAIBG	This project will implement a holistic restorative justice program for court involved youth. The program will work with juvenile offenders, their parents and their communities.
Dispute Settlement Center of Orange C	068-2-99-007-K-063	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Restorative Justice for Youth Program	JUV. JUST. INTERVENTION	31,583.10	31,583.10	31,583.00		
	County Totals:	401,286.95	374,036.45	374,036.35		

Pasquotank

County of Pasquotank	**10315**	43,302.75	43,302.75	43,302.75	2000 DCSI	This project will provide a juvenile prosecutor to work in the District Attorney's office in the multi-county 1st Judicial District.
District Attorney's Office -- 1st	070-1-00-010-D-388	44,221.50	0.00	0.00	7/1/2000 - 6/30/2001	
Juvenile Prosecutor	DRUG CONTROL & SUBST	87,524.25	43,302.75	43,302.75		
Albemarle Hopeline	**9999**	95,644.00	89,666.00	89,666.00	2000 VOCA	This project will support three full-time and two part-time staff to provide counseling, advocacy, and other services to victims of sexual assault and domestic violence victims. Services will be provided to victims in Pasquotank and other northeastern counties.
Albemarle Hopeline	070-1-00-011-V-054	99,432.00	93,217.00	93,217.00	7/1/2000 - 6/30/2001	
"Safe Families/Safer Communities"	VICTIM'S SERVICES	195,076.00	182,883.00	182,883.00		

Applicant/Agency/Project	Appl#/Approp/Strategy	Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
Albemarle Hopeline	**10476**	67,619.20	67,619.20	67,619.20	2000 VOCA	This project will support staff to provide services to domestic violence victims. Services will include court advocacy, support, and information and referral. Services will be provided through a satellite office in Perquimans County.
Albemarle Hopeline	070-1-00-011-V-625	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
"Perquimans Outreach"	VICTIM'S SERVICES	67,619.20	67,619.20	67,619.20		
Albemarle Hopeline	**10477**	65,091.20	65,091.20	65,091.20	2000 VOCA	This project will support staff to provide services to domestic violence victims. Services will include court advocacy, support, and information and referral. Services will be provided through a satellite office in Chowan County.
Albemarle Hopeline	070-1-00-011-V-626	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
"Chowan Outreach"	VICTIM'S SERVICES	65,091.20	65,091.20	65,091.20		
Albemarle Hopeline	**10478**	51,896.00	51,896.00	51,896.00	2000 VOCA	This project will support staff to provide services to domestic violence victims. Services will include court advocacy, support, and information and referral. Services will be provided through a satellite office in Currituck County.
Albemarle Hopeline	070-1-00-011-V-627	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
"Currituck Outreach"	VICTIM'S SERVICES	51,896.00	51,896.00	51,896.00		
County of Pasquotank	**10073**	150,000.00	96,000.00	96,000.00	2000 DCSI	This project will provide Mobile Data Terminals for the Pasquotank County Sheriff's Office.
Pasquotank County Sheriff's Office	070-1-00-15B-D-093	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Pasquotank Co. Mobile Computer Proje	INFORMATION SYSTEMS &	150,000.00	96,000.00	96,000.00		
County of Pasquotank	**10569**	59,997.64	59,997.64	60,000.00	2000 T5	This project will provide structured after school for 75 children from Pasquotank, Camden , and Perquimans Counties. Project will provide early intervention to 75 children form the ages of 5-15.
Elizabeth City O.I.C.	070-2-00-001-T-550	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Project Rescue	JUV. DELINQ. PREVENTIO	59,997.64	59,997.64	60,000.00		
County of Pasquotank	**10579**	147,341.25	147,341.25	147,341.25	2000 DCSI	This project will fund a multi-jurisdictional task force to work in Pasquotank and Perquimmons counties and the towns of Elizabeth City and Hertford to reduce drug and violent crime in these areas.
Pasquotank County Sheriff's Office	070-2-00-004-D-345	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Multi-Jurisdictional Task Force	DRUG CONTROL & SUBST	147,341.25	147,341.25	147,341.25		
County of Pasquotank	**10457**	110,406.40	110,406.40	110,406.40	2000 VOCA	This project will enhance intervention, prevention, and support services for child victims of crime and children who witness domestic violence in Camden, Chowan, Currituck, Dare, Gates, Pasquotank, and Perquimans Counties.
Kids First, Inc., Child Advocacy Center	070-2-00-030-V-152	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
NE Regional Child Abuse / DV Victim S	VICTIM'S SERVICES	110,406.40	110,406.40	110,406.40		
County of Pasquotank	**10470**	260,000.00	260,000.00	260,000.00	1999 JAIBG	This project will create secure placements of court involved juveniles. The programs fills a real need in the 1st judicial district.
Elizabeth City O.I.C.	070-2-99-007-K-492	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
The Learning Palace	JUV. JUST. INTERVENTION	260,000.00	260,000.00	260,000.00		
County of Pasquotank	**10497**	25,000.00	25,000.00	25,000.00	1999 CJ	This project will provide the First Judicial District with Child Abuse Prevention Training.
District Attorney's Office -- 1st	070-3-99-003-H-638	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
2000 Fall Collaboration/ Child Abuse Pr	JUV. DELINQ. PREVENTIO	25,000.00	25,000.00	25,000.00		
	County Totals:	1,219,951.95	1,109,537.45	1,109,539.80		

Pender

Pender County Schools	**10098**	33,834.45	33,834.00	33,834.00	2000 DCSI	This project will provide a School Resource Officer for the Pender County Schools in the Town of Burgaw. The SRO will provide a presence at 3 school campuses.
Burgaw Police Department	071-1-00-004-D-329	25,816.95	0.00	0.00	7/1/2000 - 6/30/2001	
Burgaw Schools Resource Officer	DRUG CONTROL & SUBST	59,651.40	33,834.00	33,834.00		
County of Pender	**10417**	46,436.00	46,436.00	46,436.00	2000 JAIBG	This project will estabglish a Teen Court program in Pender County.
Community Mediation Center of Cape F	071-1-00-CBP-K-572	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Teen Court	JUV. JUST. INTERVENTION	46,436.00	46,436.00	46,436.00		

Application/Agency/Project	Appl/Appl#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Pend[redacted]	**9806**	56,179.14	[redacted]6.00	56,181.00	2000 JAIBG	This project will provide [redacted]ive family based services to court involved juveniles and their families in Pender County. Services are offered by FamliFirst's mental health professionals, will be home based and include a needs assessment and treatment plan. Needs to be addressed can include low self-esteem, anger management, truancy, poor social skills and poor communication skills.
FamliFirst, Inc.	071-1-00-FDJ-K-301	56,179.14	56,196.00	56,181.00	7/1/2000 - 6/30/2001	
Intensive Family Based Intervention	JUV. JUST. INTERVENTION	112,358.29	112,392.01	112,362.00		
Town of Burgaw	**9148**	39,517.50	39,517.50	64,897.50	1999 DCSI	This program will provide for full time officer devoted entirely to drug crime investigations.
Burgaw Police Department	071-1-99-07A-D-356	25,380.00	25,380.00	0.00	7/1/1999 - 6/30/2001	
Drug Enforcement Initiative	DRUG CONTROL & SUBST	64,897.50	64,897.50	64,897.50		
County of Pender	**9343**	55,194.75	37,515.00	37,515.00	1999 DCSI	This program will provide funding for a community narcotics officer.
Pender County Sheriff Department	071-1-99-07A-D-371	34,822.50	30,683.25	30,683.25	7/1/1999 - 6/30/2000	
Networks for Drug Information	DRUG CONTROL & SUBST	90,017.25	68,198.25	68,198.25		
Safe Haven of Pender, Inc.	**10434**	97,715.20	97,715.20	97,715.20	2000 VOCA	This project will continue shelter, support and life skills services to victims of domestic violence and sexual assault and enhance outreach efforts to minorities, schools, and other agencies in Pender County.
Safe Haven of Pender, Inc.	071-2-00-011-V-006	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Safe Haven of Pender, Inc.	VICTIM'S SERVICES	97,715.20	97,715.20	97,715.20		
	County Totals:	471,075.64	423,472.96	423,442.95		

Perquimans

Perquimans County Schools	**10556**	128,000.00	128,000.00	128,000.00	2000 CHLNG	This project is a comprehensive Alternative Education Program designed to serve as an innovation alternative to suspensions and expulsion from school and serve as a demonstration site.
Perquimans County Public Schools	072-1-00-001-C-653	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Project OASIS	JUV. DELINQ. PREVENTIO	128,000.00	128,000.00	128,000.00		
County of Perquimans	**9823**	36,484.64	36,485.00	36,485.00	2000 JJDP	This program will provide tutoring, life skills and conflict resolution training to school-aged youths in two local public housing communities.
N.C. Cooperative Extension Service - P	072-1-00-P01-J-005	34,213.83	34,214.00	34,214.00	7/1/2000 - 6/30/2001	
4-H: Tutoring Improves Performance S	JUV. DELINQ. PREVENTIO	70,698.47	70,699.00	70,699.00		
Town of Winfall	**9967**	134,220.00	65,000.00	65,000.00	2000 JJDP	This project will be a continuation project to address the poor academic performance and low intellectual development of low income children ages 1-16. The project will provide educational training, tutoring, consultation, and field trips.
Perquimans County Learning Center	072-1-00-P01-J-053	134,219.00	65,000.00	65,000.00	7/1/2000 - 6/30/2001	
Project H. O. T. S.	JUV. DELINQ. PREVENTIO	268,439.00	130,000.00	130,000.00		
Albemarle Commission	**10768**	40,000.00	40,000.00	40,000.00	2000 JJDP	This project will develop a strategic plan for a contiguous program of referral and delivery of services for children at risk, and court involved youth and their families.
Albemarle Commission	072-1-00-P05-J-667	0.00	0.00	0.00	1/1/2001 - 1/31/2002	
United First	JUV. DELINQ. PREVENTIO	40,000.00	40,000.00	40,000.00		
Town of Winfall	**10079**	5,544.75	5,544.75	5,544.75	1999 DCSI	This project will upgrade the Winfall Police Department's record management system and purchase a Mobile Data Terminal.
Winfall Police Department	072-1-99-15B-D-100	0.00	0.00	0.00	11/1/2000 - 6/30/2001	
Police Information & Crime Reporting N	INFORMATION SYSTEMS &	5,544.75	5,544.75	5,544.75		
	County Totals:	512,682.22	374,243.75	374,243.75		

Person

County of Person	**10347**	30,750.00	30,749.25	30,750.00	2000 DCSI	This project will provide for a full-time drug enforcement detective for the Person County Sheriff's Office.
Person County Sheriff's Office	073-1-00-07A-D-394	27,892.50	0.00	0.00	7/1/2000 - 6/30/2001	
Drug Interdiction and Enforcement Prog	DRUG CONTROL & SUBST	58,642.50	30,749.25	30,750.00		
County of Person	**10340**	30,720.00	30,720.00	30,720.00	2000 DCSI	This project will provide 5 Mobile Data Terminals for the Person County Sheriff's Office.
Person County Sheriff's Office	073-1-00-15B-D-149	7,500.00	7,500.00	7,500.00	7/1/2000 - 6/30/2001	
Patrol Cars Mobile Computers	INFORMATION SYSTEMS &	38,220.00	38,220.00	38,220.00		

Applicant/Imp. Agency/Project	Appl ID/Appl No/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Person	**10329**	99,106.80	60,000.00	60,000.00	2000 JJDP	This project will provide an after school program for youth in grade K-8. The components will include academic, lifeskills, cultural and recreational activities.
OPC Area Program/Substance Abuse	073-1-00-P01-J-107	98,242.20	60,000.00	60,000.00	7/1/2000 - 6/30/2001	
Bridges Prevention Project	JUV. DELINQ. PREVENTIO	197,349.00	120,000.00	120,000.00		
	County Totals:	294,211.50	188,969.25	188,970.00		
Pitt						
Family Violence Program, Inc. of Pitt C	**10016**	79,461.08	99,574.40	99,574.40	2000 VOCA	This project will establish referral, counseling, support group, outreach, legal, housing and economic services for the underserved population of elder domestic violence victims in Pitt County.
Family Violence Program, Inc. of Pitt C	074-1-00-014-V-071	79,313.87	95,176.00	95,176.00	7/1/2000 - 6/30/2001	
Abuse in Later Life Project	VICTIM'S SERVICES	158,774.95	194,750.40	194,750.40		
County of Pitt	**10112**	42,351.13	42,351.13	42,351.13	2000 DCSI	This project will provide a Detective for major property crimes for the Pitt County Sheriff's Office. The Detective will coordinate efforts with crime prevention, target youth gang activity and major property crimes.
Pitt County Sheriff's Office	074-1-00-07A-D-343	30,805.56	0.00	0.00	7/1/2000 - 6/30/2001	
Gang / Property Crimes Detective	DRUG CONTROL & SUBST	73,156.69	42,351.13	42,351.13		
Town of Ayden	**10056**	47,285.89	18,749.25	18,749.25	2000 DCSI	This project will upgrade,enhance and reconfigure an existing records keeping system
Ayden Police Department	074-1-00-15B-D-076	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Enhanced Computerized Records Rete	INFORMATION SYSTEMS &	47,285.89	18,749.25	18,749.25		
County of Pitt	**9906**	158,516.25	51,562.50	54,328.50	2000 DCSI	This project will provide wrap around services for 75 youth & their families with parenting, life skills, mentoring and tutoring and other needed services.
REAL Crisis Intervention Inc.	074-1-00-P04-D-304	157,246.50	51,562.50	51,562.50	7/1/2000 - 6/30/2001	
The Shepherd Project	JUV. DELINQ. PREVENTIO	315,762.75	103,125.00	105,891.00		
City of Greenville	**8224**	27,396.00	27,396.00	9,695.00	1998 JJDP	This project will provide transportation for members to attend the after school program and add a family services component to the program.
Boys & Girls Clubs of Pitt County, Inc.	074-1-98-003-J-070	29,250.00	29,250.00	0.00	7/1/1998 - 9/30/2000	
"Joining Hands"	JUV. DELINQ. PREVENTIO	56,646.00	56,646.00	9,695.00		
Town of Winterville	**8853**	36,037.09	36,037.09	60,642.45	1999 DCSI	This project will establish an after school program for middle school age youth. Components are recreational activities, tutoring and mentoring, parent involvement. The Police Dept. will refer to the program kids at risk of engaging in gang and drug activities.
Winterville Police Department	074-1-99-004-D-305	24,606.38	24,606.38	0.00	7/1/1999 - 6/30/2001	
Window to the Future	JUV. DELINQ. PREVENTIO	60,643.46	60,643.46	60,642.45		
Pitt County Schools	**9478**	109,356.50	64,017.00	131,767.00	1999 JJDP	This project will establish an after school program for youth in grades 3-8. The components of this comprehensive, collaborative prevention program are: academic tutoring, structured recreation, life skills and parenting.
Communities In Schools of Pitt County	074-1-99-0PA-J-431	113,000.00	67,750.00	0.00	7/1/1999 - 6/30/2001	
Serving the Family After-School	JUV. DELINQ. PREVENTIO	222,356.50	131,767.00	131,767.00		
County of Pitt	**10584**	81,347.90	81,347.90	81,347.00	2000 T5	
Cornerstone Ministry, Inc.	074-2-00-001-T-809	0.00	0.00	0.00	11/1/2000 - 8/31/2001	
SOS Youth Outreach	JUV. DELINQ. PREVENTIO	81,347.90	81,347.90	81,347.00		
East Carolina University	**10412**	64,165.60	64,165.60	64,165.60	2000 VOCA	This project will expand current assessment, intervention and educational outreach services to child abuse victims in Pitt and 28 other counties in eastern N.C.
ECU-Brody SOM Dept. of Pediatrics	074-2-00-030-V-096	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
TEDI BEAR: CAC	VICTIM'S SERVICES	64,165.60	64,165.60	64,165.60		
County of Pitt	**10415**	66,851.25	66,851.25	66,851.25	2000 VOCA	This project will improve assistance to Latino crime victims, hire a victim/witness assistant, train Pitt County agencies on cultural sensitivity to Latinos, translate and interpret for Latino victims, and establish immediate emergency resources for crime victims.
REAL Crisis Intervention, Inc.	074-2-00-041-V-138	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
REAL Victim Services	VICTIM'S SERVICES	66,851.25	66,851.25	66,851.25		

	Appln/Approp/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Pitt	**10433**	37,125.00	37,125.00	41,442.75	2000 VAWA	This project will hire additional positions for the Domestic Violence Prevention Unit in the Pitt County Sheriff's Office in order to provide 24 hour coverage, an individual dedicated to the investigation of sexual assaults and child abuse in the context of domestic violence, and training for other NC law enforcement on these issues.
Pitt County Sheriff's Office	074-2-00-2VA-W-075	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence Prevention Unit	VICTIM'S SERVICES	37,125.00	37,125.00	41,442.75		
County of Pitt	**10444**	39,825.00	39,825.00	39,825.00	2000 VAWA	This project will hire an assistant to the current victim's advocate to serve the increasing number of victims and to meet the requirements of the Victim's Rights Act in Pitt County.
Pitt County Sheriff's Office	074-2-00-2VA-W-157	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Assistant Victim's Advocate in Law Enf	VICTIM'S SERVICES	39,825.00	39,825.00	39,825.00		
County of Pitt	**10466**	28,459.50	28,459.50	28,459.50	2000 VAWA	This project will provide a dedicated domestic violence victim assistant in the District Attorney's office to ensure on-going support, act as a liaison between other agencies, and be a member of the local task force in Pitt County.
Pitt County District Attorney's Office	074-2-00-3VA-W-002	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence Victim Assistance	VICTIM'S SERVICES	28,459.50	28,459.50	28,459.50		
Family Violence Program, Inc. of Pitt C	**10414**	52,506.00	52,506.00	52,506.00	2000 VAWA	This project will hire a client resources coordinator to expand services to victims of domestic violence in Pitt County.
Family Violence Program, Inc. of Pitt C	074-2-00-4VA-W-026	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Beyond Survival 2nd Year	VICTIM'S SERVICES	52,506.00	52,506.00	52,506.00		
	County Totals:	1,304,906.49	978,312.49	938,443.33		

Randolph

County of Randolph	**9998**	62,388.80	60,986.80	60,986.80	2000 VOCA	This project will provide crisis intervention and support services to domestic violence and child abuse victims in Randolph County.
Randolph Co. Family Crisis Center, Inc.	076-1-00-012-V-053	61,492.00	57,513.25	57,513.25	7/1/2000 - 6/30/2001	
Family Enrichment Program	VICTIM'S SERVICES	123,880.80	118,500.05	118,500.05		
Town of Liberty	**9853**	7,575.00	7,575.00	7,575.00	2000 DCSI	This project will supply the Liberty Police Department with equipment that will allow the department to participate in the State's Mobile Data Project. One Mobile Data Terminal will be obtained.
Liberty Police Department	076-1-00-15B-D-029	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
MDT - 2000	INFORMATION SYSTEMS &	7,575.00	7,575.00	7,575.00		
City of Asheboro	**10057**	36,000.00	36,000.00	36,000.00	2000 DCSI	This project will provide the Asheboro Police Department with six Mobile Data Terminals.
Asheboro Police Department	076-1-00-15B-D-077	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Laptops	INFORMATION SYSTEMS &	36,000.00	36,000.00	36,000.00		
County of Randolph	**9975**	78,832.50	70,410.38	70,880.50	2000 JAIBG	This project will provide for an extended day program for adjudicated undisciplined or delinquent juveniles at the Randolph and Montgomery Counties Day Reporting Center. Hours of the extended program are from 4:45 to 8:00pm during weekdays and 5 hours on Saturday. Program services include tutorial services, vocational programs and substance abuse treatment services involving the juveniles and their families.
Randolph Co. Juvenile Day Reporting C	076-1-00-DRC-K-307	81,377.25	70,410.38	70,880.50	7/1/2000 - 6/30/2001	
Extended Day Program	JUV. JUST. INTERVENTION	160,209.75	140,820.75	141,761.00		
Town of Liberty	**8883**	39,232.88	31,317.38	53,967.06	1999 DCSI	This program will place a full time school resource officer in the Liberty Elementary School.
Liberty Police Department	076-1-99-004-D-317	22,649.69	22,649.69	0.00	7/1/1999 - 6/30/2001	
School Resource Officer (SRO)	DRUG CONTROL & SUBST	61,882.57	53,967.07	53,967.06		
County of Randolph	**9223**	37,500.00	37,500.00	75,450.00	1999 DCSI	This program will provide funding for substance abuse treatment for participants on pretrial services.
Randolph County Day Reporting Center	076-1-99-15A-D-393	37,500.00	37,500.00	0.00	7/1/1999 - 6/30/2001	
Randolph Co. Day Reporting Center	DRUG CONTROL & SUBST	75,000.00	75,000.00	75,450.00		
City of Archdale	**9228**	6,000.00	6,000.00	6,000.00	1999 DCSI	This project will purchase one Mobile Data Terminal for the Archdale Police Department.
Archdale Police Department	076-1-99-15B-D-101	0.00	0.00	0.00	7/1/1999 - 6/30/2001	
Mobile Data Terminal (MDT)	INFORMATION SYSTEMS &	6,000.00	6,000.00	6,000.00		

Applicant/Imp. Agency/Project	ApplID/AppNbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Randolph	**10404**	71,016.00	71,016.00	71,016.00	2000 VOCA	This project will work toward the intervention of child abuse and neglect, serving victims of family violence and child abuse. The primary goal is to break the cycle of violence and abuse.
Randolph County Family Crisis Center	076-2-00-030-V-342	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Youth Enrichment Program	JUV. DELINQ. PREVENTIO	71,016.00	71,016.00	71,016.00		
	County Totals:	541,564.12	508,878.87	510,269.11		
Richmond						
City of Hamlet	**10077**	48,840.00	20,000.00	20,000.00	2000 DCSI	This project will enable the agency to upgrade its existing information system and place them into a position to begin integrating with other agencies next year.
Hamlet Police Department	077-1-00-15B-D-097	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Shared Resources	INFORMATION SYSTEMS &	48,840.00	20,000.00	20,000.00		
Richmond County Schools	**8852**	21,883.50	21,883.50	44,271.00	1999 DCSI	This project will expand an existing after-school program to serve youth K-9 from two public housing communities. Components are academic tutoring, substance abuse prevention, mentoring, structured recreation and parental involvement.
Richmond County Community Support	077-1-99-004-D-304	22,387.50	22,387.50	0.00	7/1/1999 - 6/30/2001	
Grooming for Success After School Pro	JUV. DELINQ. PREVENTIO	44,271.00	44,271.00	44,271.00		
	County Totals:	93,111.00	64,271.00	64,271.00		
Robeson						
Town of Rowland	**9836**	15,759.00	15,759.00	15,759.00	2000 DCSI	This project will provide two Mobile Data Terminals for the Rowland Police Department. This will increase officer safety for the community.
Rowland Police Department	078-1-00-15B-D-025	108.00	108.00	108.00	7/1/2000 - 6/30/2001	
Mobile Data Terminal Implementation P	INFORMATION SYSTEMS &	15,867.00	15,867.00	15,867.00		
Town of Parkton	**9150**	22,327.69	22,327.69	44,375.13	1999 DCSI	This program will provide for a school resource officer for the Parkton Elementary School.
Parkton Police Department	078-1-99-004-D-358	21,947.44	21,947.44	0.00	7/1/1999 - 6/30/2001	
Elementary School Resource Officer	DRUG CONTROL & SUBST	44,275.13	44,275.13	44,375.13		
Lumber River Council of Governments	**9311**	75,281.25	49,999.50	87,499.50	1999 DCSI	This project will expand an existing after school program to serve 65 additional at risk youth. Components include academic tutoring, conflict resloution, structured recreation, and family counseling.
Maxton Youth Development Organizatio	078-1-99-004-D-393	75,281.25	0.00	0.00	7/1/1999 - 6/30/2001	
Maxton Youth Development After Scho	JUV. DELINQ. PREVENTIO	150,562.50	49,999.50	87,499.50		
County of Robeson	**9328**	74,694.30	76,935.98	133,235.28	1999 DCSI	This project will provide services to 200 children. The services will target antisocial behavior in children kindergarten through grade 4. The services will include group therapy and home visits.
Palmer Drug Prevention Program of Ro	078-1-99-004-D-401	54,322.99	55,412.37	0.00	7/1/1999 - 6/30/2001	
New Kids	JUV. DELINQ. PREVENTIO	129,017.29	132,348.35	133,235.28		
County of Robeson	**9279**	61,920.00	61,920.00	62,460.00	1999 DCSI	This project will purchase Mobile Data Terminals for the Robeson County Sheriff's Office.
Robeson County Sheriff's Office	078-1-99-15B-D-129	540.00	540.00	0.00	7/1/1999 - 6/30/2001	
Mobile Data Terminal Implementation P	INFORMATION SYSTEMS &	62,460.00	62,460.00	62,460.00		
	County Totals:	402,181.92	304,949.97	343,436.91		
Rockingham						
Help, Incorporated: Center Against Viol	**9986**	131,617.20	55,568.00	55,568.00	2000 VOCA	This project will provide services to victims of sexual assault and domestic violence in Rockingham County. The project is a collaboration of the Rockingham County Sheriff's office, who are providing two investigators, and Help, Inc., who are providing two advocates.
Help, Inc.	079-1-00-011-V-041	89,067.20	58,187.20	58,187.20	7/1/2000 - 6/30/2001	
The Partnership Program	VICTIM'S SERVICES	220,684.40	113,755.20	113,755.20		
County of Rockingham	**10475**	70,301.25	70,301.25	70,301.25	2000 VAWA	This project will support two full-time domestic violence/sexual assault investigators to work in partnership with the local nonprofit victim advocates in effort improve response in Rockingham County.
Rockingham County Sheriff's Office	079-1-00-2VA-W-624	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
The Partnership Program -- Sheriff's Of	VICTIM'S SERVICES	70,301.25	70,301.25	70,301.25		

		Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Rock[redacted]am	9323	20,974.50	[redacted]4.50	41,949.00	1999 DCSI	This project will provide [redacted]er school program for youth ages 14-15. Components are community service, academic tutoring, structured recreation, and mentoring.
Rockingham C[redacted] Youth Services	079-1-99-004-D-399	20,974.50	20,974.50	0.00	7/1/1999 - 6/30/2001	
Gangbusters	JUV. DELINQ. PREVENTIO	41,949.00	41,949.00	41,949.00		
County of Rockingham	10496	78,026.25	78,026.25	78,026.25	1999 JAIBG	This project will establish a juvenile day reporting center at the local National Guard Armory. This program will work cooperatively with a number of other initiatives including MAJORS, SOS, the SRO program, Teen Court and the local alternative school.
Rockingham County Youth Services	079-2-99-002-K-605	0.00	0.00	0.00	7/1/2000 - 9/30/2001	
Rockingham County Juvenile Center	JUV. JUST. INTERVENTION	78,026.25	78,026.25	78,026.25		
	County Totals:	410,960.90	304,031.70	304,031.70		

Rowan

County of Rowan	10348	44,306.25	44,306.25	44,306.25	2000 DCSI	This project will provide for a school resource officer for the county's new Southeast Middle School.
Rowan County Sheriff's Office	080-1-00-004-D-395	31,237.50	0.00	0.00	7/1/2000 - 6/30/2001	
Middle School Resource Officer	DRUG CONTROL & SUBST	75,543.75	44,306.25	44,306.25		
County of Rowan	10462	44,273.25	44,273.25	44,273.25	2000 DCSI	
Rowan County Sheriff's Office	080-1-00-018-D-609	34,731.00	34,731.00	34,731.00	7/1/2000 - 6/30/2001	
Child Abuse Investigator	DRUG CONTROL & SUBST	79,004.25	79,004.25	79,004.25		
City of Kannapolis	9927	32,625.00	32,625.00	32,625.00	2000 DCSI	This project will provide the necessary technology to establish a Geographic Information System for the City of Kannapolis.
Kannapolis Police Department	080-1-00-15B-D-053	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
GIS BASED CRIME	INFORMATION SYSTEMS &	32,625.00	32,625.00	32,625.00		
Town of China Grove	10044	17,687.25	16,000.01	16,000.00	2000 DCSI	This project will complete a four phase operation to intergrate the China Grove Police Department with seven Mobile Data Terminals.
China Grove Police Department	080-1-00-15B-D-065	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
CJIN Phase IV	INFORMATION SYSTEMS &	17,687.25	16,000.01	16,000.00		
County of Rowan	10370	102,315.00	102,315.00	102,315.00	2000 JAIBG	This project will provide a structured day program for adjudicated youth in grades 6-8 through VisionsWork Youth Services, Inv. Services will be offered from 9:00am to 6:00pm and include substance abuse treatment, homework assistance, violence prevention training, parenting classes and counseling. Home visits will also be provided at a minimum of twice a month.
Visions Works Youth Services, Inc.	080-1-00-DRC-K-311	112,093.50	102,153.00	102,153.00	7/1/2000 - 6/30/2001	
Visions Structured Day -- Rowan	JUV. JUST. INTERVENTION	214,408.50	204,468.00	204,468.00		
City of Salisbury	9957	24,245.00	24,000.00	24,000.00	2000 JJDP	This project will provide educational and mentoring services from both the public and private sector to 12 at-risk youths between the ages of 11-14. The project will also provide community service and life skills development programs.
Salisbury Parks and Recreation Depart	080-1-00-P01-J-043	26,170.00	26,000.00	26,000.00	7/1/2000 - 6/30/2001	
GO-4-IT	JUV. DELINQ. PREVENTIO	50,415.00	50,000.00	50,000.00		
Kannapolis City Schools	9304	84,008.00	70,000.00	145,000.00	1999 JJDP	This project will establish an after school & summer program for youth in grades 9-10 who are at risk of dropping out of school. This collaborative effort has the following components: academic tutoring, truancy prevention, life skills training, and conflict resolution.
A.L. Brown High School	080-1-99-0PA-J-387	88,767.00	75,000.00	0.00	7/1/1999 - 6/30/2001	
Temporary Alternative Placement Proje	JUV. DELINQ. PREVENTIO	172,775.00	145,000.00	145,000.00		
	County Totals:	642,458.75	571,403.51	571,403.50		

Rutherford

County of Rutherford	10247	58,818.34	58,818.34	58,818.34	2000 VOCA	This project will support collaborative services to child abuse victims in Rutherford County.
Family Resources, Inc.	081-1-00-030-V-140	61,541.26	61,541.26	61,541.26	7/1/2000 - 6/30/2001	
Child Abuse Response Team	VICTIM'S SERVICES	120,359.59	120,359.59	120,359.60		

Applicant/Imp. Agency/Project	Appl ID/Appl No/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Isothermal Planning & Development Co	**9979**	88,980.00	77,088.00	77,088.00	2000 JAIBG	This project will establish a work program for court adjudicated juveniles in a three county area. Activities will including gardening and caring for horses. The program will serve juveniles referred by the juvenile court counselors in Rutherford, Polk and McDowell Counties. Activities are designed to teach hard work, foster positive self-esteem, self-confidence and self-reliance while empowering the youth to become involved in a productive way in their communities. Expected caseload for the initial year is estimated at 30 to 35 youth.
Foothills Equestrian Nature Center	081-1-00-DRC-K-312	122,662.50	64,554.75	64,554.75	7/1/2000 - 6/30/2001	
Therapeutic Day Activities	JUV. JUST. INTERVENTION	211,642.50	141,642.75	141,642.75		
Town of Lake Lure	**9877**	22,020.00	22,000.00	22,000.00	2000 JJDP	This project will provide for a youth center for middle and high school students in a 3 county area with a program focusing on academic tutoring, structured recreation, community service, drug awareness/prevention, mentoring and vocational training.
Lake Lure Police Department	081-1-00-P01-J-008	13,020.00	13,000.00	13,000.00	7/1/2000 - 6/30/2001	
Lake Lure Youth Center	JUV. DELINQ. PREVENTIO	35,040.00	35,000.00	35,000.00		
Isothermal Planning & Development Co	**8906**	67,881.00	67,881.00	67,881.00	1999 DCSI	This program will allow for the hiring and equiping of an agent to focus on underage alcohol, tobacco & drug possession and usage.
Isothermal Narcotics Task Force	081-1-99-07A-D-322	54,825.00	0.00	0.00	7/1/1999 - 6/30/2001	
Underage Alcohol-Tobacco Enforceme	DRUG CONTROL & SUBST	122,706.00	67,881.00	67,881.00		
Family Resources of Rutherford Co., In	**9572**	36,145.00	37,345.00	37,345.00	1999 VAWA	This project will provide services through the Domestic Abuse Response Team program by hiring a Court Advocate to expand the current services.
Family Resources, Inc. of Rutherford C	081-2-99-1VA-W-053	0.00	0.00	0.00	7/1/1999 - 6/30/2000	
Domestic Violence Court Advocacy	VICTIM'S SERVICES	36,145.00	37,345.00	37,345.00		
	County Totals:	525,893.09	402,228.34	402,228.35		

Sampson

U Care, Inc.	**9994**	97,660.00	97,660.00	97,660.00	2000 VOCA	This project will provide crisis intervention services to sexual assault and domestic violence victims in Sampson County.
U Care, Inc.	082-1-00-011-V-049	86,538.40	86,538.40	86,538.40	7/1/2000 - 6/30/2001	
Domestic Violence Program Services	VICTIM'S SERVICES	184,198.40	184,198.40	184,198.40		
City of Clinton	**10336**	29,332.22	23,999.90	24,000.00	2000 DCSI	This project will provide four Mobile Data Terminals for the City of Clinton Police Department.
Clinton Police Department	082-1-00-15B-D-145	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data	INFORMATION SYSTEMS &	29,332.22	23,999.90	24,000.00		
County of Sampson	**10406**	39,174.00	39,174.00	39,174.00	1999 JJDP	
On Track Youth Program, Inc.	082-1-99-0PA-J-600	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
On Track Youth Program	JUV. DELINQ. PREVENTIO	39,174.00	39,174.00	39,174.00		
	County Totals:	252,704.62	247,372.31	247,372.40		

Scotland

Domestic Violence & Rape Crisis Cente	**10220**	166,229.60	130,000.00	130,000.00	2000 VOCA	This project will support staff to provide services to sexual assault and domestic violence victims in Scotland County.
Domestic Violence & Rape Crisis Cente	083-1-00-011-V-111	176,772.80	0.00	0.00	7/1/2000 - 6/30/2001	
Advocacy and Shelter Project	VICTIM'S SERVICES	343,002.41	130,000.00	130,000.00		
County of Scotland	**10368**	47,310.00	47,310.00	47,310.00	2000 DCSI	This project will provide for a Parents As Teachers project in Scotland County to provide parent education and skills through home visits for parents with children aged birth to 5.
Scotland County Cooperative Extension	083-1-00-P04-D-117	70,776.00	70,776.00	70,776.00	7/1/2000 - 6/30/2001	
Scotland Co. Parents As Teachers (PA	JUV. DELINQ. PREVENTIO	118,086.00	118,086.00	118,086.00		
	County Totals:	461,088.41	248,086.00	248,086.00		

		Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Stanly						
City of Albemarle	**10082**	20,010.00	20,000.25	20,000.00	2000 DCSI	This project will continue to fully automate the county's police departments through hardware and software purchases.
Albemarle Police Department	084-1-00-15B-D-103	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Albemarle / Crime Net	INFORMATION SYSTEMS &	20,010.00	20,000.25	20,000.00		
	County Totals:	20,010.00	20,000.25	20,000.00		
Stokes						
County of Stokes	**10145**	15,000.00	15,000.00	15,000.00	2000 DCSI	This project will upgrade the information system for the Stokes County Sheriff's Office and include an IBASE program.
Stokes County Sheriff's Office	085-1-00-15B-D-118	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
System Upgrade	INFORMATION SYSTEMS &	15,000.00	15,000.00	15,000.00		
County of Stokes	**8937**	50,376.92	32,577.75	59,250.75	1999 DCSI	This project will provide funds for the hiring of a juvenile crime reduction officer. The officer will coordinate prevention and enforcement activities with the DARE and the SRO programs.
Stokes County Sheriff's Department	085-1-99-024-D-442	28,944.11	26,673.00	0.00	7/1/1999 - 6/30/2001	
Juvenile Crime Demand Reduction Offi	DRUG CONTROL & SUBST	79,321.03	59,250.75	59,250.75		
	County Totals:	94,321.03	74,250.75	74,250.75		
Surry						
Town of Dobson	**9832**	42,213.75	42,213.75	75,963.75	2000 DCSI	This project will provide funding for a full-time community policing officer for the Dobson Police Department.
Dobson Police Department	086-1-00-004-D-309	42,450.00	0.00	0.00	7/1/2000 - 6/30/2001	
Community Policing	DRUG CONTROL & SUBST	84,663.75	42,213.75	75,963.75		
Surry County Schools	**10495**	46,962.22	46,962.22	46,962.21	2000 DCSI	
Surry County Schools	086-1-00-004-D-637	0.00	0.00	0.00	8/9/2000 - 5/18/2001	
School Resource Officer	DRUG CONTROL & SUBST	46,962.22	46,962.22	46,962.21		
County of Surry	**10091**	0.00	105,805.50	105,805.50	2000 DCSI	This project will provide a Juvenile At-Risk Interdiction Team for the Surry County Sheriff's Office. The Team will further community policing efforts in minority communities, link the patrol division with the school system and provide coordinated services for at-risk juveniles.
Surry County Sheriff's Office	086-2-00-024-D-322	105,805.50	0.00	0.00	7/1/2000 - 6/30/2001	
Juvenile at Risk / Interdiction Team	DRUG CONTROL & SUBST	105,805.50	105,805.50	105,805.50		
	County Totals:	237,431.47	194,981.47	228,731.46		
Swain						
Swain / Qualla SAFE, Inc.	**9988**	127,018.40	119,080.00	119,080.00	2000 VOCA	This project will provide victim advocacy and legal assistance to domestic violence victims in Swain and Graham Counties. The project will focus on the underserved Cherokee reservation population and unserved Graham County.
Swain / Qualla SAFE, Inc.	087-1-00-014-V-043	129,108.80	121,039.20	121,039.20	7/1/2000 - 6/30/2001	
DV and SA Intervention and Services P	VICTIM'S SERVICES	256,127.20	240,119.20	240,119.20		
Southwestern Planning & Economic De	**10258**	20,460.35	20,460.35	20,460.00	2000 JAIBG	This project will establish a JASON Network in the 30th Judicial District (7 westernmost counties) using the Criminal Justice Information Network (CJIN) standards. The project will be housed in the Far West Model project through the Southwestern NC Planning & Economic Development Commission.
Southwestern NC Planning & Economic	087-1-00-JIS-K-156	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Far West Model: JASON Network	INFORMATION SYSTEMS &	20,460.35	20,460.35	20,460.00		
Southwestern Planning & Economic De	**10300**	648,806.77	250,001.51	250,000.00	2000 VOCA	This project will improve service delivery to children who have been victims of child abuse and neglect in Swain, Macon, Clay, Cherokee,Haywood, Graham and Jackson Counties using a Systems of Care Model and working with the local JCPCs.
Southwestern NC Planning Commissio	087-1-00-P02-V-089	666,664.02	250,001.51	250,000.00	7/1/2000 - 6/30/2001	
Far West Model: Victim's Services	JUV. DELINQ. PREVENTIO	1,315,470.79	500,003.02	500,000.00		

Applicant/Proj: Agency/Project	Appl ID/Appl Num/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Swain / Qualla SAFE, Inc.	**10458**	31,329.60	31,329.60	31,329.60	2000 VOCA	This project will educate and train victims, the public, and service providers about domestic violence dynamics and services in Swain County and for the Eastern Band of Cherokee Indians
Swain / Qualla SAFE, Inc.	087-2-00-040-V-151	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
ELDERWATCH	VICTIM'S SERVICES	31,329.60	31,329.60	31,329.60		
County of Swain	**10426**	67,527.75	67,527.75	67,527.75	2000 VAWA	This project will provide a centralized, multi-jurisdictional enforcement unit to investigate and improve responses to al domestic and sexual violence in Swain County and to raise awareness.
Swain County Sheriff's Office	087-2-00-2VA-W-062	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Domestic Violence Enforcement Unit	VICTIM'S SERVICES	67,527.75	67,527.75	67,527.75		
Southwestern Planning & Economic De	**10551**	300,003.16	300,003.16	300,000.00	1999 JAIBG	This project will serve a 7-county area with a two prong program. Child's Garden will offer screening, assessment, therapeutic intervention and service coordination for children 0-5 and their families. Project Pursuit combines home school coordinated services with therapeutic adventure for ages 8-15.
Southwestern Planning Commission	087-2-99-007-K-409	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Far West Model	JUV. JUST. INTERVENTION	300,003.16	300,003.16	300,000.00		
	County Totals:	1,990,918.86	1,159,443.08	1,159,436.55		

Transylvania

County of Transylvania	**10029**	62,717.60	62,717.60	62,717.60	2000 VOCA	This project will continue 24 hour response to domestic violence victims in Transylvania County by supporting overnight staff and a court advocate/caseworker. In addition, support groups will be offered to adult and child victims of domestic violence and sexual assault.
S.A.F.E., Inc. of Transylvania County	088-1-00-011-V-084	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Victim Services Support	VICTIM'S SERVICES	62,717.60	62,717.60	62,717.60		
County of Transylvania	**10081**	41,989.50	41,989.50	41,989.50	2000 DCSI	This project will provide the Transylvania County Sheriff's Office with seven Mobile Data Terminals.
Transylvania County Sheriff's Office	088-1-00-15B-D-102	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
MDT Program	INFORMATION SYSTEMS &	41,989.50	41,989.50	41,989.50		
County of Transylvania	**9908**	43,385.00	32,538.75	32,538.75	2000 JJDP	This project will allow for expansion of an existing program of services to reduce child abuse and neglect for pre-school children and their families.
The Children's Center of Transylvania	088-1-00-P02-J-012	41,950.00	31,462.50	31,462.50	7/1/2000 - 6/30/2001	
Nuturing Program	JUV. DELINQ. PREVENTIO	85,335.00	64,001.25	64,001.25		
	County Totals:	190,042.10	168,708.35	168,708.35		

Tyrrell

Tyrrell County Schools	**9379**	40,440.34	48,913.60	72,202.60	1999 JJDP	This project will provide an after school program for 30 middle school students. Components of this program are academic tutoring, life skills, structured recreation and anger management.
Tyrrell County Schools	089-1-99-0PA-J-456	19,254.41	19,254.41	0.00	7/1/1999 - 6/30/2001	
Middle School After-School Program	JUV. DELINQ. PREVENTIO	59,694.76	68,168.01	72,202.60		
	County Totals:	59,694.76	68,168.01	72,202.60		

Union

Turning Point of Union County	**10210**	27,440.00	25,724.80	25,724.80	2000 VOCA	This project will provide services to domestic violence victims in Union and Anson Counties.
Turning Point of Union County	090-1-00-010-V-101	29,254.40	27,424.00	27,424.00	7/1/2000 - 6/30/2001	
Victim's Advocate for Safety and Securi	VICTIM'S SERVICES	56,694.40	53,148.80	53,148.80		
County of Union	**9800**	76,473.75	76,473.75	76,473.75	2000 DCSI	This project will provide for the implementation of life skills instruction for inmates incarcerated in the Union County detentional facility.
Union County Sheriff's Office	090-1-00-011-D-301	78,767.96	0.00	0.00	7/1/2000 - 6/30/2001	
Life Skills Program	DRUG CONTROL & SUBST	155,241.71	76,473.75	76,473.75		
	County Totals:	211,936.11	129,622.55	129,622.55		

Universities

UNC - Wilmington	**10096**	56,677.13	60,000.00	60,000.00	2000 DCSI	This project will provide for a comprehensive outreach education awareness service about alcohol, tobacco and other drug use to school children, ages 12-18.
UNCW -- CROSSROADS CO-OP	180-1-00-004-D-327	63,910.69	0.00	0.00	7/1/2000 - 6/30/2001	
Crossroads Co-op	DRUG CONTROL & SUBST	120,587.82	60,000.00	60,000.00		

Applicant/Agency/Project	Appl#/Appl#/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Winston-Salem [redacted] University	**10568**	112,526.00	11[redacted].00	112,526.00	2000 DCSI	
WinstonSalem [redacted] University	180-1-00-004-D-808	0.00	0.00	0.00	1/1/2001 - 12/31/2001	
Center for Community Safety	DRUG CONTROL & SUBST	112,526.00	112,526.00	112,526.00		
UNC - Wilmington	**10272**	53,911.50	53,911.50	53,911.50	2000 DCSI	This project will provide for a research evaluation for a violence reduction initiative in Wilmington modeled after a similarly successful program underway in the City of High Point.
UNCW - Dept. of Soc., Anthropology,&	180-1-00-019-D-383	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
A Study of the Effectiveness	DRUG CONTROL & SUBST	53,911.50	53,911.50	53,911.50		
East Carolina University	**9773**	54,958.50	61,174.50	67,328.00	2000 DCSI	This project will conduct a developmental analysis of four domestic violence shelters from a field of ten funded by the Governor's Crime Commission, focusing on the need for, and the process of, offering services for children.
Dept. of Political Science	180-1-00-019-D-603	28,634.25	32,624.25	32,624.00	7/1/1999 - 6/30/2001	
Dev. Anal. of Children's Services in DV	RESEARCH & EVALUATION	83,592.75	93,798.75	99,952.00		
N.C. State University	**10555**	50,000.25	50,000.25	50,000.00	2000 DCSI	This project will provide resources to the Progress Board to enable them to conduct resarch and policy analysis on criminal justice issues.
North Carolina Progress Board	180-1-00-019-D-652	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Progress Board Report 2001	DRUG CONTROL & SUBST	50,000.25	50,000.25	50,000.00		
Western Carolina University	**10076**	12,205.50	12,205.50	13,018.50	2000 DCSI	This project will provide the Western Carolina University Police Department with two Mobile Data Terminals.
Western Carolina University Police Dep	180-1-00-15B-D-096	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
WCU Police - Mobile Data	INFORMATION SYSTEMS &	12,205.50	12,205.50	13,018.50		
City of Raleigh	**10344**	9,425.25	9,425.25	10,494.75	2000 DCSI	This project will be for an I-BASE system for the Shaw University Police Department.
Shaw University Police Department	180-1-00-15B-D-153	1,162.50	1,162.50	1,162.50	7/1/2000 - 6/30/2001	
I-Base System Implementation	INFORMATION SYSTEMS &	10,587.75	10,587.75	11,657.25		
UNC - Greensboro	**10323**	132,837.75	125,283.75	125,283.75	2000 JAIBG	This project will offer System of Care "wraparound" services to court involved juveniles and their families. This project will extend the efforts of the local Violent Crime Task Force to build a comprehensive community based prevention program. This a joint effort involving local law enforcement, the U.S. Attorney's Office, juvenile justice, mental health, UNCG, and a broad coalition of community stakeholders. The U.S. Attorney feels that this model of coordinated enforcement and treatment can be extended to other parts of North Carolina.
UNCG -- Center for the Study of Social	180-1-00-FDJ-K-336	136,839.00	129,207.75	129,207.75	7/1/2000 - 6/30/2001	
High Point Youth Violence Initiative	JUV. JUST. INTERVENTION	269,676.75	254,491.50	254,491.50		
N.C. A&T State University	**10135**	112,500.00	112,500.00	112,500.00	2000 DCSI	This project will provide a structured after-school program that will offer services that emphasize education, self-esteem, personal and business development, pre-apprenticeship and job retention for 100 youth living in Durham County's public housing communities.
N. C. A&T State University	180-1-00-P01-D-120	112,500.00	0.00	0.00	7/1/2000 - 6/30/2001	
Entrepreneurial / Employment After-Sc	JUV. DELINQ. PREVENTIO	225,000.00	112,500.00	112,500.00		
Elizabeth City State University	**10363**	64,321.00	59,782.00	59,784.00	2000 JJDP	This project will provide mentoring, community service and services to reduce teenage pregnancy, school drop out rates and youth crime and violence in Bertie, Camden, Currituck, and Gates counties for 80 at-risk youth ages 8 to 16.
Elizabeth City State University	180-1-00-P01-J-112	50,722.00	49,982.00	49,982.00	7/1/2000 - 6/30/2001	
Community Youth Explorers With Prom	JUV. DELINQ. PREVENTIO	115,043.00	109,764.00	109,766.00		

Applicant/Proj: Agency/Project	Appl ID/Appl No/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
Institute of Government	**10127**	71,868.75	25,000.00	25,000.00	2000 JAIBG	This project will provide a funded faculty position to provide training, advice and publications on juvenile law for court officials, law enforcement officers and Office of Juvenile Justice personnel through the Institute of Government, UNC-Chapel Hill. The position will work with the delinquency part of the juvenile justice code and primary substance matter will include juvenile justice (delinquency, undisciplined juveniles, and juvenile facility issue).
Institute of Government	180-1-00-TRG-K-320	68,640.75	25,000.00	25,000.00	7/1/2000 - 6/30/2001	
IOG Juvenile Law Assistance	JUV. JUST. INTERVENTION	140,509.50	50,000.00	50,000.00		
UNC - Chapel Hill	**10485**	153,474.26	153,474.26	153,473.00	2000 JAIBG	This project will enable the Department of Juveniel Justice and Delinquency prevention to develop community and individual measures of riskof risks and needs.
UNC - CH School of Social Work	180-1-00-TRG-K-632	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Assessing Comm. & Individual Risks a	JUV. JUST. INTERVENTION	153,474.26	153,474.26	153,473.00		
N.C. State University	**10564**	65,917.00	65,917.00	65,917.00	1997 NC SA	
NCSU -- Dept. of Political Science & Pu	180-1-97-001-L-804	0.00	0.00	0.00	10/15/2000 - 8/31/2001	
Engaging Elementary Students and Par	INFORMATION SYSTEMS &	65,917.00	65,917.00	65,917.00		
UNC -- School of Social Work	**7953**	98,035.00	98,035.00	98,035.00	1997 T5	The proposed project will serve 45 elementary and 15 middle school students at risk for academic failure and delinquency.
Jordan Institute for Families	180-1-97-001-T-536	0.00	0.00	0.00	1/1/1998 - 7/31/1999	
Futuristic	JUV. DELINQ. PREVENTIO	98,035.00	98,035.00	98,035.00		
UNC - Chapel Hill	**10408**	64,872.84	64,872.84	64,872.00	1999 T5	This project will will conduct a multisystemic intervention designed to interrupt the developmental pathways that lead to conduct disorder and Juvenile delinquency. Project will target 75 third graders in Chatham County.
Jordan Institute for Families	180-1-99-001-T-522	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Chatham Children's Initiative	JUV. DELINQ. PREVENTIO	64,872.84	64,872.84	64,872.00		
UNC - Chapel Hill	**9174**	93,928.00	81,446.00	145,507.00	1999 DCSI	This program will provide funding for the collection of data regarding crime, prevention, and the Hispanic community.
UNC-CH Contracts & Grants Office	180-1-99-019-D-369	71,233.00	64,061.00	0.00	7/1/1999 - 6/30/2001	
Crime Prevention for N. C. Latino Com	DRUG CONTROL & SUBST	165,161.00	145,507.00	145,507.00		
N.C. State University	**9772**	49,295.00	49,295.00	49,295.00	1999 DCSI	This project will assess the accuracy of predictions of recidivism and infractions using neural network models in two types of criminal justice offender populations: young offenders released to the community and yound inmates.
NC Center for Crime and Justice Resea	180-1-99-019-D-602	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Assessing / Rel. Accuracy of Neural Ne	RESEARCH & EVALUATION	49,295.00	49,295.00	49,295.00		
N.C. State University	**9722**	54,770.00	54,770.00	54,770.00	1999 DCSI	This project will be a developmental analysis of geographic systems for small and medium law enforcement departments. This project will provide agencies with the necessary mapping practices to develop sound GIS applications.
Dept. of Political Science & Public Admi	180-1-99-019-D-604	0.00	0.00	0.00	10/26/1999 - 6/30/2001	
Developmental Analysis of GIS	RESEARCH & EVALUATION	54,770.00	54,770.00	54,770.00		
UNC - Chapel Hill	**9594**	104,108.25	105,836.25	105,836.25	1999 VAWA	This project will provide services at UNC Hospital. The program is the first outpatient and inpatient base domestic violence intervention program in NC. They propose to collaborate with a statewide multi-disciplinary team to improve the health care response to battered women in North Carolina.
UNC-CH Division of General Medicine	180-2-99-4VA-W-020	0.00	0.00	0.00	7/1/1999 - 2/28/2001	
Effective Practices for Health Care Prov	VICTIM'S SERVICES	104,108.25	105,836.25	105,836.25		
	County Totals:	1,949,274.17	1,657,492.59	1,665,528.00		

Vance

County of Vance	**10338**	59,922.94	19,999.50	20,000.00	2000 DCSI	This project will develop a CAD system for the Vance County Sheriff's Office.
Vance County Sheriff's Office	091-1-00-15B-D-147	9,488.01	0.00	0.00	7/1/2000 - 6/30/2001	
CADD/RMS/Interface	INFORMATION SYSTEMS &	69,410.96	19,999.50	20,000.00		

		Requested FY12	Approved FY12	Awarded FY12	Source/Dates	Summary
Area Christians[redacted]ether in Service, In	**10447**	142,285.60	1[redacted]5.60	142,285.60	2000 VOCA	This project will provide [redacted] advocacy, shelter, and crisis line services to victims of domestic violence and their children in Vance County.
ACTS	091-2-00-010-V-701	0.00	[redacted]0.00	0.00	7/1/2000 - 9/30/2001	
Heart's Haven	VICTIM'S SERVICES	142,285.60	142,285.60	142,285.60		
County of Vance	**10469**	25,800.00	25,800.00	25,800.00	1999 JAIBG	This project will fund a victim-offender reconciliation program. The program will work with court-referred juveniles and their parents.
National Youth Project Using Minibikes	091-2-99-007-K-014	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Vance County RESOLVE / Mediation	JUV. JUST. INTERVENTION	25,800.00	25,800.00	25,800.00		
	County Totals:	237,496.56	188,085.10	188,085.60		

Wake

The Family Violence Prevention Center,	**10284**	31,191.72	29,242.00	29,242.00	2000 VOCA	This project will continue counseling, court advocacy, and outreach services to underserved Hispanic victims of domestic violence and sexual assault in Wake County.
Family Violence Prevention Center	092-1-00-042-V-149	32,750.53	30,298.86	30,298.86	10/1/2000 - 9/30/2001	
Hispanic Outreach Counselor	VICTIM'S SERVICES	63,942.25	59,540.86	59,540.86		
Town of Rolesville	**10050**	9,596.25	9,596.25	9,956.25	2000 DCSI	This project will automate the agency's record keeping system and enable electronic submission to DCI.
Rolesville Police Department	092-1-00-15B-D-071	1,237.50	1,237.50	1,237.50	7/1/2000 - 6/30/2001	
Information System Software Update	INFORMATION SYSTEMS &	10,833.75	10,833.75	11,193.75		
Town of Fuquay-Varina	**10152**	11,524.50	11,524.50	11,524.50	2000 DCSI	This project will provide the Fuquay-Varina Police Department with two Mobile Data Computers.
Fuquay-Varina Police Department	092-1-00-15B-D-125	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Computer Terminals	INFORMATION SYSTEMS &	11,524.50	11,524.50	11,524.50		
Town of Wendell	**10249**	11,824.50	11,301.00	11,301.00	2000 DCSI	This grant will provide the Wendell Police Department two Mobile Data Terminals to help increase officer safety.
Wendell Police Department	092-1-00-15B-D-130	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Mobile Data Terminals	INFORMATION SYSTEMS &	11,824.50	11,301.00	11,301.00		
N.C. Coalition Against Sexual Assault	**9989**	151,249.00	111,555.95	111,555.95	2000 VAWA	This project will address improving services and access to services for sexual assault victims statewide. This project will also address underserved victim populations.
NC Coalition Against Sexual Assault	092-1-00-4VA-W-044	156,624.00	0.00	0.00	10/1/2000 - 9/30/2001	
NC Coalition Against Sexual Assault M	VICTIM'S SERVICES	307,873.00	111,555.95	111,555.95		
Wake County Public School System	**9952**	66,452.25	50,000.25	50,000.00	2000 DCSI	This project will provide 35 African American male youths in the middle school grades with academic tutoring, mentoring, life skills, and structured recreation.
Wake County Public School System	092-1-00-P01-D-038	68,031.75	50,000.25	50,000.00	7/1/2000 - 6/30/2001	
Helping Hands Project: Middle School	JUV. DELINQ. PREVENTIO	134,484.00	100,000.50	100,000.00		
County of Wake	**9944**	40,941.00	40,940.81	40,940.81	2000 VOCA	This project will provide direct services to child victims of violence. The program will serve victims and reduce future violence by providing all family members with skills needed to break the cycle of violence.
Wake Teen Medical Services	092-1-00-P02-V-030	42,168.75	42,168.94	42,168.94	7/1/2000 - 6/30/2001	
Serving Youthful Victims of Violence	JUV. DELINQ. PREVENTIO	83,109.75	83,109.75	83,109.75		
County of Wake	**6616**	11,856.75	11,856.75	27,186.40	1996 DCSI	Project will enable Wake County Magistrates to recommend mediation to individuals requesting warrants as a means of settling disputes. This would lessen the paperwork of many judicial officials.
ReEntry, Inc.	092-1-96-010-D-199	16,641.75	16,642.50	0.00	7/1/1996 - 6/30/1999	
Pre-Warrant Mediation Intervention Proj	Judicial	28,498.50	28,499.25	27,186.40		
County of Wake	**9007**	46,965.00	46,965.00	92,948.25	1999 DCSI	This project will establish a victim offender conferencing program. The project will add a restorative justice component to an already successful series of programs for court involved juveniles. Working closely with the Chief Court Counselor, and utilizing volunteer, the program will serve more than 100 juvenile offenders.
ReEntry Youth Development	092-1-99-001-D-011	45,983.25	45,983.25	0.00	7/1/1999 - 6/30/2001	
Victim Offender Conferencing	JUV. JUST. INTERVENTION	92,948.25	92,948.25	92,948.25		
N.C. Victim Assistance Network	**11208**	32,095.00	32,095.00	32,095.00	1999 VOCA	This project will provide for a statewide train the trainer conference for Victim Services Practioner trainers enabling them to subsequently train victim advocates for statewide certification.
North Carolina Victim Assistance Netw	092-1-99-050-V-601	0.00	0.00	0.00	2/1/2001 - 7/30/2001	
Victim Service Practitioner Certification	VICTIM'S SERVICES	32,095.00	32,095.00	32,095.00		

Applicant/Imp. Agency/Project	Appl ID/Appl Nbr/Strategy	Requested Y1/Y2	Approved Y1/Y2	Awarded Y1/Y2	Source/Dates	Summary
County of Wake	**10578**	40,000.62	40,000.62	40,000.00	2000 T5	This project will build and maiontain healthy self-esteem, instils cultural pride and self-appreciation, teaches life skills and social skills for self-sufficiency while discouraging negative life outcomes, Project will target 12-15 year old girls at-risk.
Sisterhood Agenda, Inc.	092-2-00-001-T-903	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
A Journey Toward Womanhood Expans	JUV. DELINQ. PREVENTIO	40,000.62	40,000.62	40,000.00		
County of Wake	**10446**	44,408.40	44,408.40	43,101.14	2000 VOCA	This project will continue to provide services for abused and neglected children aged 4-12 in Wake County. The program will provide sessions on self esteem, cooperative behavior and appropriate expression of feelings.
SAFEchild	092-2-00-030-V-012	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
The Nurturing Program	VICTIM'S SERVICES	44,408.40	44,408.40	43,101.14		
N.C. Victim Assistance Network	**10430**	34,292.00	34,292.00	34,755.70	2000 VOCA	This project will provide secondary victims of homicide with funds to attend trial, will print two manuals, will host a state-wide training on the Crime Victims' Rights Act, and will provide scholarships for victims to attend the conference.
N.C. Victim Assistance Network	092-2-00-050-V-178	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Victim Subsistence Project	VICTIM'S SERVICES	34,292.00	34,292.00	34,755.70		
N.C. Coalition Against Sexual Assault	**10573**	170,857.57	170,857.57	170,857.57	2000 VAWA	This project will support staff to coordinate statewide training for Sexual Assault Nurse Examiners (SANEs) and Sexual Assault Response Teams (SARTs).
N.C. Coalition Against Sexual Assault	092-2-00-1VA-W-108	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
SANE/SART	VICTIM'S SERVICES	170,857.57	170,857.57	170,857.57		
Catholic Social Ministries	**10436**	109,279.00	109,279.00	109,279.00	2000 VAWA	This project will provide staff and supplies for an outreach and services program to Hispanic victims of domestic violence in Durham County.
Catholic Social Ministries of the Dioces	092-2-00-1VA-W-156	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Hacia La Paz Familiar (HPF)	VICTIM'S SERVICES	109,279.00	109,279.00	109,279.00		
The Family Violence Prevention Center,	**10421**	66,952.00	66,952.00	66,952.00	2000 VAWA	This project will continue the domestic violence court advocacy program in criminal and civil court in Wake county and will coordinate a project training and assigning volunteer lawyers to provide legal representation for 50B hearings.
The Family Violence Prevention Center,	092-2-00-1VA-W-176	0.00	0.00	0.00	10/1/2000 - 9/30/2001	
Court Advocacy Expansion	VICTIM'S SERVICES	66,952.00	66,952.00	66,952.00		
	County Totals:	1,242,923.09	1,007,198.40	1,005,400.87		

Warren

Citizens Against Domestic Violence Co	**10011**	37,270.20	28,546.04	28,546.00	2000 VOCA	This project will expand the staff of this small, domestic violence organization to include a full time court advocate/community educator and administrative assistant to assist domestic violence victims in Warren County.
Warren County Domestic Violence Coal	093-1-00-010-V-066	21,760.00	27,200.00	27,200.00	7/1/2000 - 6/30/2001	
Warren County Domestic Violence Coal	VICTIM'S SERVICES	59,030.20	55,746.04	55,746.00		
	County Totals:	59,030.20	55,746.04	55,746.00		

Washington

County of Washington	**10586**	35,000.00	35,000.00	35,000.00	2000 JJDP	
Washington County Youth Center	094-1-00-P01-J-104	0.00	0.00	0.00	12/1/2000 - 11/30/2001	
Changing Hearts Instead of Losing Live	JUV. DELINQ. PREVENTIO	35,000.00	35,000.00	35,000.00		
	County Totals:	35,000.00	35,000.00	35,000.00		

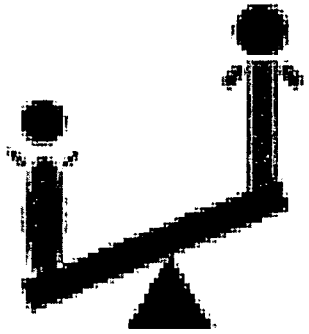
Watauga

Oasis, Inc.	**10021**	11,294.40	14,118.00	14,118.00	2000 VOCA	This project will support a client services assistant to provide transitional housing and other services to sexual assault and domestic violence victims. Services will be provided in Alleghany, Ashe, and Watauga counties.
Oasis, Inc.	095-1-00-011-V-076	12,155.20	14,586.40	14,586.40	7/1/2000 - 6/30/2001	
Transitional Housing	VICTIM'S SERVICES	23,449.60	28,704.40	28,704.40		
Town of Boone	**10041**	5,550.00	5,550.00	5,550.00	2000 DCSI	This project will finalize the initial implementation of GIS crime mapping by purchasing: software, training, global positioning system (GPS) units and a high definition printer.
Boone Police Department	095-1-00-15B-D-062	0.00	0.00	0.00	7/1/2000 - 6/30/2001	
Crime Mapping Initiative	INFORMATION SYSTEMS &	5,550.00	5,550.00	5,550.00		

Handout #4
April 19, 01

Juvenile Crime Prevention Councils (JCPC)

Department of Juvenile Justice and Delinquency Prevention



Purpose

- Formerly known as the Community Based Alternatives (CBA) program
  - community based alternatives to training schools
  - community based delinquency and substance abuse prevention strategies and programs.
- Programs and services are planned at the local level by local Juvenile Crime Prevention Councils (JCPCs) in partnership with the state
- DJJDP awards grants to JCPCs to provide a continuum of services and programs at the community level.

JCPC Membership

- **The county Board of Commissioners must appoint a Juvenile Crime Prevention Council. The council includes:**
  - local school superintendent(s)
  - chief of police
  - local sheriff
  - district attorney
  - chief court counselor
  - director of the area mental health, developmental disabilities and substance abuse authority
  - director of the county department of social services

JCPC Membership

- county manager
- substance abuse professional
- member of the faith community
- county commissioner
- person under age 21
- juvenile defense attorney
- chief district court judge
- member of the business community
- local health director
- representative from the United Way or other nonprofit agency
- representative of a local parks and recreation program
- up to seven members of the public to be appointed by the county Board of Commissioners

JCPC Responsibilities

- review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent
- review the resources available to address those needs.
- prioritize community risk factors
- determine the services needed to address those problem areas.
- develop and advertise a request for proposal process

JCPC Responsibilities

- submit a written funding plan to the county commissioners for approval.
- evaluate program performance
- increase public awareness of the causes of delinquency and of strategies to reduce the problem,
- develop strategies to intervene, respond to and treat the needs of juveniles at risk of delinquency
- provide funds for treatment, counseling, or rehabilitation services.

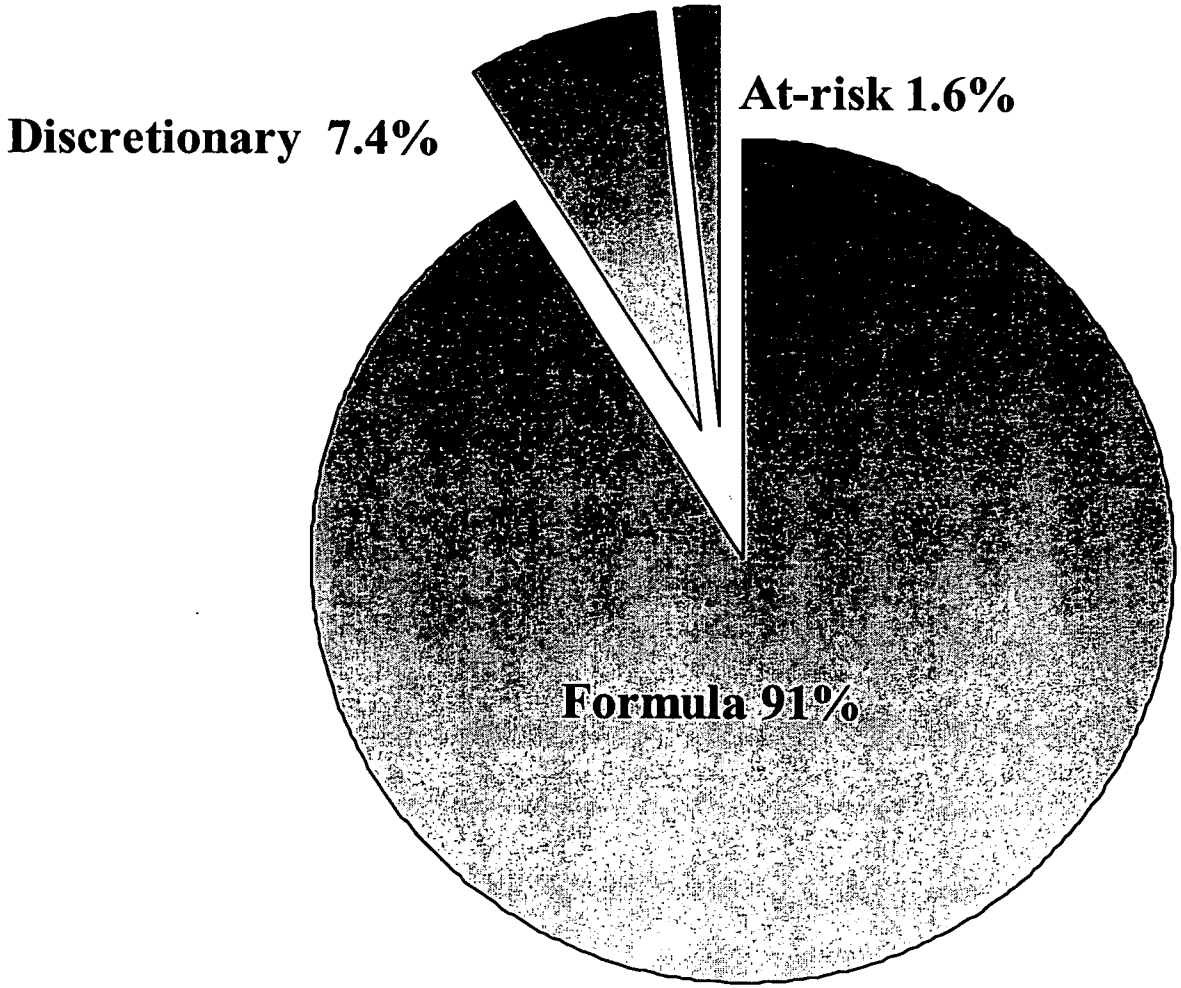
Types of JCPC Program/Services

- Counseling
- Home-based family services
- Treatment centers
- Psychological services
- Residential group homes
- Restitution
- Specialized foster care
- Shelter Care
- Guided growth programs

JCPC FY0-01 Budget

- FY00-01: $24,948,067 appropriated
  - $22.7 million formula grants to county JCPCs
  - $1.8 million discretionary grants for home intensive visiting and juvenile offender initiatives Dept. of Juv. Justice
  - $400,000 NR for four community programs

FY0-01 JCPC Allocations

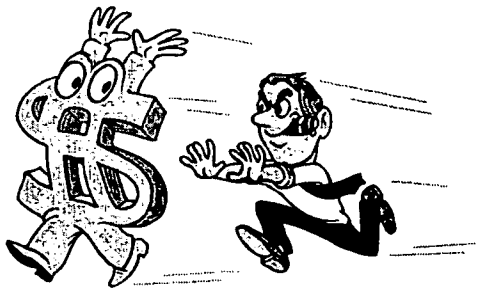


JCPC Formula Funds

Fiscal Year	Continuation	Expansion	Total
1999	21,224,625	500,000	21,724,625
2000	21,224,625	1,500,000	22,724,625

Recent Legislative Action

- 1999 Session
  - $3,688,548 R reserve
  - $500,000 R JCPC expansion
- 2000 Session
  - $1,000,000 R JCPC expansion
  - $400,000 NR for programs serving at-risk youth



JCPC Budget Issues

- JCPCs want more formula funds:
  - Prevention
  - Administrative costs
- Discretionary funds:
  - $1.8 million R
  - Given the current budget situation, are these funds needed to address critical needs omitted from the Governor's recommended budget for DJJDP
- Need data on the impact of JCPC activities
  - Should funding be increased in absence of this information?
  - Should funding be more targeted?

Handout # 5
April 19, 01

DJJDP COST CENTER REPORT

FiscalYear: 00-01

/ednesday, January 17, 2001

Type of Program:	# Prog.	Personnel Services In Kind	Personnel Services Cash:	Supp and Materials Cash:	Supp and Materials In Kind	Obligations Cash	Obligations In Kind	Charges and Exp Cash	Charges and Exp In Kind	Capital Outlay Cash	Capital Outlay In Kind	Total
Adult Volunteer	8	$2,815	$394,990	$8,030	$1,000	$30,412	$5,443	$27,664	$10,900	$0	$0	$481,254
Counseling Services	77	$250,807	$5,903,526	$263,408	$16,740	$739,414	$66,337	$310,250	$241,634	$46,578	$17,478	$7,856,172
Guided Growth Program	99	$187,460	$2,627,264	$251,565	$22,376	$475,513	$62,519	$132,145	$161,902	$31,975	$39,610	$3,992,329
High-Risk Neighborhood	3	$0	$160,035	$6,372	$0	$7,173	$4,580	$3,615	$9,600	$0	$0	$191,375
Home Based Family Services	42	$107,545	$2,511,425	$55,080	$7,321	$421,717	$21,318	$150,738	$42,519	$7,243	$4,700	$3,329,606
JCPC Certification	100	$0	$56,188	$59,763	$0	$141,317	$0	$5,664	$0	$9,900	$0	$272,832
Juvenile Treatment Centers	24	$1,340,277	$2,926,725	$321,850	$21,774	$480,407	$102,398	$203,587	$424,575	$325,397	$221,500	$6,368,490
Prevention Services	6	$0	$90,484	$2,847	$0	$4,796	$0	$500	$6,000	$200	$0	$104,827
Psychological Services	57	$69,399	$1,714,891	$36,715	$5,808	$153,830	$20,418	$24,923	$57,929	$490	$0	$2,084,403
Residential Group Home	26	$4,600	$3,742,004	$363,171	$48,720	$1,442,201	$11,080	$334,587	$9,000	$66,925	$112,618	$6,134,906
Restitution Services	84	$253,181	$3,042,851	$148,983	$7,299	$1,378,233	$80,996	$137,567	$437,059	$159,272	$11,524	$5,639,267
Restorative Services	48	$134,437	$1,441,171	$54,645	$3,120	$351,682	$8,540	$91,141	$56,872	$22,406	$1,260	$2,165,274
Runaway Shelter Care	3	$0	$696,548	$42,850	$0	$84,596	$0	$43,035	$0	$0	$0	$867,029
Sexual Offender Treatment	5	$0	$245,995	$600	$0	$10,020	$0	$4,200	$2,400	$1,645	$0	$264,860
Specialized Foster Care	4	$6,840	$78,257	$2,000	$0	$40,900	$12,014	$60,710	$12,730	$0	$0	$213,451
Temporary Foster Care	2	$0	$6,255	$2,250	$0	$45,515	$0	$0	$0	$0	$0	$54,020
Temporary Shelter Care	47	$107,081	$3,701,620	$269,068	$6,425	$901,541	$26,645	$1,058,197	$92,673	$77,010	$800	$6,241,060
Totals:	635	$2,464,442	$29,340,229	$1,889,197	$140,583	$6,709,267	$422,288	$2,588,523	$1,565,793	$749,041	$409,490	

JUVENILE CRIME PREVENTION PROGRAM SERVICES

1. Adult Volunteer (40): Recruit, screen and train adult volunteers who are matched with delinquent or at-risk youth on a one-to-one basis to provide the juvenile with a positive adult role model.
2. Counseling Services (30): Involves a helping professional working with individual juveniles with groups of juveniles or with juveniles and their families in an effort to help young people learn to solve or better cope with their individual problems.
3. Crisis Counseling Services (33): Short term assistance provided by a helping professional either face to face or by phone to juveniles in immediate danger of physical or emotional injury.
4. Guided Growth Program (95): Provide a structured service plan of learning or recreational activities aimed at improving each participants self esteem, social conscience, personal enrichment and social growth and development.
5. High Risk Neighborhood Program (90): A program which operates in a geographic area within a county, where the area's boundaries are specified in the Program Agreement and for three consecutive years, this geographic area shall have maintained a juvenile or adult arrest rate that is higher than the county-wide arrest rate for the same three year period. High-Risk Community Programs shall be designed to provide enrichment skills for youth living in these areas.
6. Home-Based Family Services (75): Short term, intensive services involving the entire family intended to prevent family dissolution, delinquent and undisciplined behavior by empowering families to become more functional and self-sufficient.
7. Juvenile Treatment Center (84): A treatment program for juvenile offenders which provides supervision, treatment, and sentencing options to the court within the framework of one program. Services may be offered on a graduated basis including after-school, during the school day for those with education components, evenings, and weekends. Services may include: Individual and Family Counseling, Substance Abuse Treatment, Restitution/Community Service, Tutoring, Alternative Education, Vocational Training, and Structured Activities.
8. Prevention Services (80): Any services where the primary intent is to divert from the juvenile justice system those youth who have demonstrated negative behavior or who are subject to a dysfunctional home or community environment.
9. Psychological Services To Juvenile Court (31): Provides psychological testing, individual counseling and staff consultation by licensed psychologist for adjudicated youth or for youth awaiting adjudication by Juvenile Court.
10. Residential Group Home (10): Twenty-four hour care for youth in need of structured supervision in a family-like environment for up to six to eight months.
11. Restitution Services (85): Provides a vehicle whereby juvenile offenders are held accountable for their conduct by performing a work service for the victim or the community.
12. Restorative Services (83): A program type that offers immediate and short-term involvement with youth, to focus on specific negative behaviors, with the aim of resolution of the presenting problem and extinction of the negative behavior. These programs include mediation, dispute settlement, teen court and other programs with similar goals and objectives.
13. Runaway Shelter Care (21): Provides temporary emergency care (10 days or less) to runaway youth while arrangements are made for their return home.
14. Sexual Offender Treatment (43): Any CBA funded program that is sex offender specific and excludes other types of mental health services, has an assessment component, is practiced primarily in groups, is confrontive and generally legally mandated, has a family group component and has designated follow-up procedures.
15. Specialized Foster Care (15): Provide care for youth with serious behavioral or emotional problems through foster parents whose special training is designed to help them understand and provide needed support for the children who are placed in their care.

16. Temporary Shelter Care (20): Provides group home care and shelter (up to 90 days) for up to 9 juveniles who need to be temporarily removed from their homes during a family crisis.
17. Temporary Foster Care (25): Provides care and shelter (up to 90 days) for not more than 2 juveniles in a foster home where the foster parents have been specially trained to understand and support the children placed in their care.

Handout #6
April 19, 01

DEPARTMENT OF JUVENILE JUSTICE DELINQUENCY PREVENTION
JCPC EXPANSION ALLOCATION FY 2000-2001

COUNTY	MATCH %	POP.*	1999-2000 TOTAL	ADD BASE	ADD PER-CAPITA	TOTAL EXPANSION	2000-2001 Total
Alamance	30%	13,187	$ 338,226	$ 5,000	$ 7,957	$ 12,957	$ 351,183
Alexander	30%	3,342	$ 108,452	$ 5,000	$ 2,017	$ 7,017	$ 115,469
Alleghany	20%	830	$ 50,942	$ 5,000	$ 501	$ 5,501	$ 56,443
Anson	10%	2,751	$ 102,266	$ 5,000	$ 1,660	$ 6,660	$ 108,926
Ashe	20%	2,095	$ 82,778	$ 5,000	$ 1,264	$ 6,264	$ 89,042
Avery	30%	1,527	$ 69,195	$ 5,000	$ 921	$ 5,921	$ 75,116
Beaufort	10%	4,800	$ 152,499	$ 5,000	$ 2,896	$ 7,896	$ 160,395
Bertie	10%	2,644	$ 89,044	$ 5,000	$ 1,595	$ 6,595	$ 95,639
Bladen	10%	3,495	$ 116,705	$ 5,000	$ 2,109	$ 7,109	$ 123,814
Brunswick	20%	7,035	$ 156,526	$ 5,000	$ 4,245	$ 9,245	$ 165,771
Buncombe	30%	19,744	$ 506,623	$ 5,000	$ 11,914	$ 16,914	$ 523,537
Burke	30%	8,958	$ 232,811	$ 5,000	$ 5,406	$ 10,406	$ 243,217
Cabarrus	30%	13,741	$ 300,771	$ 5,000	$ 8,292	$ 13,292	$ 314,063
Caldwell	20%	7,800	$ 213,591	$ 5,000	$ 4,707	$ 9,707	$ 223,298
Camden	20%	691	$ 44,444	$ 5,000	$ 417	$ 5,417	$ 49,861
Carteret	30%	6,123	$ 169,383	$ 5,000	$ 3,695	$ 8,695	$ 178,078
Caswell	10%	2,424	$ 93,757	$ 5,000	$ 1,463	$ 6,463	$ 100,220
Catawba	30%	13,673	$ 339,024	$ 5,000	$ 8,251	$ 13,251	$ 352,275
Chatham	30%	4,868	$ 118,256	$ 5,000	$ 2,937	$ 7,937	$ 126,193
Cherokee	20%	2,227	$ 80,615	$ 5,000	$ 1,344	$ 6,344	$ 86,959
Chowan	10%	1,683	$ 70,590	$ 5,000	$ 1,016	$ 6,016	$ 76,606
Clay	20%	808	$ 44,753	$ 5,000	$ 488	$ 5,488	$ 50,241
Cleveland	20%	9,811	$ 285,242	$ 5,000	$ 5,920	$ 10,920	$ 296,162
Columbus	10%	6,454	$ 184,909	$ 5,000	$ 3,895	$ 8,895	$ 193,804
Craven	20%	9,582	$ 260,758	$ 5,000	$ 5,782	$ 10,782	$ 271,540
Cumberland	20%	34,506	$ 944,005	$ 5,000	$ 20,822	$ 25,822	$ 969,827
Currituck	30%	2,061	$ 76,147	$ 5,000	$ 1,244	$ 6,244	$ 82,391
Dare	30%	3,096	$ 82,429	$ 5,000	$ 1,868	$ 6,868	$ 89,297
Davidson	30%	15,619	$ 375,799	$ 5,000	$ 9,425	$ 14,425	$ 390,224
Davie	30%	3,338	$ 105,243	$ 5,000	$ 2,014	$ 7,014	$ 112,257
Duplin	10%	5,249	$ 151,855	$ 5,000	$ 3,167	$ 8,167	$ 160,022
Durham	30%	20,307	$ 488,708	$ 5,000	$ 12,254	$ 17,254	$ 505,962
Edgecombe	10%	6,983	$ 222,133	$ 5,000	$ 4,214	$ 9,214	$ 231,347
Forsyth	30%	30,647	$ 729,171	$ 5,000	$ 18,493	$ 23,493	$ 752,664
Franklin	10%	5,058	$ 133,072	$ 5,000	$ 3,052	$ 8,052	$ 141,124
Gaston	20%	20,656	$ 555,695	$ 5,000	$ 12,464	$ 17,464	$ 573,159
Gates	20%	1,264	$ 54,396	$ 5,000	$ 763	$ 5,763	$ 60,159
Graham	10%	737	$ 48,693	$ 5,000	$ 445	$ 5,445	$ 54,138
Granville	20%	5,240	$ 138,513	$ 5,000	$ 3,162	$ 8,162	$ 146,675
Greene	10%	2,018	$ 75,005	$ 5,000	$ 1,218	$ 6,218	$ 81,223
Guilford	30%	40,433	$ 1,015,965	$ 5,000	$ 24,399	$ 29,399	$ 1,045,364
Halifax	10%	6,792	$ 211,618	$ 5,000	$ 4,098	$ 9,098	$ 220,716
Harnett	10%	9,517	$ 222,655	$ 5,000	$ 5,743	$ 10,743	$ 233,398
Haywood	20%	4,876	$ 144,489	$ 5,000	$ 2,942	$ 7,942	$ 152,431
Henderson	30%	7,535	$ 199,314	$ 5,000	$ 4,547	$ 9,547	$ 208,861
Hertford	10%	2,651	$ 104,851	$ 5,000	$ 1,600	$ 6,600	$ 111,451
Hoke	10%	3,909	$ 116,119	$ 5,000	$ 2,359	$ 7,359	$ 123,478
Hyde	10%	570	$ 42,803	$ 5,000	$ 344	$ 5,344	$ 48,147
Iredell	30%	12,249	$ 288,018	$ 5,000	$ 7,391	$ 12,391	$ 300,409
Jackson	20%	2,628	$ 99,180	$ 5,000	$ 1,586	$ 6,586	$ 105,766
Johnston	20%	12,114	$ 247,113	$ 5,000	$ 7,310	$ 12,310	$ 259,423
Jones	20%	1,016	$ 55,129	$ 5,000	$ 613	$ 5,613	$ 60,742
Lee	30%	5,861	$ 160,897	$ 5,000	$ 3,537	$ 8,537	$ 169,434
Lenoir	10%	6,608	$ 210,988	$ 5,000	$ 3,987	$ 8,987	$ 219,975
Lincoln	30%	6,560	$ 162,146	$ 5,000	$ 3,959	$ 8,959	$ 171,105
Macon	30%	4,154	$ 82,731	$ 5,000	$ 2,507	$ 7,507	$ 90,238
Madison	20%	2,659	$ 72,820	$ 5,000	$ 1,605	$ 6,605	$ 79,425
Martin	20%	1,766	$ 113,707	$ 5,000	$ 1,066	$ 6,066	$ 119,773
McDowell	20%	3,054	$ 127,093	$ 5,000	$ 1,843	$ 6,843	$ 133,936

DEPARTMENT OF JUVENILE JUSTICE DELINQUENCY PREVENTION
JCPC EXPANSION ALLOCATION FY 2000-2001

COUNTY	MATCH %	POP.*	1999-2000 TOTAL	ADD BASE	ADD PER-CAPITA	TOTAL EXPANSION	2000-2001 Total
Mecklenburg	30%	70,129	$ 1,458,685	$ 5,000	$ 42,318	$ 47,318	$ 1,506,003
Mitchell	20%	1,471	$ 64,535	$ 5,000	$ 888	$ 5,888	$ 70,423
Montgomery	20%	2,801	$ 94,944	$ 5,000	$ 1,690	$ 6,690	$ 101,634
Moore	30%	7,508	$ 180,605	$ 5,000	$ 4,531	$ 9,531	$ 190,136
Nash	20%	10,234	$ 243,481	$ 5,000	$ 6,176	$ 11,176	$ 254,657
New Hanove	20%	15,502	$ 424,050	$ 5,000	$ 9,354	$ 14,354	$ 438,404
Northampton	10%	2,368	$ 90,107	$ 5,000	$ 1,429	$ 6,429	$ 96,536
Onslow	30%	15,512	$ 427,685	$ 5,000	$ 9,360	$ 14,360	$ 442,045
Orange	30%	9,883	$ 245,286	$ 5,000	$ 5,964	$ 10,964	$ 256,250
Pamlico	10%	1,278	$ 58,712	$ 5,000	$ 771	$ 5,771	$ 64,483
Pasquotank	10%	4,658	$ 131,072	$ 5,000	$ 2,811	$ 7,811	$ 138,883
Pender	10%	4,309	$ 108,165	$ 5,000	$ 2,600	$ 7,600	$ 115,765
Perquimans	10%	1,222	$ 57,852	$ 5,000	$ 737	$ 5,737	$ 63,589
Person	20%	3,663	$ 120,670	$ 5,000	$ 2,210	$ 7,210	$ 127,880
Pitt	20%	14,249	$ 336,658	$ 5,000	$ 8,598	$ 13,598	$ 350,256
Polk	20%	1,447	$ 60,143	$ 5,000	$ 873	$ 5,873	$ 66,016
Randolph	30%	14,175	$ 325,773	$ 5,000	$ 8,554	$ 13,554	$ 339,327
Richmond	20%	5,285	$ 159,805	$ 5,000	$ 3,189	$ 8,189	$ 167,994
Robeson	10%	15,352	$ 445,781	$ 5,000	$ 9,264	$ 14,264	$ 460,045
Rockingham	20%	9,461	$ 250,684	$ 5,000	$ 5,709	$ 10,709	$ 261,393
Rowan	30%	14,185	$ 329,411	$ 5,000	$ 8,560	$ 13,560	$ 342,971
Rutherford	20%	6,410	$ 182,116	$ 5,000	$ 3,868	$ 8,868	$ 190,984
Sampson	10%	6,186	$ 166,535	$ 5,000	$ 3,733	$ 8,733	$ 175,268
Scotland	10%	4,549	$ 152,475	$ 5,000	$ 2,745	$ 7,745	$ 160,220
Stanly	30%	6,395	$ 173,968	$ 5,000	$ 3,859	$ 8,859	$ 182,827
Stokes	30%	4,720	$ 133,417	$ 5,000	$ 2,848	$ 7,848	$ 141,265
Surry	20%	6,712	$ 195,788	$ 5,000	$ 4,050	$ 9,050	$ 204,838
Swain	10%	1,435	$ 58,815	$ 5,000	$ 866	$ 5,866	$ 64,681
Transylvania	30%	2,703	$ 100,752	$ 5,000	$ 1,631	$ 6,631	$ 107,383
Tyrrell	10%	447	$ 39,541	$ 5,000	$ 270	$ 5,270	$ 44,811
Union	30%	13,868	$ 291,339	$ 5,000	$ 8,368	$ 13,368	$ 304,707
Vance	10%	5,047	$ 160,564	$ 5,000	$ 3,046	$ 8,046	$ 168,610
Wake	30%	64,245	$ 1,162,852	$ 5,000	$ 38,767	$ 43,767	$ 1,206,619
Warren	10%	2,088	$ 76,330	$ 5,000	$ 1,260	$ 6,260	$ 82,590
Washington	10%	1,558	$ 70,095	$ 5,000	$ 940	$ 5,940	$ 76,035
Watauga	30%	3,115	$ 111,539	$ 5,000	$ 1,880	$ 6,880	$ 118,419
Wayne	20%	12,702	$ 349,118	$ 5,000	$ 7,665	$ 12,665	$ 361,783
Wilkes	20%	6,313	$ 193,777	$ 5,000	$ 3,809	$ 8,809	$ 202,586
Wilson	10%	8,117	$ 243,603	$ 5,000	$ 4,898	$ 9,898	$ 253,501
Yadkin	20%	3,721	$ 110,051	$ 5,000	$ 2,245	$ 7,245	$ 117,296
Yancey	20%	1,549	$ 67,186	$ 5,000	$ 935	$ 5,935	$ 73,121
TOTALS		**828,596**	**$ 21,724,625**	**$ 500,000**	**$ 500,000.00**	**$ 1,000,000**	**$ 22,724,625**

* Population based on Office of State Planning estimate for July 1, 2000 of US Census

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday, May 1, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative R. Phillip Haire, Presiding
Representative Bill Culpepper

II. PRESENTATIONS

- Department of Juvenile Justice

  Juvenile Programs: Eckerd Camps; Teen Courts; Governor's One-on-One; SOS; Multipurpose Group Homes; Camp Woodson; GRASP; Boys and Girls Clubs

  Denise Thomas, Fiscal Research
  Governor's Crime Commission

  -Court Counselors

  Elisa Wolper, Fiscal Research

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Wednesday, May 2 – Continue DJJDP, Youth Development Centers (formerly Training Schools); Detention Centers; Sentencing Commission Juvenile Projections
Thursday, May 3- Finish DJJDP; DOC Issues

IV. ADJOURNMENT

THE JOINT APPROPRIATION SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
May 1, 2001

The Joint Appropriation Subcommittee on Justice and Public Safety met on May 1, 2001 in room 415 LOB at 8:30AM. Four senate members were present. The following House members attended:

Rep. Phillip Haire — Rep. John Hall
Rep. Larry Justus — Rep. Joe Kiser
Rep. Wayne Sexton

Representative Philip Haire chaired the meeting. Denise Thomas, staff was the first person on the agenda. Ms. Thomas gave an overview of Juvenile Justice. See handout titled *Special Initiatives*. The special initiatives program has now been expanded to 100 counties. Also distributed was a map that shows the participating counties in the Governor's One-on-one program. A third handout lists the *Teen Court Programs*.

In response to a question by Rep. Kiser, the report that is submitted to the general assembly is a statistical one that does not address follow up evaluation. Senator Thomas said the teen court is a diversion that seems a duplication of juvenile court. Mr. Foster said 1600 teens were diverted from juvenile court last year which spares the court. Last year the program cost was just over $600 per case. In response to Rep. Hall, 31 counties have teen court programs. In response to Rep. Haire, Gaston, Burke and Catawba are start up programs. In response to Rep. Sexton, Mr. Foster said the disparity in costs may be due to program start ups. If money isn't spent, it reverts. In response to Rep. Kiser, all group homes are operated by private contractors. The multi-funded homes are supervised by a legal entity. In response to Rep. Justus, the cost of running a state funded home is comparable to a training school. Part of the cost is a family worker. The group homes are not as intensely staffed as the Willie M. program. Eight is the number of juveniles in a home. There are about 14 or 15 staff per home. The social worker workload is much greater than 8 because often they work several counties. They also work with families and juveniles already discharged for 90 days.

Ninety percent of the youth referred to Modular Camps come from DPI. The modular camp program is more intensively staffed and they run for a shorter period of time. They also include a teacher. The average stay is seven months. In Basic camps, the average stay is one year. Mr. Foster added that they have a waiting list of 30 to 60 days. There is another difference, the group homes are not voluntary but the camps are.

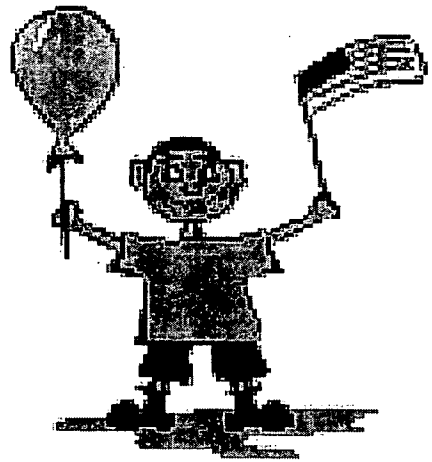
Mr. David Hardesty from the Eckerd program said they are doubling the lease in the Hendersonville camp. The GRASP Program (Guard Response Alternative Sentencing Program) runs ten weeks for 4 hours a day. Mr. Hargrove stated that if juveniles do not complete the GRASP program, they are returned to court.

There are currently eight counties participating in operating a Boys & Girls Club.

Representative Haire adjourned the meeting at 9:55AM.

Representative Philip Haire
House Chair

Gloria Haywood
Senate Committee Assistant



Special Initiatives

Department of Juvenile Justice and Delinquency Prevention

Fiscal Research Division

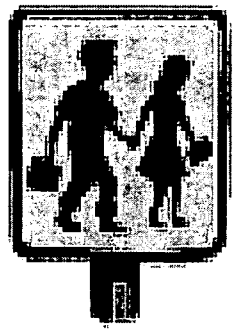
May 1, 2001

Special Programs/Initiatives

Support Our Students (SOS)

- Governor's One-on-One
- Boys & Girls Clubs

- Guard Response Alternative Sentencing Program (GRASP
- Camp Woodson
- Eckerd Camp
- Multipurpose Group Homes
- Teen Court



Support Our Students (SOS)

- Community-based initiative that provides after-school activities for school-aged children
- Emphasis is on middle school students
- Grants awarded to neighborhood and community-based organizations
- This year became operational in all 100 counties

FY99-00 SOS Statistics

- 76 participating counties
  - County grants ranged from $60,000 to $237,000
- 11,237 students
  - 20% elementary
  - 78% middle
  - 2% high school
- 2,590 volunteers
- 201 sites:
  - 159 school-based
  - 42 community
- Evaluation results shows positive impact on behavior and academic performance

SOS Budget

- December 31, 2001 authorized budget:
  - $8,911,822 - total expenditures
  - $2,625,674 - TANF receipts
  - $6,240,430 - general fund appropriation
- 95% of budget is county grants
- Recommended budget continues funding at the current year level
- DHHS has submitted a TANF block grant plan to reduce SOS funding by $1,460,084

Governor's One-on-One Program

- Adult volunteers work with youth on a one-on-one basis, meeting approximately four hours each week for one year.
- 90% of juveniles must be referred from juvenile court or local law enforcement
- In FY99-00, 2,444 volunteers worked with 1821 children
  - Operated in 59 counties
- Evaluation data indicates a significant decrease in court referrals (85%) and school suspensions (54%)

Governor's One-on-One Budget

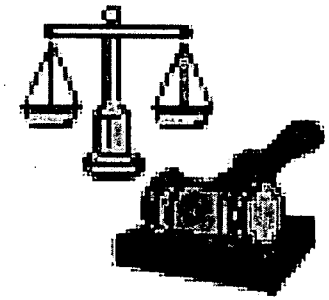
- 12/1/00 authorized level:
  - –$1,781,176 county funds
  - –$ 12,000 training
- DJJDP grants to counties range from $15,000 to $75,000
- Recommended budget maintains current level of funding

Teen Courts

- Used to divert first time minor offenders from juvenile court
- NC General Assembly first appropriated funds for a teen court program during the 1993 Session
  - First teen court program was established in Cumberland County in 1993
- 31 county teen court programs are currently operating

FY 98-99 Teen Court Statistics

- 1,119 youth admitted to the 22 teen courts in operation that year.
- Referrals
  - Juvenile Intake Officers 28%
  - School Resource Officers 23%
  - Police 18%
  - District Court 15%
  - Juvenile Court 4%

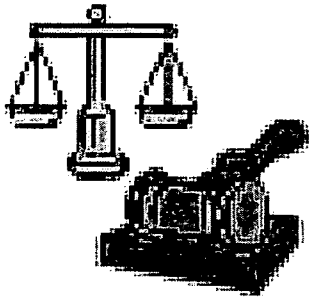


- County-level cost per case ranged from $262 to $17,300

Teen Court Funding

- $488,660 appropriated for teen courts in 18 counties
  - DJJDP funding range from $14,330 to $70,000.
- $451,602 provided by JCPC's in 13 counties
  - JCPC grants range from $10,000 to $102,000
- Teen court programs in 7 counties receive neither DJJDP nor JCPC funds

Caldwell	Hoke	Mecklenburg
Moore	Pender	Randolph
Scotland		



Teen Court Budget

- Governor's Recommended budget:
  - $488,660
  - Maintains current level of funding
- Funding requests totaling $185,000 have been referred to Appropriations:
  - S272: $30,000 for Gaston County
  - S502: $50,000 for Guilford County
  - H87: $105,000 for Burke, Catawba, and Caldwell Counties

Multipurpose Group Homes

- Secure non-institutional alternatives to youth development and detention centers
  - Intermediate sanction
- Provide up to 30 days of care for juveniles in need of secure detention prior to adjudication and up to 240 days of care as a treatment disposition.

Multipurpose Group Homes

- 6 group homes:
  - Edenton; Winton; Lumberton; Goldsboro; New Bern; and Franklin
  - Constructed by state; operated by contractors
- Three new homes opened early 2001:
  - Constructed and operated by Methodist Homes for Children on contract with DJJDP
  - Located in Alamance; Randolph, and Cabarrus
  - Each home has 6 group home beds and 4 foster care beds
  - Community sanction; do not house youth with secure detention orders

FY99 Statistics

- 87% Occupancy rate
  - 269 admissions
  - 272 discharges
- Average length of stay
  - Predisposition: 27 days
  - Post-disposition: 120 days
- Recidivism
  - Of 365 juveniles discharged since July 1, 1996, 74 (22%) were committed to training schools within 12 months
  - No data available on other new offenses or re-adjudications

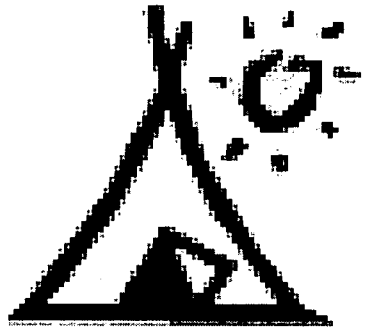
Group Home Budget

- $2,822,127 - December 31, 2000 authorized level for the state-owned homes operated by contract:
  - $2,427,240 - Methodist Home
  - $394,887- Mountain Youth
  - $58,794 - cost per bed

- $1,580,939 operating costs for 4 new homes scheduled to open this fiscal year
  - $400,000 one-time reduction taken this year
  - Part of these funds have been reverted
- Recommended FY 01-02 budget restores the $400,000

Eckerd Camps

- Year-round residential treatment program
- 6 camps located around the state
- DJJDP contracts with Eckerd for 360 slots
  - Juveniles are referred by DJJDP; DHHS, DPI; and private sources
- Juveniles must agree to participate and each camp decides whom to admit.



Eckerd Camp Budget

- $12,839,621 - December 31, 2000 authorized budget
- Recommended budget maintains current level of funding
- With no budget increases in past years for Eckerd, DJJDP is able to purchase fewer slots each year
  - As of 4/1/01, there were 28 private pay juveniles in the North Carolina Eckerd Camps

Eckerd FY99-00 Statistics

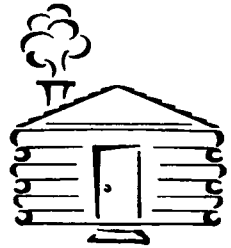
- 352 admissions; 356 exits
- Cost per bed:
  - $28,699 basic camp ($78.63/day)
  - $43,026 modular camp ($117.88)
- 12-month recidivism rate: 14.5 percent
  - Down from 29.2 percent for prior year
  - Does not track recidivism after 1 year

Eckerd Budget Issues

- Available contract slots are decreasing due to inflationary increases
  - Hendersonville camp is facing a large rent increase this year ($50,000) with an annual 8% escalation
- Should other agencies contribute funding?
  - Nearly half of referrals/admissions are from DMH and DPI.
  - Given the demand for sanctions/alternative dispositions, should contracted slots be used totally for DJJDP?
- Eligibility for third-party reimbursement from Medicaid or other sources?

Camp Woodson

- Voluntary, short term, pre-release program for training school students
- Intermediate sanction for Levels 1 and 2 juvenile offenders
- Year-round, outdoor therapeutic adventure program
- 2 locations:
  - Buncombe County
  - Washington County

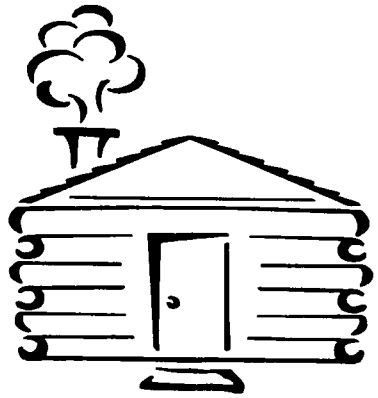


Camp Woodson

- 2000 Session: $614,00 expansion:
  - 21 positions and startup/operating funds for Camp Woodson East
  - 3 new positions at Camp Woodson West so that it could be used as a Level 1 or 2 intermediate sanction
- Due to budget problems, opening of Camp Woodson East has been delayed
  - Anticipated to open in June 2001
  - $430,000 of operating funds were reverted

Camp Woodson Budget

- Budget issues:
  - Delayed opening of Camp Woodson East due to budget shortfalls
- Would certification as an alternative school or ALP create eligibility for DPI at-risk funds?



G.R.A.S.P.

- Regimented training program
- Intermediate (Level 2) sanction
  - Recommended disposition by juvenile court counselor
  - Court-ordered by judge
- Level 1 offenders, diversions, and undisciplined juveniles also accepted
- 7 sites: Durham, Greensboro, Raleigh, Charlotte, Fayetteville, and Wilmington & Goldsboro

G.R.A.S.P.

- Capacity: 850 - 1020 juveniles per year
- FY 99-00 Statistics
  - 331 referrals (approximately 500 slots)
  - 179 (54%) started program
  - 85 (26%) completed program
  - Cost/completion: $2,662
  - As of June 2000, 12% recidivism rate for all graduates

GRASP Budget

- 12/31/00 Authorized budget: $338,000
  - $254,000 continuation funds
  - $84,000 expansion funds
- $41,460 unspent FY99 funds carried over into current year
- $ 100,000 reverted to OSBM
- Recommended FY01-02 budget maintains funding at current level
  - Should current level of funding continue given program performance?

Boys and Girls Clubs

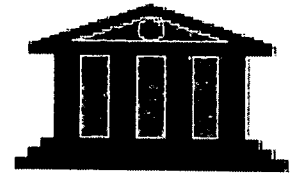
- Joint initiative between DJJDP and national organization
  - 10 counties with the highest rate of training school commitment in the 97-98 fiscal year
- Served 1,974 youth ages 7 – 17 in FY99:
  - identified by courts, law enforcement, and schools as (a) at-risk; (b) court-involved (including delinquent and undisciplined; (c) diverted
  - Reflects community's cultural, racial, and socio-economic diversity

Boys and Girls Clubs

- 8 counties receive $100,000 each
  - $50,000 grant from DJJDP
  - $50,000 grant from Boys and Girls Clubs of America
- $100,000 unallocated
  - Chowan, Martin, and Columbus had no Boys and Girls Clubs
- Recommended FY01-02 budget maintains funding at current level
  - $100,000 has been reverted each year because of non-participating counties

1999 Legislative Action

- $500,000 for Boys' and Girls' Clubs
- $84,000 GRASP to add 2 more sites
- $2,000,000 R operating funds for new Eckerd Camp
- $2,000,000 R operating funds for 4 new multi-purpose group homes
- $250,000 R S.O.S.
- $450,000 R Communities in Schools
- $500,000 R Center for Prevention of School Violence
- $575,000 R Juvenile Justice Institute



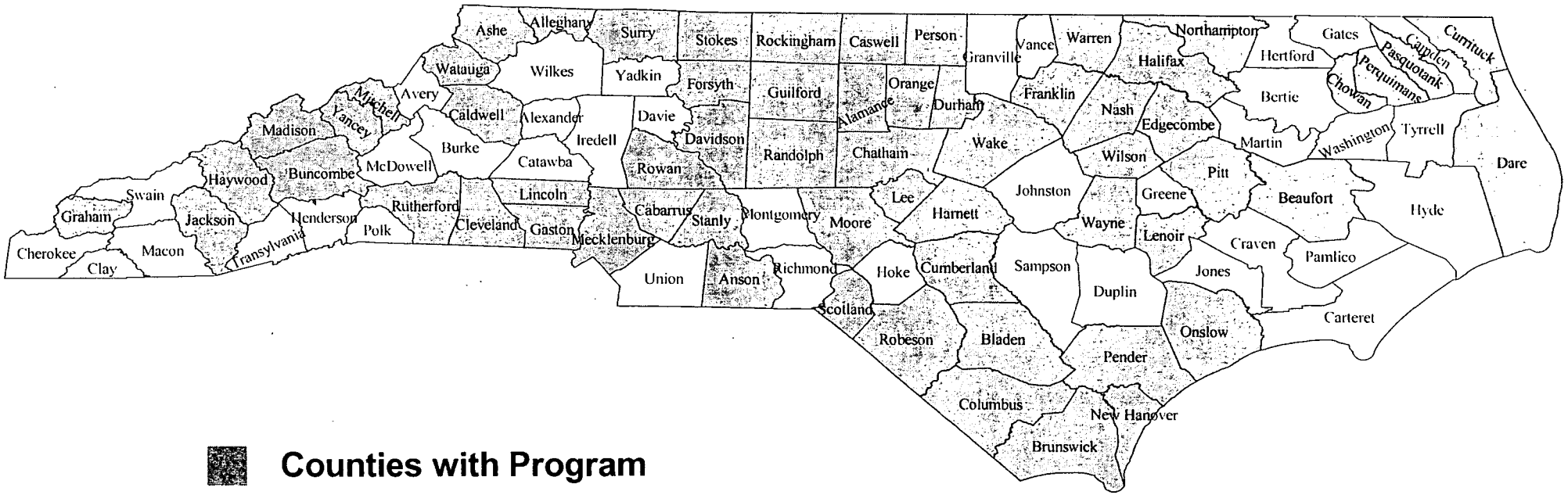
1999 Legislative Action

- $105,000 R Teen Courts
- $150,000 R Juvenile Assessment Center
- $150,000 R Project Challenge
- Raised the SOS administrative spending cap from $350,000 to $450,000
- Transferred Teen Court, JAC, and Project Challenge from AOC to OJJ

2000 Legislative Action

- One-time reduction of $400,000 in operating funds due to delayed opening of group homes
- Transferred GRASP to DJJDP
- Transferred Center for Prevention of School Violence to DJJDP
- $200,000 R Teen Court expansion
- $590,748 R Camp Woodson expansion

Governor's One-on-One Program
Participating Counties
July 1, 1999 - June 30, 2000



Counties with Program

Teen Court Programs
Fiscal Year 2000-01

TEEN COURT	$ DJJDP[1]	$ JCPC[2]	FY 99-00 ADMISSIONS
Alamance	0	35,000	60
Bladen	30,000	0	Established FY00-01
Brunswick	20,000	10,000	26
Buncombe	25,000	20,006	35
Cabarrus	14,330	25,812	25
Caldwell	0	0	Established FY00-01
Carteret	0	45,702	80
Chatham	25,000	0	Established FY00-01
Columbus	20,000	0	16
Cumberland	30,000	19,421	200
Davidson	30,000	0	Established FY00-01
Duplin	20,000	0	25
Durham	70,000	102,646	177
Forsyth	14,330	21,000	67
Guilford	20,000	0	127
Hoke	0	0	19
Jones	30,000	0	Established FY00-01
Mecklenburg	0	0	173
Moore	0	0	27
New Hanover	30,000	0	Established FY00-01
Onslow	20,000	0	7
Orange	40,000	0	61
Pender	0	0	Established FY00-01
Pitt	0	33,775	18
Randolph	0	0	56
Rockingham	25,000	0	106
Rowan	0	31,096	25
Sampson	0	32,444	6
Scotland	0	0	14
Wake	25,000	40,696	253
Wayne	0	34,004	9
Total	488,660	451,602	1,612

[1] General Fund appropriation through the Department of Juvenile Justice and Delinquency Prevention
[2] Funds provided by county Juvenile Crime Prevention Councils (JCPC's)

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY May 1, 2001
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Ken C. O'Herron	EYA · 2424 Glenwood Ave, Suite 101 Raleigh 27608
Steve Shaber	EYA – Poyner & Spruill
Timothy L. Best	EYA - Camp E-Ten-Etu
[illegible] Skinner	EYA – 633 Shepard's Way Ln Mauson NC 27573
DAVID Hardesty	Eckerd Youth Alternatives Inc. 653 Shepards way Lane, Mebanson NC. Regional Office
NELS ROSELAND	STATE BUDGET OFFICE
Bob Loddengaard	GAL Volunteer
Dwayne Patterson	DJJDP
Ken Foster	DJJDP
Joanne McDaniel	DJJDP
Debbie Davies	NC Sentencing + Policy Advisory Commission

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY May 1, 2001

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John McHugh	GOV OFFICE
Deb Ross	ACLU
Patrice Reeves	NAACP
Kendrick Senge	N.C. Jr.

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday May 2, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Department of Juvenile Justice

  -Juvenile Court Counselors

  Elisa Wolper, Fiscal Research

  -Projected Juvenile Delinquent Population

  Susan Katzenelson, Executive Director
  NC Sentencing & Policy Advisory Commission

  -Youth Development Centers (Training Schools)

  Jim Mills, Fiscal Research

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

Thursday, May 3- Detention Centers, Other DJJDP Issues

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
May 2, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on May 2, 2001 in room 415LOB at 8:30AM. Three Senate members were present and the following House members attended:

Rep. Philip Haire	Rep. Wayne Goodwin
Rep. John Hall	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

Senator Frank Ballance called the meeting to order. First on the agenda was Elyssa Wolper, staff who made a presentation on *Juvenile Court Counselors, Dept. of Juvenile Justice & Delinquency Prevention*. See attached handout.

In response to Sen. Ballance, Mr. George Sweat stated that not all offices are equipped yet but they are developing a JNET system that would allow counselors to notify principals of felonies by youth. To Rep. Haire, Chief Sweat said the vacancies (26 counselors) are mostly due to budget constraints. In response to Rep. Kiser, DOC is paid only for the number of electronic monitoring actually used. To Rep. Justus, the majority of money used for travel is for state cars and reimbursement for private cars at a rate of 31.5 cents.

Mr. Donn Hargrove, of Juvenile Justice said to Sen. Ballance that an officer has the discretion to detain a child or release the child to its parents on a felony charge. Chief Sweat said parents are routinely notified of court hearings. Secured custody can only be granted by judges in juvenile court. In response to Rep. Haire, Mr. Hargrove said that a judge or a chief court counselor can make the decision to place a child in intensive supervision as an alternative to training school.

Debbie Dawes from the North Carolina sentencing Commission was next on the agenda. Ms. Dawes distributed a handout titled *Juvenile Delinquent Population Projections.* Ms Dawes spoke from the handout. Ms. Paula Wolf of Covenant with NC's Children commented that judges may legally remand a child to training school and in some instances the legality is questionable. Senator Ballance commented that there is a need to look at commitments and keep records. Chief Sweat said that sometimes the Atty. General's office has been asked to look into this practice. There is a need to determine if the same judges are involved. Chief Sweat said that when JNET is operating statewide, they will be able to track dispositions and track them by judge. Ms. Wolper planned to look into the disposition of juveniles in the 7 districts that do not have intensive supervision.

Next on the agenda was Mr. Jim Mills, staff. Mr. Mills distributed a handout titled *Department of Juvenile Justice and Delinquency Prevention – Youth Development Centers* from which he spoke. Mr. Mills also distributed a map which shows the location

of the Juvenile Centers. In response to Rep. Kiser, Mr. Sweat said Samarkand and Dobbs are the two juvenile centers that are not fenced. Mr. Mike Sweitzer said they have 578 single rooms and 118 larger rooms which are double bunked. Rooms for doubling must have more than 90 square feet.

Mr. Mills returned to the handout. Due to a lack of time, he was unable to go into staffing.

At 10AM, Senator Ballance adjourned the meeting.

Senator Frank Ballance
Senate Vice Chair

Gloria Haywood
Senate Committee Assistant

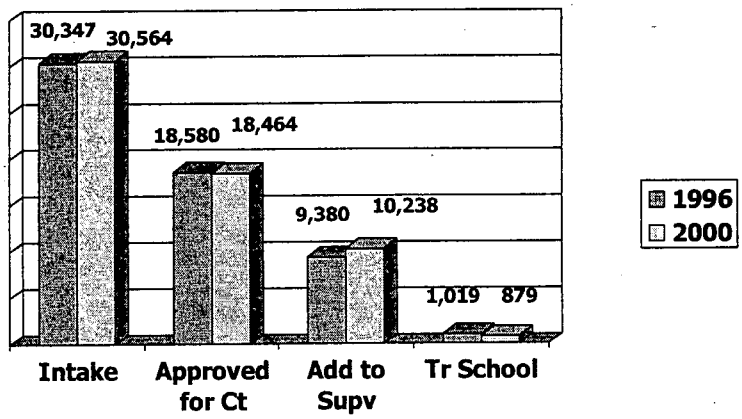
Juvenile Court Counselors
Department of Juvenile Justice & Delinquency Prevention

Joint Appropriations Subcommittee on Justice & Public Safety

May 1, 2001

1

Court Involved Youth 2000 & 1996



2

Court Counselors--structure

- Formerly part of AOC
- Chief Court Counselors (39) appointed upon recommendation of Chief District Ct Judge
- 104 offices in 39 districts
- 4 Area Administrators, 30 Supervisors, 447 Counselors, 76 Clerical
- Supervisors in 19 of the 39 districts

3

Court Counselor Responsibilities

- Intake and Decision to Divert
- Diversion Plans & Contracts
- Information/Recommendation to Court
- Supervision—regular, intensive, alternative to detention, training school commitments, protective supervision (undisciplined)
- Post Release Supervision
- Coordination with Programs
- Felony notices to principals

4

Court Counselors Staffing

- Some districts use specialized officers for Alternative-to-Detention or Intensive Caseloads
- 30 Counselors assigned to intensive
- 78 of Court Counselors (fte) assigned to intake
- Current Vacancies; 26 Counselors, 2 Chiefs, 1 Supv, 2.5 Clerical
- Vacancies over 6 months; 5 Counselors, 1 Supv, 2 Clerical

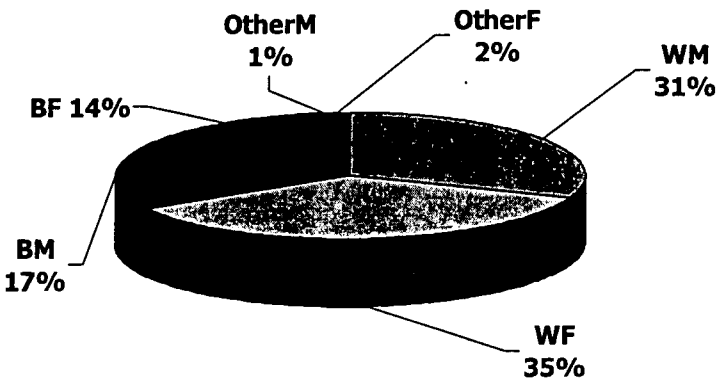
5

Recent History of Court Counselor Staffing

- 1997 Legislature added 25 positions, partly to allow lower caseloads for counselors providing intensive supervision
- 1998 Juvenile Justice Reserve provided 126 positions---100 counselors, 6 Supv and 20 Clerical---based on the projected fiscal impact of the Juvenile Justice Act

6

Court Counselor Staffing—Demographics—538 Positions (Mar 2001)

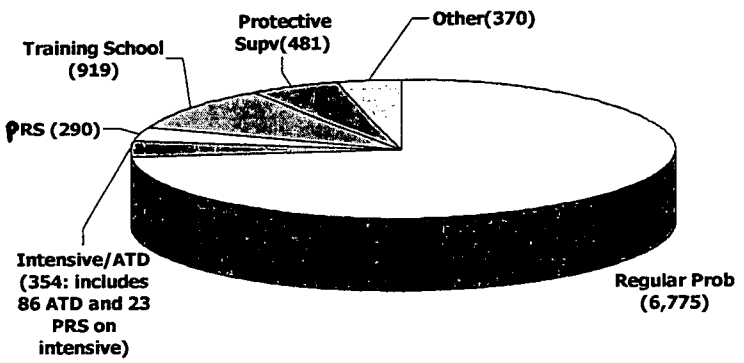


Other includes 3 Hispanic, 1 Asian, 11 Native American

Supv. Population 49% Black, 3.7% Other

7

Details of Ct Counselor Caseload (Feb 2001—total 9,189)

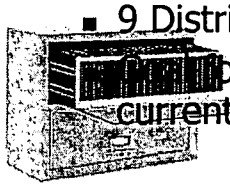


DJJDP weights ATD/Intensive as 2.8 X regular

8

Court Counselor Caseloads (Feb 2001)

- 1997 Caseloads Averaged 35
- Current Non-Intensive Caseload Average: 28.5; including intensive averages 26.8
- Current Intake Avg : 36.2 juveniles/50.4 decisions per month
- 16 Districts Avg Caseload less than 25
- 9 Districts Avg Caseload greater than 30
- [illegible]or Intensive caseload has been 10; current average about 9



9

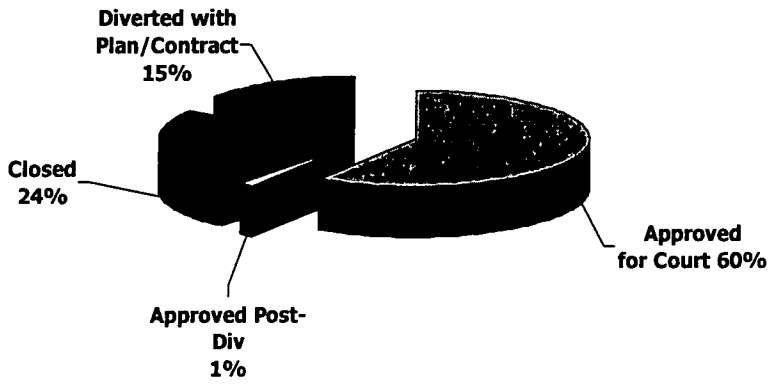
Comparisons Over Time

Intake Trends by Calendar Year

	1996-7	1998	1999	2000
Delinquent Juveniles	25,228	25,404	25,704	25,646
Undisc Juveniles	3,551	3,358	3,958	4,918
Total Court Involved	28,779	28,672	29,662	30,564
Undisc %	12.3%	11.7%	13.3%	16.1%

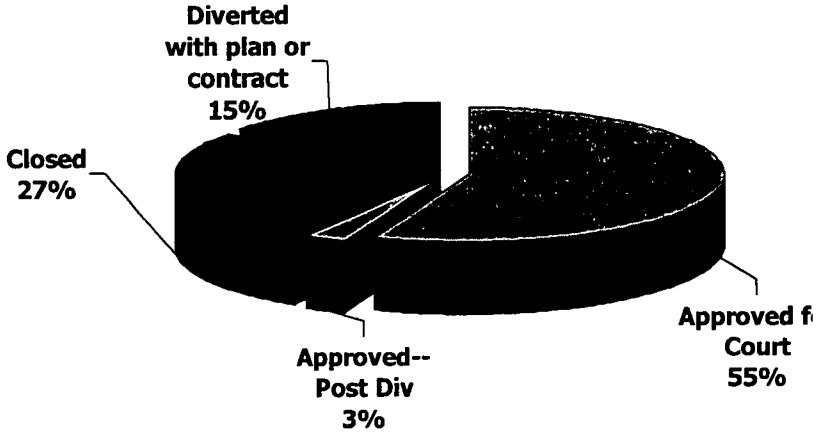
10

How 25,646 Delinquent Intake Cases Resolved (CY 2000)



11

How 4,918 Undisciplined Cases Resolved



12

Comparison Over Time—Supervised Population (FY)

	1997-98	1998-99	1999-2000
Supervised Juveniles	17,684	17,357	19,713
Avg. Caseloads	35.7	33.4	25.5

Earlier years do not include ATD & Intensive (about 4% of total)

13

Budget Trends—Intervention & Prevention (former Ct Services)

Year	1999-2000 Actual	2000-2001 Authorized
Total Expenditures (not inc Aid)	$27,842,464	$30,128,022
Personnel Expenditures	$25,056,369	$27,672,601

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Budget Details

- Personnel 89.8% of Expenses
- Nonpersonnel expenses include
  - Travel ($1.32 Million)
  - Electronic Monitoring ($85,000)
    - Pay DOC $1.52/day per unit used. Have 250 units available. Current population about 70
  - Phone & Postage ($382,204)
- About $900,000 of total expenditures are for shared administration with JCPC

Figures are 2000-2001 Authorized

15

Issues in Continuation Budget

- Original Continuation Budget had included $100,000 recurring for equipment replacement for court counselor offices. Leaves $160,000 in authorized budget for equipment.

16

Impact of New Act

- Adding 16 and 17 year olds Undisciplined
- Allowing diversion plans and contracts
- Required risk and needs assessments for cases approved for court
- Allowing judges to order intensive supervision for intermediate offenses
- Fiscal Note estimated need for 206 counselor positions; DJJDP received 100 in 1998-9

17

Adding 16 & 17 year olds

- 1998 estimate was of 3,536 new intakes, 1,874 petitions, 1,330 on supervision
- June 30, 2000 snapshot had 356 supervised juveniles ages 16-17.
- Undisciplined intake has increased almost 50% since act
- 1998 estimate assumed 53% of complaints would be approved for court; CY 2000 all ages 60% of complaints were approved
- 1998 estimate assumed 71% of cases in court would receive supervision. For all ages, 55% received supervision.

18

Diversion Contracts & Plans

- Estimated in 1998 that 46% of diverted juveniles would have plans or contracts
- CY 2000, 2,239 juveniles were diverted with a plan, 2,418 with a contract. (38.5% of diverted juveniles)
- 85% of juveniles with plan/contract were delinquent
- 438 juveniles initially diverted with plan/contract were later approved for court on the original complaint
- Overall % of juveniles diverted rose slightly in from 30% 1996-9 to 32.1% in 1999-2000.

19

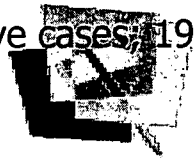
Risk & Needs Assessment

- Juvenile Justice Act mandated development of a risk and needs assessment to be presented in court (~18,000 juveniles)
- Implemented statewide Nov 2000.
- Department has chosen to develop similar instrument for intake decision to help standardize diversion decisions and collect baseline data (fall 2001)

20

Intensive as Disposition

- 1998 estimate was that 80% of juveniles adjudicated for a level 2 offense would be assigned intensive probation
- Sentencing Commission sampled dispositions Sept—Nov 2000 and found 12.8% of level 2 juveniles assigned intensive; (2,953)
- Feb 2001 snapshot: 3.7% of total caseload on intensive (268 juveniles)
- 7 Districts report no intensive cases; 19 less than 5 cases



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Issues for Further Discussion

- Lessen variation of average caseloads across districts (ranges 18.2—37.1)
- Impact of JNET and risk, needs and screening assessments on court counselor and clerical caseload
- Unmet equipment needs
- Growing undisciplined population

22

Court Involved Youth (CY 2000)

- 30,564 intake (1.5 complaints per juvenile)
- 18,464 approved for court
- 10,238 cases added to supervision
- 879 training school commitments
- Additional 4,657 diverted with contract or plan

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NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

JUVENILE DELINQUENT POPULATION PROJECTIONS
FISCAL YEAR 2000/2001 to FISCAL YEAR 2004/2005

Prepared in Conjunction with
the Department of Juvenile Justice and Delinquency Prevention

RELEASED MARCH 2001

INTRODUCTION

North Carolina General Statutes 164-40(b) and 164-42.1(b) of the Juvenile Justice Reform Act of 1998 direct the Sentencing Commission to prepare annual juvenile delinquent population projections and help assess North Carolina's long term resource needs for juvenile dispositions. The following analysis is based on 8,319 juvenile dispositions as estimated from the 2000 Juvenile Disposition Data Sample.[1] The sample affords a first look at cases processed and adjudicated under the state's reformed juvenile code.

ASSUMPTIONS

- The projections assume a two-percent growth rate for the first four projected years and a one-percent growth rate for the last projected year. This growth rate was determined by the Forecasting Technical Advisory Group, based on preliminary information from the 2000 Census about the growth rate in North Carolina's juvenile population.

- The projections assume no change in judicial and prosecutorial behavior.

- The rates of Level 1, Level 2 and Level 3 dispositions will match the rates during FY 1999/2000 for all juveniles adjudicated under the new law.

- Youth academy length of stay information was estimated using the DJJDP's training school database. Average length of stay by offense class was determined by releases over the past one-year period (July 1, 1999 - June 30, 2000).

- The projection simulation model assumes that cases were disposed of in compliance with the dispositional grid and all other relevant specifications of the new juvenile code.

---

[1] The sample study was conducted by the Sentencing Commission, with the assistance of the DJJDP's Intervention/Prevention Division. The sample was comprised of 2,158 cases of all dispositions entered between September 1 and November 30, 2000 for juveniles adjudicated delinquent. The weighted sample yielded an estimated annual population of 8,319 cases.

PROJECTED JUVENILE DELINQUENT POPULATIONS

Table 1 provides the projected needs for slots in the state's juvenile justice system for community (Level 1), intermediate (Level 2) and commitment (Level 3) type resources for the next five years. The table does not present available capacity for these dispositional options.

It should be noted that these projections are based on short-term historical information gathered from only one year's field experience with the new juvenile code. Some or all of the assumptions listed in the previous section may need to be revised, with a significant impact on projected resources. For example, judges tended to opt for Level 2 dispositions for many of the juveniles adjudicated for a serious offense. If returned to court, these juveniles might draw a Level 3 youth academy commitment at their next adjudication, increasing the need for commitment slots.

Similarly, changes in prosecutorial plea practices might affect the level of adjudicated offenses and the concomitant need for dispositional resources. Finally, the effectiveness of prevention, diversion and community based programs is expected to have a long term impact on the need for resources at the various levels, including youth academy beds.

DESCRIPTIVE INFORMATION

Table 2 displays the distribution of the estimated 8,319 cases by the offense level of the most serious adjudicated offense in the case and the delinquent history level of the juvenile adjudicated. Almost half of all the cases (49%) involved a minor offense (Class 1, 2 or 3 misdemeanor) and a juvenile with a low delinquent history.

In applying the dispositional chart, the courts imposed commitment to a youth academy in 7.2% of the cases, ordered intermediate dispositions in 35.5% of the cases, and sentenced the remaining 57.3% of the cases to community dispositions. *See* Table 3.

Table 4 lists the number and percentage of dispositions imposed by grid cell. The majority of the cases were in clear compliance with the disposition options prescribed by the grid. Eight of the nine grid cells also included cases in which judges opted for dispositions other than those prescribed (*see* highlighted figures with **bold** print in Table 4). While records for some of those cases provided legal explanations for the disposition,[2] in others the information was not sufficient to interpret the background and reason for the judicial decision.

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[2] For example, commitment to training school for juveniles based on a prior commitment, rather than the severity of the current offense; commitment to training school in the Minor Offense Level, following four or more prior adjudications; or commitment as a result of violating probation for a prior felony adjudication. Courts in some cases also utilized Level 2 dispositions such as Structured Day Programs and GRASP for juveniles at a Level 1disposition level.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

TABLE 1

JUVENILES ADJUDICATED DELINQUENT

PROJECTED JUVENILE DELINQUENT POPULATIONS BY DISPOSITION LEVEL: FY 2001-2005

FISCAL YEAR ENDING	LEVEL 1: COMMUNITY	LEVEL 2: INTERMEDIATE	LEVEL 3: COMMITMENT
2001	3,620	2,509	852
2002	3,744	2,545	881
2003	3,894	2,576	947
2004	3,926	2,652	998
2005	3,967	2,668	1,011

SOURCE: NCSPAC Juvenile Disposition Data Sample 2000. Sample of 2,158 cases based on all dispositions entered between September 1, 2000 through November 30, 2000 for juveniles adjudicated delinquent. Cases disposed of under the revised juvenile code accounted for 94% of the total number of sample cases. Probation violation information was extracted from a sample of 669 motion for review cases that occurred during the sample period.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

TABLE 2

JUVENILES ADJUDICATED DELINQUENT

DISTRIBUTION OF CASES BY THE DISPOSITION CHART

OFFENSE LEVEL	DELINQUENCY HISTORY LEVEL			TOTAL
	LOW 0 - 1 pt.	MEDIUM 2 - 3 pts.	HIGH 4+ pts.	
VIOLENT	133 (62.5%)	48 (22.5%)	32 (15.0%)	**213 (2.5%)**
SERIOUS	1,405 (56.3%)	539 (21.6%)	550 (22.1%)	**2,494 (30.0%)**
MINOR	4,067 (72.5%)	803 (14.3%)	742 (13.2%)	**5,612 (67.5%)**
TOTAL	**5,605 (67.4%)**	**1,390 (16.7%)**	**1,324 (15.9%)**	**8,319 (100.0%)**

SOURCE: NCSPAC Juvenile Disposition Data Sample 2000. Sample of 2,158 cases based on all dispositions entered between September 1, 2000 through November 30, 2000 for juveniles adjudicated delinquent. Cases disposed of under the revised juvenile code accounted for 94% of the total number of sample cases. Probation violation information was extracted from a sample of 669 motions for review cases that occurred during the sample period.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

TABLE 3

JUVENILES ADJUDICATED DELINQUENT

DISTRIBUTION OF CASES BY OFFENSE LEVEL AND DISPOSITION LEVEL

OFFENSE LEVEL	DISPOSITION LEVEL			TOTAL
	LEVEL 1: COMMUNITY	LEVEL 2: INTERMEDIATE	LEVEL 3: COMMITMENT	
VIOLENT	0	123 (57.7%)	90 (42.3%)	**213 (2.5%)**
SERIOUS	634 (25.4%)	1,503 (60.3%)	357 (14.3%)	**2,494 (30.0%)**
MINOR	4,132 (73.6%)	1,327 (23.7%)	153 (2.7%)	**5,612 (67.5%)**
TOTAL	**4,766 (57.3%)**	**2,953 (35.5%)**	**600 (7.2%)**	**8,319 (100.0%)**

SOURCE: NCSPAC Juvenile Disposition Data Sample 2000. Sample of 2,158 cases based on all dispositions entered between September 1, 2000 through November 30, 2000 for juveniles adjudicated delinquent. Cases disposed of under the revised juvenile code accounted for 94% of the total number of sample cases. Probation violation information was extracted from a sample of 669 motion for review cases that occurred during the sample period.

TABLE 4

JUVENILES ADJUDICATED DELINQUENT

DISTRIBUTION OF CASES BY DISPOSITION LEVEL ON THE DISPOSITION CHART

OFFENSE LEVEL	DELINQUENCY HISTORY LEVEL			TOTAL
	LOW 0 - 1 pt.	MEDIUM 2 - 3 pts.	HIGH 4+ pts.	
VIOLENT	L2: 93 (69.9%) L3: 40 (30.1%) n = 133 **L2/L3**	**L2: 16 (33.3%)** L3: 32 (66.7%) n = 48 **L3**	**L2: 14 (43.7%)** L3: 18 (56.3%) n = 32 **L3**	L2: 123 (57.7%) L3: 90 (42.3%) **n = 213 (2.5%)**
SERIOUS	L1: 601 (42.7%) L2: 781 (55.6%) **L3: 23 (1.7%)** n = 1,405 **L1/L2**	**L1: 29 (5.4%)** L2: 487 (90.3%) **L3: 23 (4.3%)** n = 539 **L2**	**L1: 4 (0.7%)** L2: 235 (42.7%) L3: 311 (56.6%) n = 550 **L2/L3**	L1: 634 (25.4%) L2: 1,503 (60.3%) L3: 357 (14.3%) **n = 2,494 (30.0%)**
MINOR	L1: 3,909 (96.1%) **L2: 151 (3.7%)** **L3: 7 (0.2%)** n = 4,067 **L1**	L1: 207 (25.8%) L2: 588 (73.2%) **L3: 8 (1.0%)** n = 803 **L1/L2**	**L1: 16 (2.2%)** L2: 588 (79.30%) **L3: 138 (18.6%)** n = 742 **L2**	L1: 4,132 (73.6%) L2: 1,327 (23.9%) L3: 153 (2.5%) **n = 5,612 (67.5%)**
TOTAL	L1: 4,510 (80.5%) L2: 1,025 (18.3%) L3: 70 (1.2%) **n = 5,605 (67.4%)**	L1: 236 (17.0%) L2: 1,091 (78.5%) L3: 63 (4.5%) **n=1,390 (16.7%)**	L1: 20 (1.5%) L2: 837 (63.2%) L3: 467 (35.3%) **n=1,324 (15.9%)**	**L1: 4,766 (57.3%)** **L2: 2,953 (35.5%)** **L3: 600 (7.2%)** **n = 8,319 (100%)**

Delinquency history level was estimated (based on offense level and disposition level) for 456 cases with missing delinquency history level.

L1 = Level 1 Community
L2 = Level 2 Intermediate
L3 = Level 3 Commitment

SOURCE: NCSPAC Juvenile Disposition Data Sample 2000. Sample of 2,158 cases based on all dispositions entered between September 1, 2000 through November 30, 2000 for juveniles adjudicated delinquent. Cases disposed of under the revised juvenile code accounted for 94% of the total number of sample cases. Probation violation information was extracted from a sample of 669 motion for review cases that occurred during the sample period.

COURT SUPERVISION CASELOAD DEMOGRAPHICS

STATE WIDE SUMMARY FOR ONE DAY (JUNE 30, 2000)

		AGE				SEX		RACE			
		< 10	11-13	14-16	> 16	M	F	B	W	NA	O
ATD	75	1	18	54	2	56	19	47	26	2	0
Probation	6779	120	1566	4779	314	5413	1366	3341	3063	136	239
Intensive Probation	215	2	38	165	10	190	25	121	78	12	4
Protective Supervision	489	7	87	365	30	227	262	182	262	16	29
Post Release Supervision	232	0	3	162	67	201	31	138	78	3	13
TOTAL	7790	130	1712	5525	423	6087	1703	3829	3507	169	285

DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION – *YOUTH DEVELOPMENT CENTERS (FORMERLY TRAINING SCHOOLS)*

Joint Appropriations Subcommittee
on Justice and Public Safety

May 2, 2001

FRD

Youth Development Centers (formerly Training Schools)

Key Provisions in Juvenile Justice Act (7/1/99)

- Facilities will provide appropriate treatment "to that juvenile's need" (e.g. medical, education, psych. etc.)
- Administer sound intake program to determine "needs of each juvenile"
- More serious offenders to Centers: minimum 6 month stay; Juveniles adjudicated delinquent can be committed up to age 19 (B1-E felonies) and up to age 21 for A Felony (Seven extended to-date to 19 or 21)
- Shifts Center misdemeanant population to community
- **Mid Term Goal** - -More efficient Centers; shift money to community programs if a Center closes.
- **Long-term goal** – elimination of Centers "as population diminishes"

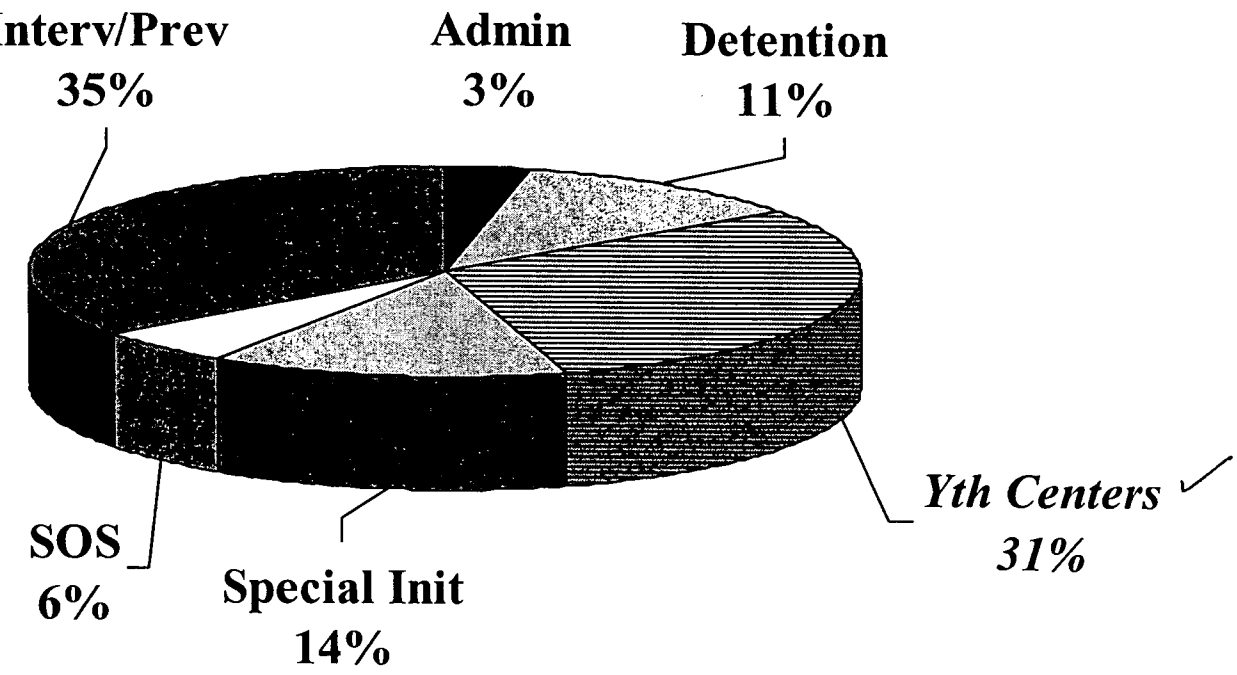
DJJDP Authorized Budget Dec. 31, 2000

2

DJJDP Total Budget

(in millions)

Admin.	$5.9
Detention:	$18.1
Yth. Ctrs	$48.8
Special Init.:	$22.1
SOS:	$8.9
Intervt/Prev:	$56.2
	$160 M

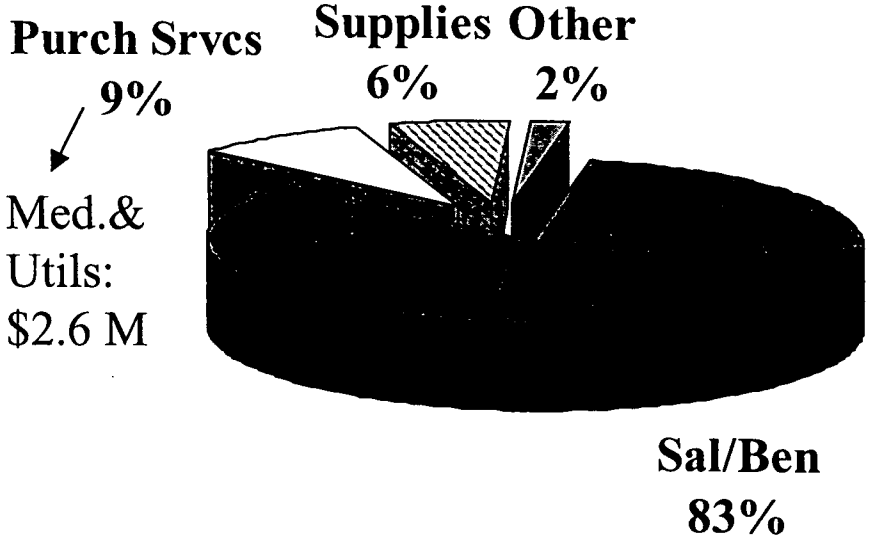


Net State Approp. is $147.2 Million

Youth Development Centers Authorized Budget as of 12/31/00

Total Budget in Millions

Sal/Ben.:	$40.6
Srvcs:	4.4
Supplies:	2.9
Other:	.9
TOTAL:	$48.8



Net State Appropriation was $47.2 million

Youth Development Center Issues

- Population of offenders with severe emotional and/or mental health problems and more significant custody needs.

- High turnover rate in staff, especially staff assigned to custody/direct care (e.g. 27% turnover in all Counselor Techs in one year. April 10, 2001: 14.4% of C.T. positions vacant in Centers)

- Serious repair and renovation needs - -$24 million plus estimated in 2000

- Many Center campuses and buildings not generally conducive to custody and treatment needs

Juvenile Youth Development Centers

Center	**Location**	**Current Bed Capacity**	***Proposed SOC***	***Proposed EOC***	**Popula-tion**
Dillon	Granville Co.	121	*160*	*160*	Serious offend.
Dobbs	Lenoir Co.	162	*131*	*131*	Younger offend.
Samar-kand	Moore Co.	202	*139*	*171*	Co-ed H & I and misdem.
JEC	Buncombe Co.	224	*244*	*244*	Serious & Sex Off.
Jackson	Cabarrus Co.	134	*115*	*115*	H & I & misdem
TOTAL	--	843	*789*	*821*	--

SOC is 894 beds minus 73 Seg Beds minus 32 "overflow" beds =789; EOC is 789 SOC plus 32 overflow beds = 821

Youth Development Centers – Bed Capacity vs Population

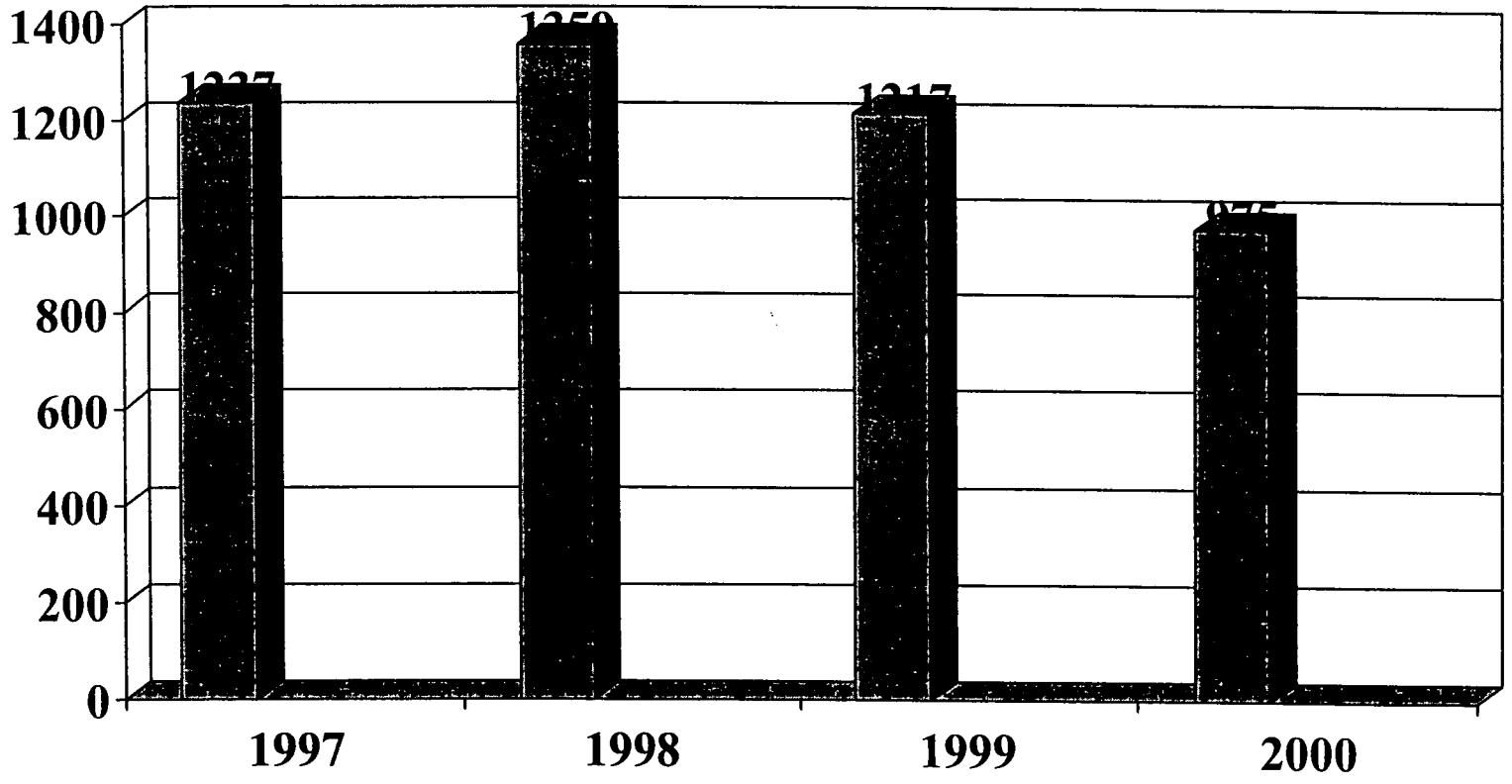
6

Fiscal Year Ending	Population Projection	Prop. SOC	***Beds Plus/ Minus***	Prop. EOC	***Beds + or -***
2000-01	852	789	***-63***	821	***-31***
2001-02	881	789	***-92***	821	***-60***
2002-03	947	789	***-158***	821	***-126***
2003-04	998	789	***-209***	821	***-177***
2004-05	1011	789	***-222***	821	***-190***

Projections by Sentencing and Policy Advisory Commission March 2001; Proposed Standard (SOC) and Expanded (EOC) Operating Capacity by DJJDP, March 2001. Average Daily Population in CY 2000 was 894

Youth Center Admissions

(New Admissions, Recommitments,and Revocations)



Trends: New admissions 80% in CY 2000; 83 % in 1999 so increase in recommitments and revocations

DJJDP Youth Centers – Programs Facts

- Admissions: 975 in CY 2000
- Population: 886 on February 28, 2001
  - Avg Daily Pop. in 2000 was 894; 98-99 was 944
- Population by Offense Types (DJJDP Data):

	Jan -June 99	June-Dec 2000
– A-E Felons:	7%	13%
– H and I Felons:	45%	55%
– Misdemeanants:	48%	32%

  - Sent Commission 2000 Sample – down to 25% Misd.
- Annual Cost Per Juvenile (Based on Avg Daily Population)
  - 1999-2000: $49,825 1998-99: $45,675
- Average Length of Stay (DJJDP figures):
  - 1998: 241 days; 1999: 254 days 2000: 302 days

Youth Development Center Staffing -- 2000

School	#Positions	Avg. Dly Pop.	Staff Per Offender
Dillon	208	129.5	1.6
Dobbs	205	161	1.27
Samarkand	221	207.3	1.06
JEC	252	245	1.02
Jackson	176.4	134	1.3
Total	***1,062.4***	***894***	***1.188***

Source of Data: Positions from MGT Staffing Study; Avg. Daily Population is for CY 2000, per DJJDP

Youth Centers – Examples of Positions

Direct Care (in housing units)

- Cottage Parents (G 60)
- Behavior Tech (G 61)
- Counselor Techs (G 62)
- Behav Specialists (G63)
- Asst Unit Admin. (G 63)
- Cottage Parent Supv (G64)
- Unit Admin (G 68)

Program Staff

- Social Workers
- Psychologists
- Teachers and related education positions
- Recreation Workers

Other Staff

- Nurse Supv
- Food Service
- Maintenance

Youth Development Center Staffing

- Why are staffing ratios high?
  - Staffed in the past to meet emphasis on treatment and programming.
  - Dated job classes – Cottage parents (G 60) can only work midnight shift; several supervisory job classes; classes created for promotional opportunities.
  - Schedules established by Center/no master work schedule
  - Layout of most campuses not compact, making supervision inefficient - -designed for "treatment"
    - Dobbs has 162 beds spread in 9 housing units; Samarkand has 8 for 202
  - Some housing units have poorly designed rooms and corridors which limit observation and make custody staff intensive.

Youth Development Center – Background on Staffing Study

- 1999 General Assembly reviewed staffing ratios and cost per bed for Training Schools and Detention Centers.
- HB 168, Section 21.4 directed study of
  - Staffing ratios – Are correct number of staff assigned to each Center?
  - Classification – What is appropriate level of training and experience to provide custody and treatment?
  - Salary needs for any current or proposed positions?
- Study presented to JPS Governmental Operations fall of 2000.

MGT Staffing Study - - Key Findings

- Understaffing in some key areas (Plus 146)
  - Recreation Workers understaffed using 1:25 ratio
  - Counselor Techs in Youth Centers understaffed at some schools, esp. JEC and Samarkand
- Overstaffing in other areas (Minus 168)
  - Counselor Techs in Detention Centers
  - Teachers (Ratios of 1:7 students: should be 1:15)
  - Behavioral Specialists (Ratios should be 1:25 similar to social workers, not 1:10)
- Net Staffing: -22 positions
- Other Issues
  - Organization issues: No clear campus shift supervisor
  - Outdated job classes: Reclassify cottage parents and cottage parent supervisors so they can work 3 shifts
  - Salary/Recruiting Issues

Staffing Study Pros and Cons

- Pros
  - Field visits to all Centers (sample detention centers)
  - Extensive staff surveys and interviews
  - Recommended staffing ratios for direct care at each Center based on seriousness of offenders; other staff based on ACA or DJJDP standards where available
- Limitations
  - Staff ratios gave limited weight to physical layout and population in individual buildings
  - Certain classification recommendations show limited review of state job classes and salary system
  - Recommended same staffing ratio in housing units on day shift, when activity is heaviest, and night shift when juveniles are locked in rooms. (EG: 1 housing staff for every 10 juveniles on day; 1:5 on evening and 1:10 at night)

Budget Issues for Discussion – Youth Development Centers

- Counselor Technicians (Grade 62 – 347 positions)
  - Primary housing unit staff/focus is custody
  - Should positions be added? Staffing seems heavy on night shift in staffing study.
  - Should some position vacancies be cut? (50 Center vacancies April 10; 9 over 6 months old); 10 vacant positions = approx. $300,000 salaries/benefits.
  - Should classification be changed or establish higher special salary entry rate? (SER approved, not funded)
  - Should job duties focus on treatment, custody or hybrid? (Staffing study emphasized custody)

Budget Issues for Discussion – Youth Development Centers

- Behavioral Specialists (Grade 63 – 96 positions)
  - Designed as entry level treatment; in practice many specialists are assigned shift work like counselor techs.
  - Staffing Study and DJJDP recommend separating from custody staff and assigning to Programs (supervised by social worker supervisor)
  - Current ratio is one specialist for every 10 juveniles; as program staff, ratio would be 1:25 like social workers. This leaves possible overstaffing of up to 60 positions
  - Major reductions would be difficult today since many specialists are operating in dual roles and covering custody posts.
  - Reduction of 20 positions = approx. $660,000 (11 vacancies 4/10/01)

Budget Issues for Discussion – Youth Development Centers

- Teachers
  - 133 academic and 28 vocational teachers
  - Staffing study noted ACA standard of 1:15 compared to 1:7 in Centers and recommended reductions of 39 positions. *Should any teacher positions be reduced?*
  - DJJDP believes nature of juveniles in Centers requires more teachers
  - Alternative School Models recommend 1:12/lower for children with major learning and emotional needs
  - 2 academic positions vacant and no candidates (vacant since 12/10/99 and 1/28/00 at cost of approx $90,000); total of 19 vacancies)

Governor's Recommended Budget Reductions for Youth Development Centers – FY 2001-03

- Eliminate Police Force at Juvenile Evaluation Center in Buncombe County

  - Originally recommended by MGT Staffing Study due to installation of high security fence around property
  - Police force (11 positions) provides security at DJJDP facilities and DHHS facilities. Estimated savings is $224,157 in DJJP.
  - Balance of $193,000 and 5 positions is recommended for transfer to DHHS to continue coverage.

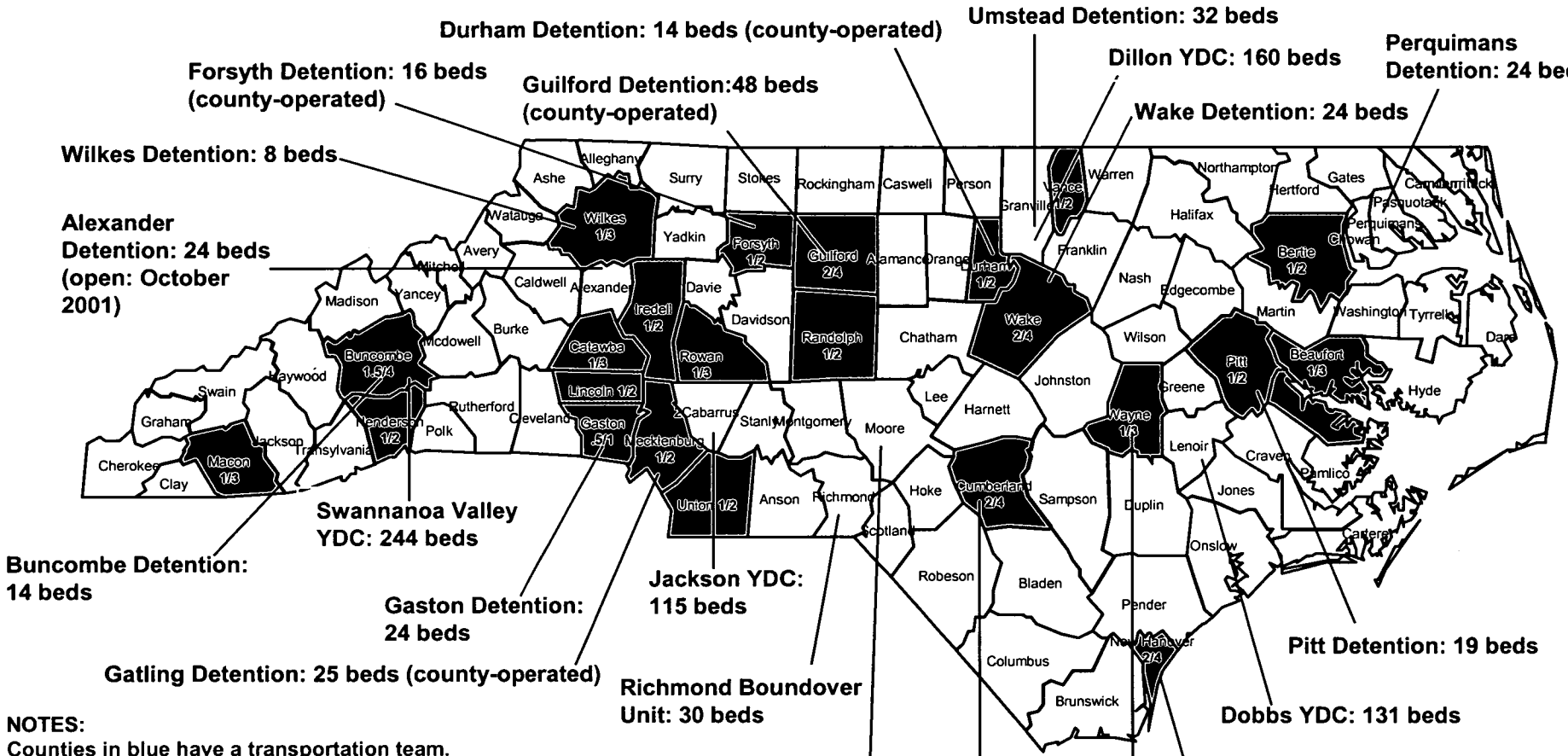
Governor's Recommended Budget Reduction

- Multifunctional Facility
  - Proposal in 1999 session for a pilot project to build and operate a 100 bed residential facility; funding of $2.5 million appropriated for Jan. 2001 (half year funding)
  - Funding reduced by $2 million (one-time) in 2000 Session due to delay in contract award
  - Governor's Recommended Budget restores $2 million for the baseline adjustment and then eliminates the total budget of $2.5 million
  - Issue primarily cost – Only one bid and it was was well above budget

Youth Development Centers – Long Term Issues

- Proposed Juvenile Assessment Center at Dillon will affect future decisions on level of treatment and custody, type of positions needed etc.
- Need for new and/or replacement beds?
  - Should new facilities be constructed?
  - If so, should we build small, 100 bed facilities or larger more efficient Centers? (DJJDP long range plan is nine 100 bed facilities) or add buildings to existing campuses?
  - Should first priority be to build replacement beds?
  - Should we build single rooms or mix of single and multi-occupancy?

North Carolina Department of Juvenile Justice and Delinquency Prevention



NOTES:
Counties in blue have a transportation team.
FTE's are listed first and followed by number of staff.
April, 2000:FTE's= 25; staff = 57

Youth development centers are in red letters followed by standard operating capacity (SOC).
System SOC is 789 beds.
System expanded operating capacity (EOC) is 821 beds.

All detention centers are in black letters followed by their SOC.
State detention SOC is 211 beds with Wilkes and will be 227 beds with Alexander.
Total county-operated detention center beds: 103
Total state and county detention beds: 314(with Wilkes); 338 (with Alexander)

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Bonnie Dawes	NC Sentencing Commission
Des Ross	ACLU
Paula A. Wolf	Covenant w/NC's Children
C. Joy Stewart	public
James Bowden	DJJDP
Kim Foster	"
Larry Dix	"
Dwayne Patterson	"
Georgia Sweat	"
Donna Hargrove	"
NELS ROSELAND	OSBM

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John McHugh	Gov Office
S. Katzenelson	Sentencing Commission
Eddie Caldwell	NC Sheriffs Assn / NC Law Enforcement Off Assn

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday May 9th, 2001
8:30 a.m
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan

Representative R. Phillip Haire
Representative Bill Culpepper, Presiding

II. PRESENTATIONS

- Youth Development Centers (Training Schools)

  Jim Mills, Fiscal Research

- Detention Centers

  Jim Mills, Fiscal Research

- Zero Based Budget Issues in the Department of Juvenile Justice

  Dwayne Patterson, Assistant Secretary for Administration
  Department of Juvenile Justice & Delinquency Prevention

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule

  Thursday May10-- Department of Correction Capacity & Bed Issues

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, May 9, 2001** at 8:30 a.m. in Room 415 LOB. Three (3) Senators were present. The following members of the House were present:

Rep. Bill Culpepper	Rep. Larry Justus
Rep. Wayne Goodwin	Rep. Joe Kiser
Rep. John Hall	Rep. Wayne Sexton

A visitor registration sheet is attached and made part of these minutes.

Representative William Culpepper chaired the meeting. After welcoming everyone, Representative Culpepper recognized the pages.

Representative Culpepper announced that the meeting would begin with a continuation of the presentation regarding **Youth Development Centers (Training Schools)** (Handout #1) by Jim Mills, Fiscal Research Division. Mr. Mills briefly reiterated the facts previously discussed and asked the Sergeant-at-Arms to pass out copies to those who did not have them from the previous meeting. After a quick update, Mr. Mills proceeded with the presentation beginning on Page 8 of the handout entitled, **DJJDP Youth Centers – Programs Facts.**

He pointed out that the annual cost per juvenile has shown an increase in the trend from $45,675 cost per juvenile (1998-99) to $49,825 (1999-2000); a slight decrease in population 894 beds in 2000 versus 944 beds in 1998-99; and an increase in average length of stay from 241 in 1998 to 254 in 1999 to 302 in 2000. As you can see from Page 9, the driving cost factor is in staffing. There are 1,062 staff positions in the training schools system. 894 is The average daily population was 894 beds for 2000. The staff ratio per offender is 1.188. Compared to the Department of Corrections, the ratio is three inmates per one staff person.

A typical youth training center has three different staff positions as shown on Page 10: **Direct Care Staff'**(in the housing units) such as cottage parents, behavior techs, counselor techs, behavioral specialists, assistant unit administrators, cottage parent supervisors and unit administrators; **Program Staff** such as social workers, psychologists, educational positions and recreational workers; and **Other Staff** such as nurse supervisors, food service and maintenance.

A question that certainly comes to mind, of course, would be why is staffing so high? The Department basically inherited a staffing structure from the former DHHS but these programs were staffed to emphasis both treatment and program and were never intended to be pure custody facilities. Flexibility of staffing is hurt by such things as cottage parents who can only work the midnight shift; no master work schedules; and the layout of many campuses are not compact which makes supervision difficult. Unlike a correctional facility, training schools in this state and other states were designed to be small self-contained units for treatment of individuals with a

lot of small buildings dotting large campuses that may make for effective treatment but doesn't make for efficient staffing. In 1999, the state did authorize a staffing study.
Some of the questions that arose from that study are listed on Page 12 of the handout and include such things as: Is the number of staff assigned to each center correct based on needs? What is the appropriate level of training and experience to provide custody and treatment? Salary needs?

The study was finalized and presented to JPS Governmental Operations in the fall of 2000.

Some of the key findings:

- Understaffing in some of the key areas and actually recommended adding 146 positions in places such as recreation workers and counselor techs;
- Overstaffing in other areas such as counselor techs in detention centers; teachers and behavioral specialists (-168 positions);
- This leaves net staffing at -22 positions;
- Organizational issues such as not clear who is in charge;
- Outdated job classes;
- Legitimate salary and recruiting issues; and
- High turnover in staffing.

On Page 14, you can see some of the pros and cons resulting from the study.

Question Representative Justus directed to Secretary George Sweat of the Office of Juvenile Justice. Knowing the high turnover rate of staff in training schools in my area, I am told that it is a matter of no protection for these workers or the inability to protect themselves. Has something been done to alleviate this?

Response from Secretary Sweat. In reality, it is a little better but still a major problem. And quite honestly, a lot of people particularly on these midnight shifts that come to work for us, this is their second job. I think we need to raise the level of what these people do so that they are not just there for a correctional purpose. Most of our turnover occurs during the first year of service. If we could keep them five to seven years, they will stay. We are losing them before they complete their first year of service. Because of staffing issues, they are overwhelmed and in turn, they leave.

Follow-up by Representative Justus. I think from the standpoint of knowing the problems in my area, I want to know do you have a policy change to help the situation where someone is attacked and could not retaliate at all or protect themselves. What do you know about that?

The Secretary explained that in the past there was no procedure and so when infractions occurred, there was just toleration among the staff. Now there are procedures in place to have a "no tolerate policy". Now you can be charged by calling local law enforcement and having an investigation done. By creating this policy, it sends a real signal that we are not going to tolerate the issue of assault and other things that could assist with physical assault.

Continuing, Mr. Mills said that one of the things that drove the study to be made in 1999 was the cost per bed (approximately $50,000 per bed primarily composed of staffing). For a correctional bed, the average cost is around $23,000. The layout and efficiency of a prison, keeping in mind the purpose, is the main reason for the major difference in the cost factor. In checking with other surrounding states, the costs are similar.

Page 15 shows possible solutions/questions with regards to staffing of Counselor Technicians as a result of facts learned through the study. Regarding the positions of Behavioral Specialists, which is one grade up from a Counselor Tech, they were originally designed as entry level treatment. The Department recommends separating the Behavioral Specialists from custody staff and assigning them to programs to be supervised by social workers rather than working in the cottage for the cottage supervisors. Right now the ratio is one specialist for every 10 juveniles. Major reductions in this type of worker may be difficult since the Department counts on some of these positions to do custody roles.

With regards to teachers, there are 133 academic and 28 vocational. The recommendation of cutting 39 positions is a fairly tough recommendation.

Question Representative Kiser. These kids are there approximately 6 months. What kind of curriculum do they have and how is this assessed?

Response from Mike Switzer, Youth & Development. We do an entry assessment when they come in. We are hoping to do it beginning this fall at an assessment center in Dillon. We attempt to put them immediately into a classroom setting trying to place them where they were in the community. One of the major problems is getting the information from the Local Educational Authority regarding each individual. Often times, these kids have not been in an academic setting prior to entry. Some of them are four grade levels below where they should be.

Question Representative Kiser. In other words these kids are not given the same tests that the public schools give and not evaluated by these tests the way the public schools evaluate. Correct?

Mr. Switzer said that was inappropriate for this population. He further said that what was being done was not working. However, we now have a true superintendent of schools hired this year and we've now got the focus needed to move ahead. We want to try to give the younger kids a realistic opportunity of returning to school at the time of release and stay with the academics to make that happen. The older kids have to pursue a GED, a meaningful vocational certification and get a job at the time of release.

Question Representative Kiser. Can you tell me the progress in education from entry time until one leaves? Do you have a method of evaluating that? And can you tell me what kind of progress is being made with these kids? Response from Mr. Switzer. Currently it is very poor. We are trying to strengthen our efforts of evaluating progress at the present time.

Question Representative Sexton. I like the idea of the new focus of placing the older ones in vocational training and the younger ones with academic training. What is the breakdown between academic and vocational teachers?

Mr. Switzer said that they were evaluating the current vocational program and found that what was offered was not necessarily what the community needed or offered in way of employment. Discussion with President Lancaster of our Community College System shows that we need to put emphasis on the trade industry, such as carpenters and plumbers. Another great need is with certified nursing assistants. We have found we need to get away from barbers, automotive, cosmetology, etc. because the community colleges are placing less and less in those fields. We also need to have certification for any vocational training done. Without that, we cannot place these kids in jobs.

Comment Senator Ballance. It would be a miracle if we could get these "bad guys" at the front of the class. I think we have to do what we can but I think we must expect that these kids are going to lag behind and we can't put enough resources in these schools.

Comment from Secretary Sweat. What Senator Ballance says is really true. As hard as we try with many of these kids, it is really hard to get them back into school. And one of the reasons is that the schools do not want them back. Our new superintendent has put together a master schedule for all of our schools. Slowly, but surely, we are hammering into place probably what we should have had all along. It may take a while but we are moving in a positive direction.

With reference to the Governor's recommended budget reductions, there is a recommendation to eliminate the police force at the Juvenile Evaluation Center in Buncombe since the installation of the high security fence. Out of eleven police force positions, six are recommended to be cut and five are recommended to be transferred to DHHS.

Question Representative Justus. What does DHHS need with police force positions?

Response Secretary Sweat. There is an alcohol rehabilitation center and in many instances there are drug offenders. They have no security fence and we are attempting to make some adjustments for security in this instance.

Continuing, Mr. Mills pointed out that in the budget reduction recommendation, the 100-bed residential facility was cut. As far as long term issues, there is a proposal to turn the center at Dillon into a proposed Juvenile Assessment Center. There are still issues as to whether new facilities should be constructed and if so, what kind. Should we build single rooms or mix of single and multi-occupancy?

Question Representative Kiser. The long term goal is the elimination of centers as the population diminishes, can some one tell me how this would be possible when we are keeping people in the youth development centers for a longer period of time sometimes as much as twice as long as we use to?

Response Secretary Sweat. That is an excellent question. The funding of the juvenile issues at the local level is the key. Every child we can divert in the programs that have been proven to be effective will eliminate a child entering our system. We believe we can be more successful by diverting these children into programs rather than just an institutional setting in the training schools. Therefore, a more effective use of prevention programs will cut the flow into our training schools population. The assessment center that will be put in place at Dillon will also give us some options to divert youth from training schools into community based programs that are working.

Follow up Representative Kiser. I wish you all the luck in your endeavor but I don't think that this is going to create a utopia, and I'm not sure that you can change enough people to ever eliminate this population going into the training schools.

Comment Secretary Sweat. The one thing we do realize is that once you place them in our training schools, they do become institutionalized, and there are things they learn in those settings that make matters worse rather than better. Research and studies show that this not the effective way to do rehabilitation. I know that it is a dream to eliminate all training schools, but my hope is to maybe eliminate two or three. If we can do that, we will save a lot of heartache on budgets.

Question Representative Kiser. Could we save money by handling more than eight beds at a time in these group homes, and could we not save on staff if we had more than eight youth there?

Ken Foster, Special Admissions Division, responded to the question. We are limited because state laws limit group homes to nine beds as a maximum. Each local jurisdiction, each county and city adopt zoning regulations that further limits the capacity. For example, in Asheboro we can only establish a six-bed facility there because of local zoning regulations. So we are somewhat restricted.

Question Representative Kiser. Could you not find a place or county where they would be more receptive to bending their rules in establishing these facilities?

Mr. Foster responded by saying they could probably find places where they could go up to nine beds but the nine-bed limit is state law. Comment Representative Kiser. We are here to change the state law if we've got the money to do it. Mr. Foster stated that the homes we have established were constructed and designed for eight beds. It would be very difficult to add more youth in those homes.

The Chairman said that they needed to meet with staff and adjourned the meeting at 9:35 a.m.

Rep. Bill Culpepper, Presiding Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — May 9, 01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
[illegible]	[illegible]
BRANDON THOMAS	SEANC
[illegible]	DJJDP
James Bowden	DJJDP
George Sweat	DJJDP
Dwayne Patterson	DJJDP
Barry Dix	DJJDP
Doug Hargrove	DJJDP
Michael Schweitzer	DJJDP
John McHugh	GOV OFFICE
[illegible]	NCAOC

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — May 9, 01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Michelle Frazier	NC Bar Assoc.

#1

DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION – *YOUTH DEVELOPMENT CENTERS (FORMERLY TRAINING SCHOOLS)*

Joint Appropriations Subcommittee
on Justice and Public Safety

May 2, 2001

FRD

Youth Development Centers (formerly Training Schools)

Key Provisions in Juvenile Justice Act (7/1/99)

- Facilities will provide appropriate treatment "to that juvenile's need" (e.g. medical, education, psych. etc.)
- Administer sound intake program to determine "needs of each juvenile"
- More serious offenders to Centers: minimum 6 month stay; Juveniles adjudicated delinquent can be committed up to age 19 (B1-E felonies) and up to age 21 for A Felony (Seven extended to-date to 19 or 21)
- Shifts Center misdemeanant population to community
- **Mid Term Goal** - -More efficient Centers; shift money to community programs if a Center closes.
- **Long-term goal** – elimination of Centers "as population diminishes"

DJJDP Authorized Budget Dec. 31, 2000

2

DJJDP Total Budget

(in millions)

Admin. $5.9

Detention: $18.1

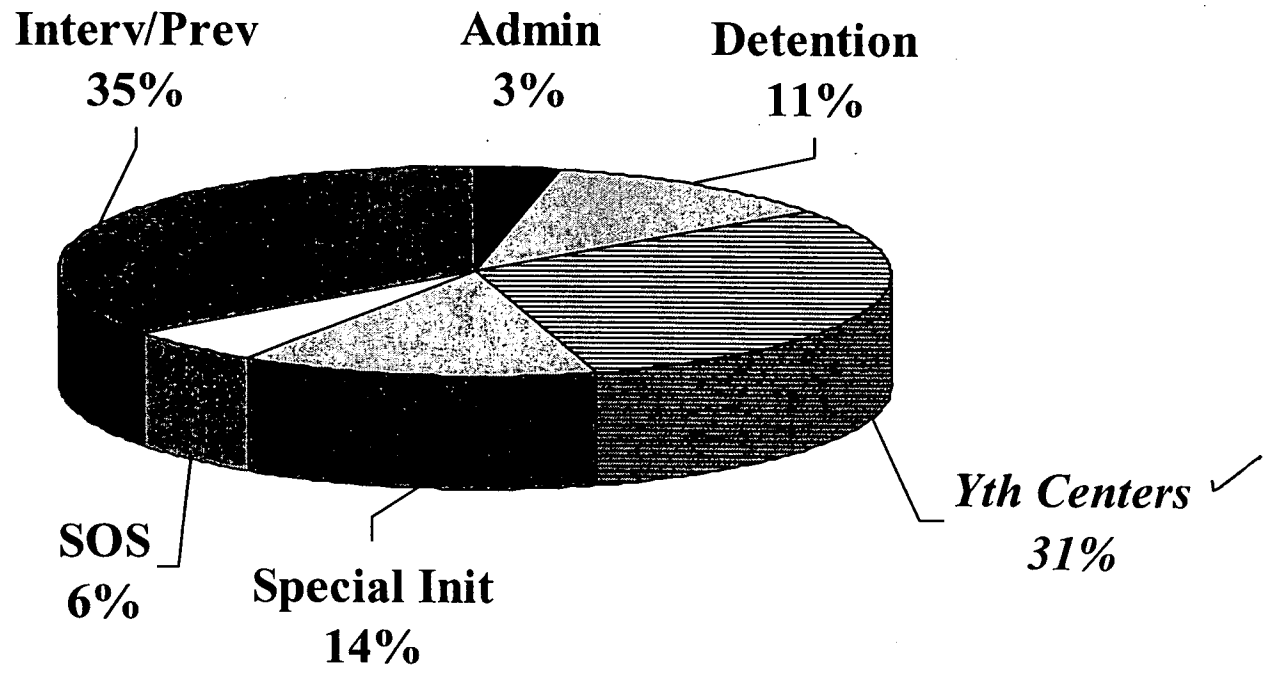
Yth. Ctrs $48.8

Special Init.: $22.1

SOS: $8.9

Intervt/Prev: $56.2

$160 M

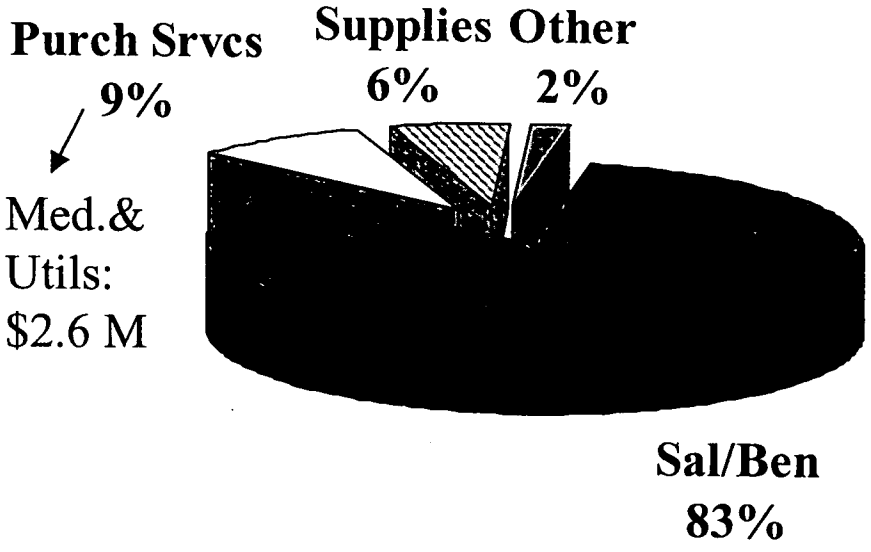


Net State Approp. is $147.2 Million

Youth Development Centers Authorized Budget as of 12/31/00

Total Budget in Millions

Sal/Ben.:	$40.6
Srvcs:	4.4
Supplies:	2.9
Other:	.9
TOTAL:	$48.8



Net State Appropriation was $47.2 million

Youth Development Center Issues

- Population of offenders with severe emotional and/or mental health problems and more significant custody needs.

- High turnover rate in staff, especially staff assigned to custody/direct care (e.g. 27% turnover in all Counselor Techs in one year. April 10, 2001: 14.4% of C.T. positions vacant in Centers)

- Serious repair and renovation needs - -$24 million plus estimated in 2000

- Many Center campuses and buildings not generally conducive to custody and treatment needs

Juvenile Youth Development Centers

Center	**Location**	**Current Bed Capacity**	***Proposed SOC***	***Proposed EOC***	**Popula-tion**
Dillon	Granville Co.	121	*160*	*160*	Serious offend.
Dobbs	Lenoir Co.	162	*131*	*131*	Younger offend.
Samar-kand	Moore Co.	202	*139*	*171*	Co-ed H & I and misdem.
JEC	Buncombe Co.	224	*244*	*244*	Serious & Sex Off.
Jackson	Cabarrus Co.	134	*115*	*115*	H & I & misdem
TOTAL	--	843	*789*	*821*	--

SOC is 894 beds minus 73 Seg Beds minus 32 "overflow" beds =789; EOC is 789 SOC plus 32 overflow beds = 821

Youth Development Centers – Bed Capacity vs Population

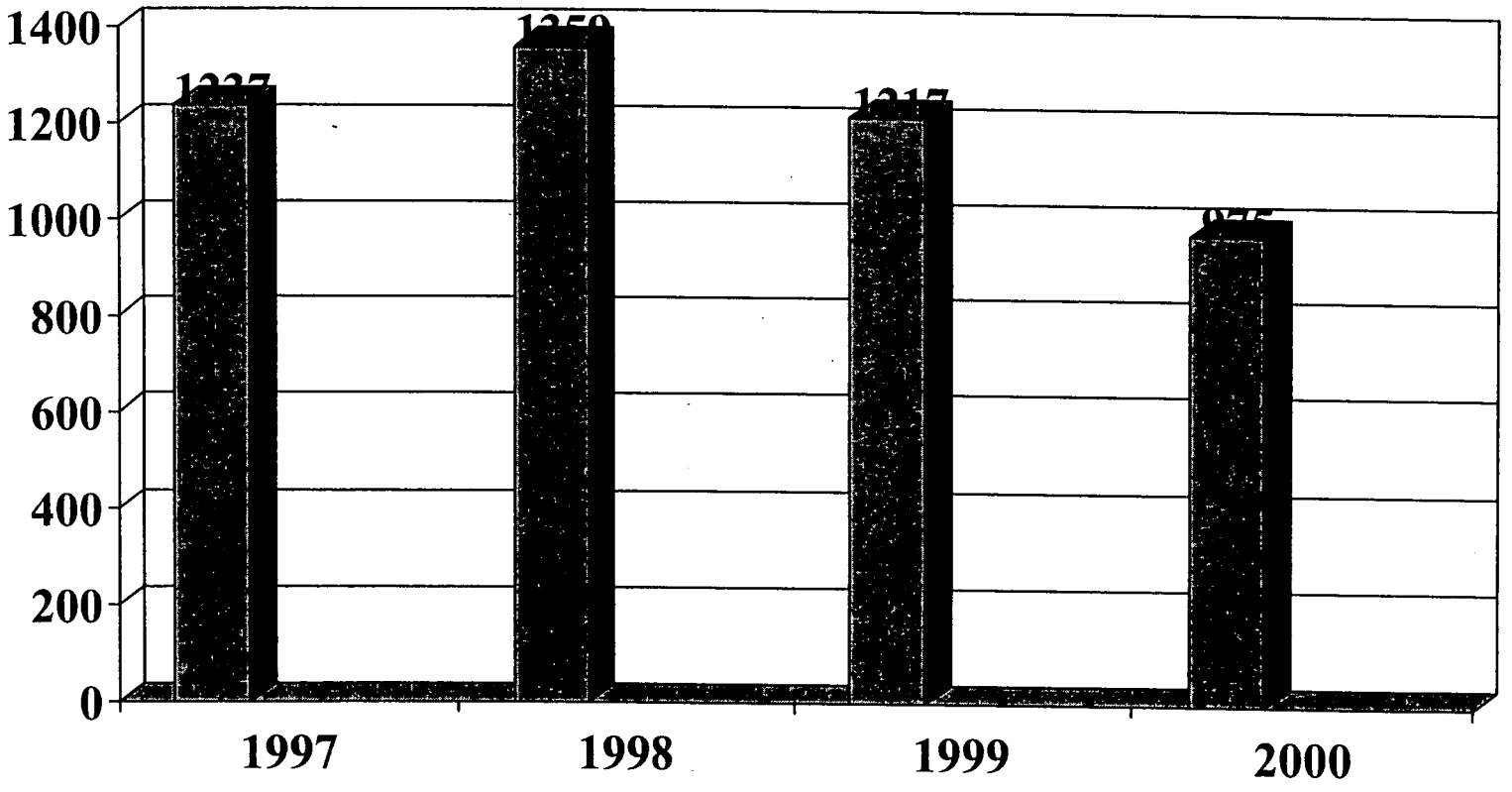
6

Fiscal Year Ending	Population Projection	Prop. SOC	***Beds Plus/ Minus***	Prop. EOC	***Beds + or -***
2000-01	852	789	***-63***	821	***-31***
2001-02	881	789	***-92***	821	***-60***
2002-03	947	789	***-158***	821	***-126***
2003-04	998	789	***-209***	821	***-177***
2004-05	1011	789	***-222***	821	***-190***

Projections by Sentencing and Policy Advisory Commission March 2001; Proposed Standard (SOC) and Expanded (EOC) Operating Capacity by DJJDP, March 2001. Average Daily Population in CY 2000 was 894

Youth Center Admissions

(New Admissions, Recommitments,and Revocations)



Trends: New admissions 80% in CY 2000; 83 % in 1999 so increase in recommitments and revocations

DJJDP Youth Centers – Programs Facts

- Admissions: 975 in CY 2000
- Population: 886 on February 28, 2001
  - Avg Daily Pop. in 2000 was 894; 98-99 was 944
- Population by Offense Types (DJJDP Data):

	Jan -June 99	June-Dec 2000
– A-E Felons:	7%	13%
– H and I Felons:	45%	55%
– Misdemeanants:	48%	32%

  - Sent Commission 2000 Sample – down to 25% Misd.
- Annual Cost Per Juvenile (Based on Avg Daily Population)
  - 1999-2000: $49,825 1998-99: $45,675
- Average Length of Stay (DJJDP figures):
  - 1998: 241 days; 1999: 254 days 2000: 302 days

Youth Development Center Staffing -- 2000

School	#Positions	Avg. Dly Pop.	Staff Per Offender
Dillon	208	129.5	1.6
Dobbs	205	161	1.27
Samarkand	221	207.3	1.06
JEC	252	245	1.02
Jackson	176.4	134	1.3
Total	***1,062.4***	***894***	***1.188***

Source of Data: Positions from MGT Staffing Study; Avg. Daily Population is for CY 2000, per DJJDP

Youth Centers – Examples of Positions

Direct Care (in housing units)

- Cottage Parents (G 60)
- Behavior Tech (G 61)
- Counselor Techs (G 62)
- Behav Specialists (G63)
- Asst Unit Admin. (G 63)
- Cottage Parent Supv (G64)
- Unit Admin (G 68)

Program Staff

- Social Workers
- Psychologists
- Teachers and related education positions
- Recreation Workers

Other Staff

- Nurse Supv
- Food Service
- Maintenance

Youth Development Center Staffing

- Why are staffing ratios high?
  - Staffed in the past to meet emphasis on treatment and programming.
  - Dated job classes – Cottage parents (G 60) can only work midnight shift; several supervisory job classes; classes created for promotional opportunities.
  - Schedules established by Center/no master work schedule
  - Layout of most campuses not compact, making supervision inefficient - -designed for "treatment"
    - Dobbs has 162 beds spread in 9 housing units; Samarkand has 8 for 202
  - Some housing units have poorly designed rooms and corridors which limit observation and make custody staff intensive.

Youth Development Center – Background on Staffing Study

- 1999 General Assembly reviewed staffing ratios and cost per bed for Training Schools and Detention Centers.
- HB 168, Section 21.4 directed study of
  - Staffing ratios – Are correct number of staff assigned to each Center?
  - Classification – What is appropriate level of training and experience to provide custody and treatment?
  - Salary needs for any current or proposed positions?
- Study presented to JPS Governmental Operations fall of 2000.

MGT Staffing Study - - Key Findings

- Understaffing in some key areas (Plus 146)
  - Recreation Workers understaffed using 1:25 ratio
  - Counselor Techs in Youth Centers understaffed at some schools, esp. JEC and Samarkand
- Overstaffing in other areas (Minus 168)
  - Counselor Techs in Detention Centers
  - Teachers (Ratios of 1:7 students: should be 1:15)
  - Behavioral Specialists (Ratios should be 1:25 similar to social workers, not 1:10)
- Net Staffing: -22 positions
- Other Issues
  - Organization issues: No clear campus shift supervisor
  - Outdated job classes: Reclassify cottage parents and cottage parent supervisors so they can work 3 shifts
  - Salary/Recruiting Issues

Staffing Study Pros and Cons

- Pros
  - Field visits to all Centers (sample detention centers)
  - Extensive staff surveys and interviews
  - Recommended staffing ratios for direct care at each Center based on seriousness of offenders; other staff based on ACA or DJJDP standards where available
- Limitations
  - Staff ratios gave limited weight to physical layout and population in individual buildings
  - Certain classification recommendations show limited review of state job classes and salary system
  - Recommended same staffing ratio in housing units on day shift, when activity is heaviest, and night shift when juveniles are locked in rooms. (EG: 1 housing staff for every 10 juveniles on day; 1:5 on evening and 1:10 at night)

Budget Issues for Discussion – Youth Development Centers

- Counselor Technicians (Grade 62 – 347 positions)
  - Primary housing unit staff/focus is custody
  - Should positions be added? Staffing seems heavy on night shift in staffing study.
  - Should some position vacancies be cut? (50 Center vacancies April 10; 9 over 6 months old); 10 vacant positions = approx. $300,000 salaries/benefits.
  - Should classification be changed or establish higher special salary entry rate? (SER approved, not funded)
  - Should job duties focus on treatment, custody or hybrid? (Staffing study emphasized custody)

Budget Issues for Discussion – Youth Development Centers

- Behavioral Specialists (Grade 63 – 96 positions)
  - Designed as entry level treatment; in practice many specialists are assigned shift work like counselor techs.
  - Staffing Study and DJJDP recommend separating from custody staff and assigning to Programs (supervised by social worker supervisor)
  - Current ratio is one specialist for every 10 juveniles; as program staff, ratio would be 1:25 like social workers. This leaves possible overstaffing of up to 60 positions
  - Major reductions would be difficult today since many specialists are operating in dual roles and covering custody posts.
  - Reduction of 20 positions = approx. $660,000 (11 vacancies 4/10/01)

Budget Issues for Discussion – Youth Development Centers

- Teachers
  - 133 academic and 28 vocational teachers
  - Staffing study noted ACA standard of 1:15 compared to 1:7 in Centers and recommended reductions of 39 positions. *Should any teacher positions be reduced?*
  - DJJDP believes nature of juveniles in Centers requires more teachers
  - Alternative School Models recommend 1:12/lower for children with major learning and emotional needs
  - 2 academic positions vacant and no candidates (vacant since 12/10/99 and 1/28/00 at cost of approx $90,000); total of 19 vacancies)

Governor's Recommended Budget Reductions for Youth Development Centers – FY 2001-03

- Eliminate Police Force at Juvenile Evaluation Center in Buncombe County

  - Originally recommended by MGT Staffing Study due to installation of high security fence around property
  - Police force (11 positions) provides security at DJJDP facilities and DHHS facilities. Estimated savings is $224,157 in DJJP. 6 cut 5 transferred
  - Balance of $193,000 and 5 positions is recommended for transfer to DHHS to continue coverage.

Governor's Recommended Budget Reduction

- Multifunctional Facility
  - Proposal in 1999 session for a pilot project to build and operate a 100 bed residential facility; funding of $2.5 million appropriated for Jan. 2001 (half year funding)
  - Funding reduced by $2 million (one-time) in 2000 Session due to delay in contract award
  - Governor's Recommended Budget restores $2 million for the baseline adjustment and then eliminates the total budget of $2.5 million
  - Issue primarily cost – Only one bid and it was was well above budget

Youth Development Centers – Long Term Issues

- Proposed Juvenile Assessment Center at Dillon will affect future decisions on level of treatment and custody, type of positions needed etc.
- Need for new and/or replacement beds?
  - Should new facilities be constructed?
  - If so, should we build small, 100 bed facilities or larger more efficient Centers? (DJJDP long range plan is nine 100 bed facilities) or add buildings to existing campuses?
  - Should first priority be to build replacement beds?
  - Should we build single rooms or mix of single and multi-occupancy?

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday May 10, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding

Representative R. Phillip Haire
Representative Bill Culpepper

II. PRESENTATIONS

- Detention Centers
  Jim Mills, Fiscal Research

- DJJDP Zero-based Budget Issues
  Dwayne Patterson, Assistantt Secretary for Administration
  Department of Juvenile Justice & Delinquency Prevention

III. COMMITTEE DISCUSSION/OTHER BUSINESS

- Tentative JPS Schedule
  Tuesday, May 8 - Department of Correction Capacity and Bed Issues
  15

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
May 10, 2001

The Joint Appropriations Subcommittee on Justice and Public Safety met on May 10, 2001 at 8:30AM in room 415LOB. Two Senate members attended. The following House members attended:

Rep. Wayne Goodwin	Rep. Larry Justus
Rep. Philip Haire	Rep. Joe Kiser
Rep. Bill Culpepper	Rep. Wayne Sexton

Senator Frank Ballance presided. Mr. Jim Mills, staff made a presentation on Juvenile detention centers. See handout titled *Department of Juvenile Justice and Delinquency Prevention-Detention Centers.*

In response to Rep. Justus, Mr. Larry Dix said an undisciplined child is a behavior problem rather than a performer of crime and there is a difference in sentencing adult misdemeanants and juvenile misdemeanants. In response to Rep. Kiser, parents mostly bring charges for undisciplined children. Sometimes schools bring charges.

The state runs 10 detention centers. The counties split the cost 50/50. The costs for detention beds are comparable to costs for training school beds. Detention center beds are for the most part single rooms. The populations cannot automatically be mixed. In response to Rep. Kiser, Mr. Schweitzer said the state pays up front for the county centers and then are reimbursed. Also in response to Rep. Kiser, the state provided money in Forsyth County but it was retracted due to budget cuts. The new center, Alexander, will have 24 beds. There were recent incidents regarding juveniles sent from training school to detention centers however, Richmond and Perquimons centers are the most secure and the staff at Richmond is formerly from training schools. Mr. Schweitzer will get back to Rep. Culpepper with the details regarding the recent incidents.

Discussion followed as to what constitutes a sex offence. Sex offenders are defined the same whether for adults or juveniles. Senator Ballance is concerned that a touch on the breast by a juvenile or a rape by an adult are very different. In response to Rep. Kiser, Mr. Schweitzer said that if a juvenile is 16, he can be tried as an adult. In response to Rep. Justus, Mr. Schweitzer said in training schools, youth are segregated by sexes. In response to senator Ballance, substance abuse services are provided, and in Ashville 12 to 18 months of intensive residential treatment is provided.

Admissions to detention centers are increasing but lengths of stay are shorter.

In response to Rep. Justus, post disposition youth can stay no more than 5 – 24 hr. periods. Predispositions may be longer. To Sen. Ballance, pre adjudication youth have to go to court every 7 days. There is no requirement post adjudication. In response to

Rep. Haire, Mr. Dix said no credit is given to juveniles for time spent in detention. Mr. Dix continued, there are alternative programs to detention and many children are placed in those rather than detention.

Mr. Dwayne Patterson, Dept. of Juvenile Justice & Delinquency Prevention, distributed a handout titled *What We Will Discuss,* from which he spoke. There are contracts to provide programs, medical contracts, administrative contracts, residential contracts as well as maintenance contracts. Most of the administrative contracts are in the JNET program. Most of those are funded federally through grants. They are looking into doing comprehensive contracts for medical services with DOC. Nurses cost about $30 per hour.

Senator Ballance adjourned the meeting at 10AM.

Senator Frank Ballance
Senate Vice Chair

Gloria Haywood
Senate Committee Assistant

Department of Juvenile Justice and Delinquency Prevention – *Detention Centers*

Joint Appropriations
Subcommittee on Justice and
Public Safety

May 9, 2001

FRD

Detention Centers – Mission and Purpose

- Primary Purpose: (Short-term detention)
  - Pre-Disposition: Safe, secure custody prior to Court Adjudication for Delinquent and Undisciplined Juveniles
  - Post Disposition: Level 1 and 2 Sanction for juveniles adjudicated delinquent
- Juvenile Justice Act Changes (July 1, 1999)
  - Expand as Post-Dispositional alternative: Level 1 is not more than 5, 24 hour periods and Level 2 is up to 14, 24 hour periods (partial goal – misdemeanants that would have gone to training school)
  - Alternative for Undisciplined Juveniles (expanded to age 16 and 17)
  - Use detention centers for contempt of court

DJJDP Authorized Budget Dec. 31, 2000 2

DJJDP Total Budget

(in millions)

Admin. $5.9

Detention: $18.1

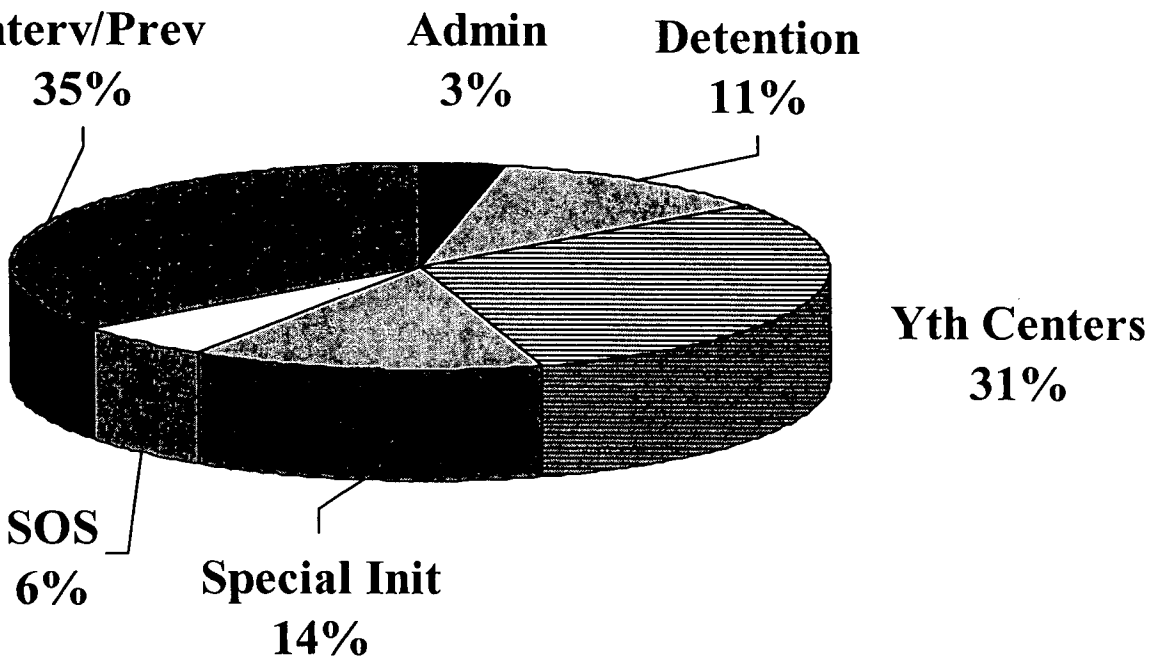
Yth. Ctrs $48.8

Special Init.: $22.1

SOS: $8.9

Intervt/Prev: $56.2

$160 M



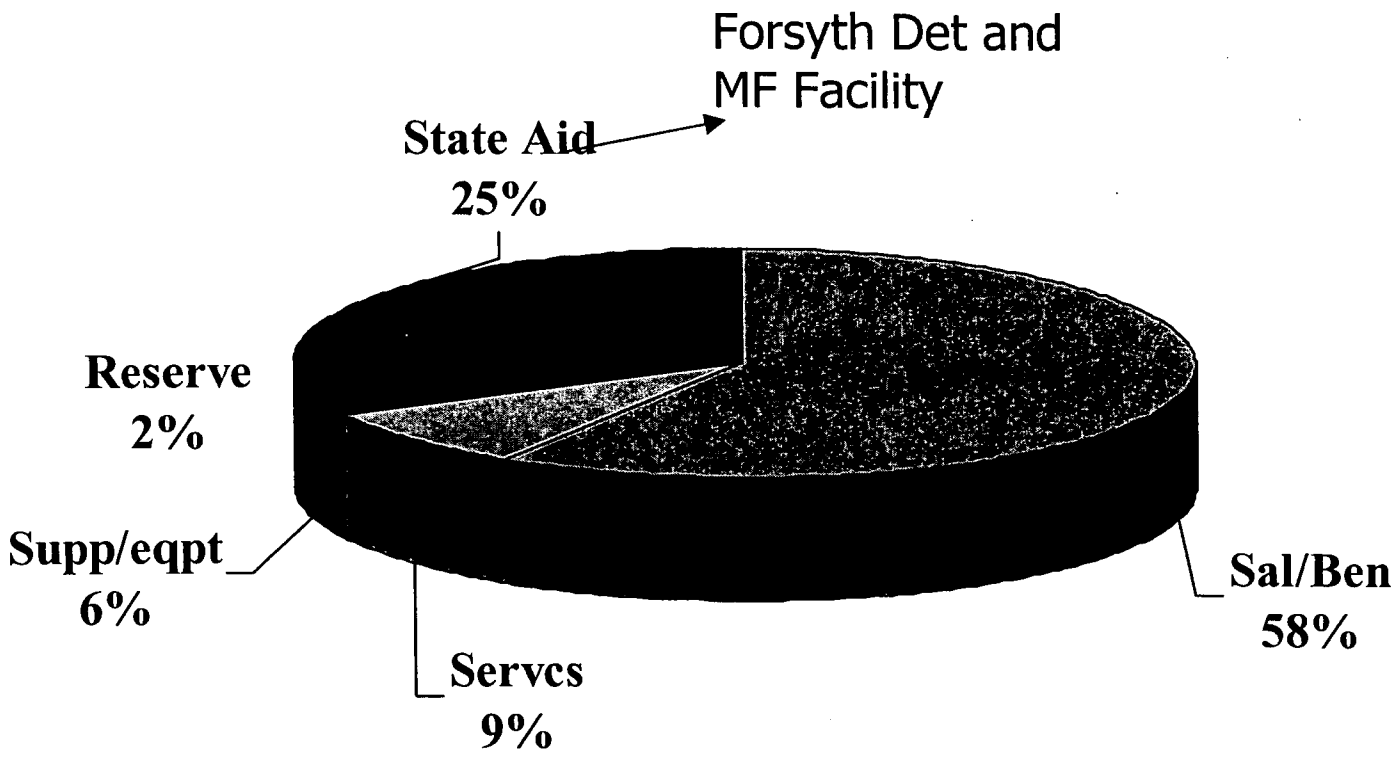
Net State Approp. is $147.2 Million

DJJDP Detention Center
Authorized Budget 12/31/00

3

Detention Total Budget (Millions)

Sal/Ben:	$10.63
Serv:	1.56
Supply/Eqpt:	1.1
Reserv.	.27
St. Aid:	4.47
Total	**$18.03**



Net State Appropriation is $11.022 million

DJJDP Detention Centers Budget Characteristics

- State Run Centers : State and County split 50/50

- Locally Operated Centers: State pays 100% up front/county reimburses 50%. County that pays is the county where juvenile is arrested and charged; judge can shift charge to home county at disposition

Detention Center Budget Characteristics

- Cost Per Bed: 1999-2000: $60,000 ($49,000 if adjusted for cost of two new centers)

- Major Cost Driver: Staffing
  - Partially driven by lawsuit which was settled in 1995 and dismissed in 1998; capped at 120% of bed capacity; good faith effort for more custody positions; add teacher and a nurse, as well as mental health contracts

Detention Centers – Recent Budget History

- 1998 General Assembly
  - Authorized construction of two new 24 bed units – ($4.8 million)/operating funds Umstead (32 beds)
- 1999 General Assembly
  - Operating money for 2, 24 bed units
  - State Aid to local Forsyth Center ($1,750,000)
- 1999 Crime Commission Grant
  - Expand/renovate Buncombe Detention (State)
- 2000 General Assembly
  - NR Cut in operating for Wayne/Alexander
- 2000-01
  - Governor's Office cancelled Forsyth project; Wayne is frozen; Buncombe const funds but no operating

State Centers Population/Capacity

State Center	SOC Beds	EOC Beds	ADP --2000
Buncombe	14	18	14
Cumberland	18	23	24
Gaston	24	29	31
New Han.	18	23	20
Perquim.	*24*	*29*	*13*
Pitt	18	23	21
Richmond	*30*	*36*	*16*
Umstead	*32*	*32*	*23*
Wake	24	29	27
Wilkes	8	13	14
State	**210**	**255**	**203**

County Centers Population/Capacity

Cty. Center	SOC	EOC*	ADP 2000	Notes
~~Gatling~~ (Meck.)	~~25~~	~~25~~	26	Meck Use only
Guilford (Green.)	48	48	35	Nearby counties
Forsyth	16	16	17	Nearby counties
Durham	14	14	14	80% local
County	***103***	***103***	***92***	
System	**313**	**358**	**295**	

*EOC (Expanded Capacity) is up to 120%(original court limit) but use of EOC restricted by nature of daily population

DJJDP Detention Centers –Program Facts

Admissions:

- 98-99: 6,395
- 99-2000: 7,615
- 2000-01: 7,205 (as of April 26, 01)

- Average Length of Stay
  - 98-99: 14
  - 99-2000: 14
  - 2000-01: 11

    - Quicker court disposition for pre-adjudication
    - Not adjudicated for maximum periods

DJJDP – Detention Center Population Changes

10

- Admissions

	1998-99	1999-2000	2000-01*
Pre-Disposition	75%	64%	52%
Post Disposition	17%	27%	40%
Other	7%	9%	8%

Post disposition up 88% over 99-2000

- Undisciplined Juveniles
  - 1998-99: 284
  - 1999-2000: 399 (84, 16 and 17 year old juveniles)
  - 2000-01: 389* (97, 16 and 17 year old)

* 2001 Figures as of April 26, 2001

DJJDP Detention Centers – Governor's Budget Recommendations 2001-03

- Close Wilkes Detention Center
  - Reduction is $413,465 and 18 positions
  - Staff to be relocated to new Alexander Detention Center

- Eliminate funding for Pilot Multi-functional Facility
  - Reduction is ($2,500,000)

Detention Center Budget Issues

- Do we need planned Detention Beds?
  - Wayne (new 24 SOC/29EOC) ($2 million plus to construct)
  - Buncombe (proposal to add 10 beds)
- Detention Center Staffing: Staffing Study recommended reduction of 34 Counselor Tech positions based on ratio of 1:7 day; 1:5 evening and 1:10 night
  - Vacancies relatively low
  - Lawsuit Settlement Issues
  - Counselor Techs (Grade 62) are primary staff; limited number of other positions

Detention Center Budget Issues

- Detention Receipts: Reimbursement from counties
  - 1999-2000 Actual: $4.7 million
  - *2000-2001 Projected: $5.6 million*
  - 2001-02 Gov. Budget: $4.98 million

- Budget Holes:
  - Detention Subsidy ($200,000 per year) to fund local beds

What We Will Discuss

- General Contracts for 2000-2001
- Travel Costs 1999-2000
- Personal Service Contracts for 2000-2001

General Contracts - $23,008,871

• Program Contracts	$17,547,831
• Medical Contracts	3,366,489
• Administrative Contracts	1,541,576
• Residential Contracts	391,612
• Maintenance Contracts	161,363

Program Contracts -$17,547,831

• Program Contracts	16,575,201
• Gender Specific Programs	406,024
• Transitional Services	326,681
• Program Evaluation Contracts	154,925
• Service Contracts	85,000

Medical Contracts - $3,366,489

• Other Provided Medical Services	2,892,898
• Hospital Provided Medical Services	235,980
• Pharmaceuticals	233,611
• Laboratory Service Agreements	4,000

Administrative Contracts - $1,541,576

• Systems Implementation	1,264,802
• Staff Training	138,366
• JCPC Training	100,122
• Miscellaneous Contracts	25,226
• Employment Physicals	13,061

Residential Contracts - $391,612

• Food Service Agreements	226,242
• Speech & Hearing	141,870
• Barber Services	23,500

Maintenance Contracts - $161,363

• Repair Service	56,823
• Equipment Maintenance Agreements	51,355
• Waste Service Agreements	32,040
• Grounds, Janitorial, & Pest Agreements	21,145

DJJDP
Travel Costs - $1,850,191
1999-2000

• Intervention Prevention	**1,292,215**
• Youth Development Centers	**241,769**
• Administration	**126,090**
• Detention Centers	**93,468**
• Special Initiatives	**62,272**
• Center for Prevention of School Violence	**34,377**

Intervention Prevention
$1,292,215

• Court Counselor Local Travel	1,160,746
• Administration & Regional Consultants	60,616
• Transportation Officers	52,846
• Juvenile Services Conferences	4,794
• JCPC Training	2,247
• Miscellaneous	4,442
• Core Training	3,533
• Management Training	2,991

Youth Development Centers
$241,769

• 75% In-State ground transportation	179,349
• DHR Police Force transportation cut	22,049

Administration - $126,090

- Central Office Administration 42,474
  - 70% transportation for In-State site visits
  - Includes HR, Engineering, Finance, Research, Office of the Secretary and Deputy
- Phase Training 77,648
- JNET/MIS 5,968

DJJDP
Travel Costs – Other Issues

- Of the $93,468 Detention Centers Travel Cost
  $18,719 for transportation officers
- Total Cost of Transportation Officers $583,471
- Total Cost of Phase Training $388,953

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 5/9/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Deb Ross	AOC
NELS ROSECAND	OSBM
James Bowden	DJJDP
LARRY DIX	DJJDP
Michael Schwartzel	"
John McHugh	GOV OFFICE
Shara Partin	GAL - Alamance Co.
Claudia Kades	GAL
Patsy Kinsey	Pease Associates

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday June 6, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative R. Phillip Haire, Presiding
Representative Bill Culpepper

II. PRESENTATIONS

- Comments by House Chairmen on Senate Justice and Public Safety Budget and House Budget Schedule

- Overview of Senate Justice and Public Safety Budget

  Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The House Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, June 6, 2001,** at 8:30 a.m. in Room 415 of the Legislative Office Building. The following members of the House were present: Representatives Culpepper and Haire, Co-Chairs, and Representatives Wayne Goodwin, John Hall, Larry Justus, Joe Kiser, and Wayne Sexton. A Visitors Registration Sheet is attached and made part of these minutes.

Rep. Haire called the meeting to order with introduction of pages and then began with a discussion of the Senate Justice and Public Safety Budget **(Handout #1)** asking that questions be held until after each agency is presented.

Elisa Wolper, Staff, presented the Judicial section of the Senate Budget. Rep. Justus questioned Item #29 - Increase for Indigent Defense – and asked why we were increasing that? Rep. Haire explained that this provides legal counsel for people who can't afford it. Ms. Wolper stated that the amount is $7 and is actually catch-up money. Rep. Justus asked that staff look closely at this. Rep. Kiser asked, regarding #29, how do they get they pay the money back? Judge Bob Hobgood, Director of AOC, explained that if a person is arrested, sent to prison, and lose their job, then they likely couldn't afford a lawyer. An attorney is provided and once they are on probation, a payment schedule is set up for payments. If they do not pay, they are put back in jail. Rep. Kiser asked if all who don't pay are sent back, or just some? Judge Hobgood said that only some are. There are those who have technical violations and some who commit actual crimes. There are 26% of the 108,000 who have technical violations and not all are sent back to prison. Rep. Kiser asked if someone is ordered to repay and pay victim's restitution and they don't do this – their probation is up – do they have to pay restitution and repay for legal services before they are cleared from probation? Judge Hobgood stated that probation could be extended for a maximum of eight years so long as it is extended before the original time of probation has expired. If they have not paid within the term of their probation, there is a civil procedure that blocks credit. Rep. Sexton asked if the Committee was going to allow AOC to talk about these reductions and if they have ideas on where to get money and what impact these reductions will have on them? Also, how much money is left in that non-reverting fund in the worthless check program? Ms. Wolper replied that there should be a balance left June 30, if the Governor doesn't need it, and that fund should be zeroed out one way or another in July. Rep. Sexton said that he did not understand why we put this money in a non-recurring fund and we take money from the general fund to support it when it's supposed to be receipt supported. Ms. Wolper stated that she did not know why it was set up that way and, frankly, nobody remembered it until about August of last year – an oversight on everybody's part. Rep. Sexton stated it was rather misleading and Ms. Wolper said that to date it had been supported with other general funds, but from here on in it will primarily be from receipts.

Rep. Justus asked that the total budget for AOC was in 1999-2000? Ms. Wolper answered that the total expenditures in 1999-2000 were $362 million. Rep. Haire pointed out that

Indigent Defense Fund has spun out, and that was included in the AOC Budget at the time, so to get a correct picture, you have to go back in and look at the office of Indigent Defense as being included in that. Ms. Wolper explained that you've gone from $362 million to a projected $375 million.

Rep. Kiser asked about item #24 – Increase Budgeted Receipts and item#25 – Reduce Funding to NC State Bar. Stated that looking at you had reduced the legal services, but we talk about special provision – what does that say? Ms. Wolper stated that it says that $1.15 of each court case be allocated to the State Bar going to the Access to Civil Justice Program. Rep. Kiser stated that actually it is not a reduction in the amount of money and could be an increase? Ms. Wolper stated yes. Rep. Kiser asked what these funds that go to the State Bar – are all of them transferred to legal services? Ms. Wolper answered that they go to the geographic programs in the individual counties. Rep. Kiser asked exactly what is meant in #24? Ms. Wolper said that it is a cooperative program between the Judicial Branch and the Department of Revenue to match records to be certain that people who owe money for indigent defense are not getting tax refunds. The other process is the one that Judge Hobgood described earlier.

Rep. Kiser had another question on #1 –Reduce Funding for Jury Fees. How did the Senate arrive at this number? Ms. Wolper stated that items 1-5 were specifically proposed by the Department in order to match the numbers originally in the Governor's Budget for reduction. Rep. Kiser asked if there was $370,000 more in the Jury Funds last year than was expended? Ms. Wolper said that the last time she looked at, there may be more like $100,000 budget funds that aren't spent in this area. The assumption is that, if needed, the department has the capability of using lapsed salaries to cover any shortfalls in that area. Rep. Kiser asked if all six items on the page would be funded that way if there wasn't enough money in them? Ms. Wolper said that in almost all cases except a few areas.

Rep. Kiser inquired about #8 – Reduction for Superior Court Travel - does this only deal with Conferences? If a Judge is given $7,000 a year in expenses and chooses to drive back and forth – does he keep the $7,000 and collect mileage – does this affect that at all? Ms. Wolper stated no.

Rep. Kiser asked if this covers completely all-new courthouses. Ms. Wolper stated yes.

Rep. Kiser asked if Staff recommended any other recommendations of any other cuts that might be made? Ms. Wolper said not at this time.

Rep. Justus asked if the budget is lower this year or last year? And what is the total figure in Death Litigation Center. Ms. Wolper said that shows up in a special provision and is the same as in past years at $590,000. Rep. Justus asked for a small report on that particular item.

Rep. Sexton asked what the impact would be on item #15 –Eliminate Senior Deputy Director Position? Judge Hobgood stated that he would probably go back to being a Judge – he cannot do both.

Rep. Hall asked about #22 – Telephone and Data Lines for New Courthouses and if these were actually brand new courthouses? Rep. Haire stated that they were brand new and asked Ms. Wolper to identify them – Randolph, Mitchell, Harnett, Brunswick, Surrey and New Hanover. Rep. Hall asked if there were any plans to bring other courthouses up to standard? Ms. Wolper said there was no expansion fund, but they might be eligible if funds were available toward that in the Technology Fee Fund.

Denise Thomas, Staff, presented the Senate Budget on the Department of Justice – page 6.
Rep. Kiser asked regarding #32 –Vehicle Replacement - if someone could explain a special provision, which says receipts, could be used for the purchase of vehicles in the Justice Department. Ms. Thomas replied that there is special provision that allows them to retain all the receipts, which they collect and use them for equipment and vehicle replacement. Rep. Kiser further asked what these receipts would be from and where were they going before? Will it have an impact on the State Budget by letting them keep the receipts and use them? Ms. Thomas replied that it was something she was working on to get a handle on what receipts they had been collecting in the past, and that she would provide that information as soon as it is available.

Rep. Sexton asked if this House Committee decides not to do away with the Department of Crime Control and Public Safety, what would be the total savings and if we keep the Department, what would be the figures on that. Ms. Wolper replied that Kelly Little would be addressing that question later in the meeting.

Rep. Kiser asked about the duties of the Office of Inspector General. Ms. Thomas stated that it originated in 1997 as part of the welfare reform. Legislation came out of that reform and a $500,000 state reserve was set up to establish the Office of Inspector General and Department of Justice. During the continuation budget process for the 99-01 biennium, they certified these funds into the Department of Justice Funds. It was a measure that was done to provide additional oversight of welfare reform activities that were taking place. The Department of Health and Human Service has the primary responsibility for a lot of these programs. The past couple of years, it appears that the Office of Inspector General has been just getting established and getting staff on board and drafting policies and procedures which have not been finalized yet. One of the primary duties has been to assist in investigation of fraud related to welfare programs. The office only recouped between $12,000 and $13,000 and the Senate felt this was not enough to justify the $500,000 being that DHSS has the primary responsibility of the programs. Rep. Kiser asked about #37 stating that was a very specific amount of money and a very vague description of what's going to be cut. Can you provide the Committee with information on how this figure was arrived at? Ms. Thomas said that this was a Governor's reduction. The Department did provide some information on how they planned to take the cut and she would provide more information to the Committee.

Ms. Thomas presented Juvenile Justice and Delinquency Prevention – pg. I8. Rep. Sexton asked, regarding #47 – Eliminate Grasp Program. Would like an in-depth report

regarding what the impact has been. Ms. Thomas said that there is an annual report on it. There have been problems, mainly transportation. She will provide a copy of the report. Rep. Sexton asked an additional question on #49 – Teen Courts. – Why are we cutting a program that is working as well as it is? The Committee should take a very close look at it.

Rep. Kiser asked about #42 – Reduce Vehicle Replacement Funds. If you are not buying new vehicles, are you going to be selling or trading? – Can't understand. Ms. Thomas explained that if you look at the line item detail, the line for vehicle replacement would be about $285 - $290,000 for replacement. Look at receipts and revenues and you would see a line item for about $25,000 and expected receipts from selling vehicles. This just represents the net amount of the sales minus the expected receipts. This just tells that they have to use the vehicles longer. Rep. Kiser asked if Juvenile Justice purchase their own automobiles or use motor fleet? Ms. Thomas replied they purchase their own. Rep. Kiser would like a copy of departments who use motor fleet and those who purchase their own.

Jim Mills presented the Youth Development Section of Juvenile Justice and Delinquency Prevention.- #50.

Rep. Kiser asked a question regarding #55. Said that he recalled that when they passed Juvenile Justice that they were very specific that everyone have access to public education. How can you have vacant teaching positions? Mr. Mills stated that there has been difficulty in recruiting teachers – also salary issues. Rep. Kiser asked if we were meeting the requirements when we have those vacancies? If it has been vacant since 1999, did the kids not get education during that time? Mr. Mills stated that if you looked at the staffing ration. The staffing study that was funded recommended that the staffing should be 1 to every 15 offenders. Currently they are staffed 1 to 7 offenders, so the question is how many teachers do you need? Believe they have adequate number of teachers today.

Rep. Goodwin asked about #53 – Eliminate Vacant Positions at Training Schools. What does a counselor/technician do at a training school? Mr. Mills stated that they are the basic cottage custody staff working all three shifts and provide custody and are part of the treatment team. There is difficulty in recruiting.

Rep. Justus questioned # 51 – Police Department – JEC and whether that area has the most violent offenders in the area that are taken care of there. Mr. Mills answered that he would say JEC and Dillon have the hardest core juveniles. Rep. Justus said they may need that extra help and we should look into it rather than regret this later.

Rep Kiser asked about #50 – Pilot Multifunctional Facility. Where is this proposed to be and how many beds will there be? Mr. Mills replied it would be in Navasa, NC in Brunswick County with 100 beds.

Rep. Justus asked if the thought was that we needed those beds and were not funding it – where are those folks being taken care of otherwise? Mr. Mills said the facility was

funded based on projected population growth. It is tight right now and long term you may have to find another alternative – this was meant to be one alternative.

There being no further business, the meeting was adjourned until 8:30 a.m. on Thursday, June 7, 2001.

Rep. Phil Haire, House Presiding Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 6/6/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Deb Ross	ACLU
D. Lewis	ACLU
John McHugh	GOV OFFICE
Pat Dorsey	Conference of DAs
Tyler Hunter	Office of Indigent Defense Services
Bob Hobgood	AOC
STEVE LUSK	AOC
Cheryl Dix	DJJDP
Denise A. Simmons	DOJ
Gary Mack	CCIS
Dwayne Patterson	DJJDP
Richard Dem	DOC

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Julia White	Attorney General's Office
Doug Lassiter	Lassiter Enterprises
[signature]	[signature]
Anne Winner	LSPC
Don McCorquodale	SAS
Michelle Fraizer	NC Bar Assoc.
Mike Barker	CCoPS
NELS ROSELAND	OSBPM

JUSTICE & PUBLIC SAFETY

DATE: 6/6/01

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NAME "Ana Catherine" Dickens

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SPONSOR Rep. Gene Arnold

NAME Kelly Johnson

HOME Johnston County - North Johnston High School

SPONSOR Rep. Mr. Billy Creech.

Handout #1
June 6

JUSTICE
&
PUBLIC SAFETY
Section I

Judicial

	GENERAL FUND	
	FY 2001-02	FY 2002-03
Recommended Budget	**$308,769,898**	**$308,769,898**

Legislative Changes

1 Reduce Funding for Jury Fees Funding is reduced to reflect recent years' experience. This reduction was part of the Governor's recommended budget and leaves $3.8 Million available for 2001-2.	($370,000)	R	($370,000)	R
2 Eliminate Funds for Unemployment/Workers Comp Funding for unemployment and workers compensation payments is eliminated. Since payments are unpredictable most departments do not budget a specific amount. This reduction was included in the Governor's recommended budget.	($370,066)	R	($370,066)	R
3 Reduce Budgeted Funds for Temporary Services Budgeted funds for temporary personnel are eliminated. This reduction was included in the Governor's recommended budget.	($223,767)	R	($223,767)	R
4 Reduce Budgeted Funds for Administrative Contracts Budgeted funds for administrative contracts are reduced. This reduction was included in the Governor's recommended budget. This includes an $102,000 reduction in contractual funds for the Mecklenburg Speedy Drug Court as more of the operations of this program are now done with employees rather than by contract. Contractual funds are also reduced in administration, Superior Court, District Court, Clerks, District Attorneys, Custody Mediation, Arbitration, Sentencing Services and Drug Treatment Court.	($1,752,652)	R	($1,752,652)	R
5 Reduce Funding for Fringe Benefits Budgeted funds for FICA and Retirement are reduced based on reductions in other personnel items and projections for 2001-2002.This reduction was included in the Governor's recommended budget.	($880,751)	R	($880,751)	R
6 Budgeted Overtime Funding for budgeted overtime is eliminated, since the amount is unpredictable and usually covered with available funds. The Governor recommended a reduction of $42,236 and the subcommittee eliminated the remaining $20,428.	($62,664)	R	($62,664)	R

	FY 2001-02		FY 2002-03	
7 Reduced Facility Lease Expense Because of delays in renovating existing state offices, the projected increase in lease expenses for the Judicial Branch in the Governor's budget can be reduced. An increase of $314,082 remains to cover projected increases in existing leases, the cost of rent for the Business Court, and the annualized cost of new office space leased for Court of Appeals staff.	($182,951)	R	($181,701)	R
8 Reduction in Superior Court Judge Travel Funding is reduced for lodging and meal expenses for Superior Court Judge travel to conferences. Judge's may use their subsistence allowance to cover these expenses.	($103,000)	R	($103,000)	R
9 Judicial Branch Travel Reduction in the total travel budget for the Judicial Branch based on actual expenditures in prior years.	($200,000)	R	($200,000)	R
10 Recalculated Longevity Funding is reduced for longevity payments to court officials and staff based on a recalculation in April 2001.	($500,000)	R	($500,000)	R
11 Eliminate Funding for Blood Borne Pathogens Funding for blood borne pathogens (immunizations) is no longer required.	($16,068)	R	($16,068)	R
12 Eliminate Vacant Superior Court Judgeship Funding is eliminated for a Superior Court Judgeship in District #4B (Onslow County) that was authorized as of December 2000 but never filled.	($152,794) -1.00	R	($152,794) -1.00	R
13 Eliminate Vacant DA Investigator A vacant District Attorney Investigator position in District #29 is eliminated. Not all District Attorneys have investigators and this position has been vacant since March 2000.	($47,525) -1.00	R	($47,525) -1.00	R
14 Eliminate Longstanding Vacancies A part-time Assistant Clerk position (Caswell) and a part-time Magistrate position (Johnston) are eliminated. They have been vacant since August 1999 and January 2000 respectively.	($28,152) -0.75	R	($28,152) -0.75	R
15 Eliminate Senior Deputy Director Position The vacant Senior Deputy Director Position at the Administrative Office of the Courts is eliminated. This leaves 6 Deputy Directors and 1 Assistant Director.	($103,900) -1.00	R	($103,900) -1.00	R
16 Increase Budgeted Receipts for Dispute Resolution The General Fund contribution to the Mediated Settlement Conference in Superior Court and the District Court Mediated Settlement programs are reduced to reflect increased fee collections and operating expenses that have been less than originally anticipated.	($70,251)	R	($70,251)	R

	FY 2001-02		FY 2002-03	
17 Budget Fees for Worthless Check Program Participants in the worthless check program pay a $50 fee which is collected in a non- reverting fund. These funds will be used to offset the expenses of the program, allowing a reduction in the General Fund contribution.	($500,000)	R	($500,000)	R
18 Reduce Funds for Court of Appeals Mediation This program, authorized in the 2000 budget, has not been implemented as of May 2001. Funding is reduced to reflect expectation of limited activity in the first years.	($20,000)	R	($20,000)	R
19 Staff Consolidation in Sentencing Services Two staff positions in central administration are eliminated in the Sentencing Services program. Reductions are effective October 1, 2001.	($85,354) -2.00	R	($113,805) -2.00	R
20 Reduction in Funding for Sentencing Services Funding for Sentencing Services grants/contracts with nonprofit providers are reduced by $100,000 based on the amount left unspent in prior years. $4,189,410 in funding for local programs remains.	($100,000)	R	($100,000)	R
21 Annualization of New Positions The recommended continuation budget did not cover the full-year costs of 42 new positions added during 2000-2001. This item provides funds to annualize all the personnel costs and half the operating costs.	$1,602,574	R	$1,902,574	R
22 Telephone and Data Lines for New Courthouses Funds are added to provide telephone and data lines to new courthouses expected to be completed during the biennium; five courthouses in 2001-2 and one in 2002-3. While county governments are responsible for the construction of court facilities, the Judicial Branch is responsible for providing these lines.	$475,000	NR	$125,000	NR
23 Membership in National DA's Association Funding is continued to allow all 39 District Attorneys to join the National District Attorney's Association. Nonrecurring funding was provided for this purpose in 1999-2000.	$15,000	R	$15,000	R
Total Legislative Changes	**($4,152,321)** **$475,000**	R NR	**($3,879,522)** **$125,000**	R NR
Total Position Changes	-5.75		-5.75	
Revised Budget	**$305,092,577**		**$305,015,376**	

Judicial - Indigent Defense

	GENERAL FUND			
	FY 2001-02		FY 2002-03	
Recommended Budget	$66,660,467		$66,660,467	
Legislative Changes				
24 Increase Budgeted Receipts General Fund budget is reduced to reflect a substantial increase in the amount collected through counselor fee judgments and set-off debt collection .	($750,000)	R	($750,000)	R
25 Reduce Funding to NC State Bar Funding to the NC State Bar is reduced by $1.66 Million. This is the portion that has gone to Legal Services of North Carolina. As of July 1, 2001, Legal Services will receive a portion of court fee collections instead (Special Provision AOC-S2).	($1,660,000)	R	($1,660,000)	R
26 Authorize Assistant Public Defender Positions The Office of Indigent Defense Services may establish up to 3 assistant public defender positions in lieu of using assigned counsel in statewide programs or areas with established Public Defenders. OIDS may use up to $238,884 in 2001-2 and $224,316 in 2002-3 from the indigent fund to establish these positions, at no additional cost to the General Fund.	$0 3.00	R	$0 3.00	
27 Authorize PD Support Staff Positions The Office of Indigent Defense Services may establish up to 3 support positions (legal assistants, investigators, administrative assistants) in statewide programs or areas with established Public Defenders. OIDS may use up to $170,145 in 2001-2 and $154,923 in 2002-3 from the indigent fund to establish these positions, at no additional cost to the General Fund.	$0 3.00	R	$0 3.00	R
28 Annualization of New Positions The continuation budget did not cover the full-year costs of 5 new positions added during 2000-2001. This item provides funds to annualize the personnel costs and the operating costs.	$191,643	R	$191,643	R
29 Increase Funding for Indigent Defense The Governor's Budget recommends this funding increase to cover growing costs of indigent defense. This brings the total General Fund contribution to $46.2 Million. Projected expenses for 2001-2 are about $54 Million.	$5,565,313	R	$5,565,313	R

Senate Subcommittee on Justice and Public Safety	FY 2001-02		FY 2002-03	
Total Legislative Changes	**$3,346,956**	R	**$3,346,956**	R
Total Position Changes	6.00		6.00	
Revised Budget	**$70,007,423**		**$70,007,423**	

Justice

	GENERAL FUND			
	FY 2001-02		FY 2002-03	
Recommended Budget	$76,471,632		$76,471,632	
Legislative Changes				
30 Decrease General Fund Appropriation The general fund appropriation is decreased to offset increased revenue/receipts.	($500,000)	R	($500,000)	R
31 LESS Transfer to Justice With the elimination of the Department of Crime Control and Public Safety, the Law Enforcement Support Services Program will be transferred to the Department of Justice.			$184,808 3.00	R
32 Vehicle Replacement Reduce vehicle replacement funds by $922,018. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($922,018)	NR		
33 ALE Transfer With the elimination of the Department of Crime Control and Public Safety, Alcohol and Law Enforcement is transferred to the Department of Justice.			$7,805,212 132.00	
34 Funding for Traffic Law Enforcement Funds to implement SB 147 which requires the Department of Justice to collect and analyze race, ethnicity, and other data about traffic stops made by county and certain municipality local law enforcement officers.	$260,000	R	$260,000	R
35 Annualization of Position Costs Annualization costs of 8 Tort Claims and SBI Laboratory positions established during FY00-01. These costs were omitted from the Governor's Recommended Budget.	$155,424	R	$155,424	R
36 Eliminate Vacant Positions The Governor's Budget recommends the elimination of 8 vacant positions. The Department of Justice submitted the following 9 positions: Media Technician I(3615-0000-0004-815) CJ Training Coordinator I (3615-0000-0004-603) Paralegal II (3612-0000-0000-185) Attorney I (3612-0000-0000-207) Attorney I (3612-0000-0000-254) Social Research Assoc II (3612-0000-0000-080) Office Asst IV (3613-0000-0003-115) Office Asst IV (3613-0000-0003-013) CJ Spec/Investigator III (3613-0000-0003-012)	($386,338) -9.00	R	($386,338) -9.00	R

	FY 2001-02		FY 2002-03	
37 Reduce Various Contracts and Expense Items The Governor's budget recommends reduced funding for various administrative line items related to personal and purchased services.	($529,925)	R	($529,925)	R
38 Eliminate the Office of the Inspector General Effective October 1, 2001, eliminate the Office of the Inspector General. The functions performed by this office duplicates those responsibilities carried out by the Department of Health and Human Services and county social services offices.	($375,000) -9.00	R	($500,000) -9.00	R
Total Legislative Changes	**($1,375,839)** **($922,018)**	R NR	**$6,489,181**	R
Total Position Changes	-18.00		117.00	
Revised Budget	**$74,173,775**		**$82,960,813**	

Juvenile Justice & Delinquency Prevention

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$147,706,045**		**$149,456,045**	
Legislative Changes				
40 Management Information System Support Annualization of costs related to M.I.S. positions and recurring J-NET communications cost established during Fiscal Year 2000-01. These costs were omitted from the Governor's Recommended Budget.	$1,352,545	R	$1,352,545	R
Administrative Services				
41 Eliminate Vacant Position Effective July 1, 2001, eliminate vacant central office Program Coordinator position (#00119), which has been vacant since January 1, 2000.	($48,031) -1.00	R	($48,031) -1.00	R
42 Reduce Vehicle Replacement Funds Funding for vehicle replacement is reduced by $251,280. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($251,280)	NR		
Intervention/Prevention				
43 JCPC Discretionary Funds Eliminate discretionary JCPC funds. This will not reduce the amount of formula grant funding provided to counties.	($1,800,000)	R	($1,800,000)	R
44 Eliminate Vacant Positions Effective July 1, 2001, eliminate vacant administrative secretary and processing assistant positions.	($66,000) -2.00	R	($66,000) -2.00	R
Special Initiatives				
45 Camp Woodson East Reduce the operating funds for Camp Woodson East due to delayed opening date of October 1, 2001.	($155,000)	NR		
46 Multipurpose Group Home Eliminate operating funds budgeted for the multipurpose group home which has not been constructed.	($500,000)	R	($500,000)	R
47 Eliminate G.R.A.S.P. Contract Effective October 1, 2001, eliminate contract funds budgeted for the Guard Response Alternative Sentencing Program. Program referrals and enrollments are significantly below capacity.	($253,000)	R	($338,000)	R

	FY 2001-02		FY 2002-03	
48 Boys and Girls Clubs Reduce budget by the amount of funds targeted for the 3 eligible but non-participating counties originally specified for this initiative (Chowan, Columbus, & Martin).	($100,000)	R	($100,000)	R
49 Teen Courts Reduce FY2001-02 funds appropriated to DJJDP for Teen Court Programs by half. In FY2002-03, eliminate all appropriations to DJJDP for Teen Court Programs. Currently 18 specified county teen court programs receive these funds. Should these programs wish to continue operating at their current budgeted level, they should seek replacement funds from their county JCPCs or other sources.	($244,330)	R	($488,660)	R
Youth Development				
50 Pilot Multifunctional Facility The Governor's Budget recommends elimination of funds to contract for a privately constructed and operated residential facility for juvenile offenders. Only one bid was received. The bid was over the amount budgeted and the proposed budget was not cost-effective according to DJJDP.	($2,500,000)	R	($2,500,000)	R
51 Police Department - JEC DJJDP operates a police unit for the Juvenile Evaluation Center Training School and for surrounding DHHS facilities. The Governor's Recommended Budget eliminates the portion of the police force that serves the JEC, thus reducing the budget by $224,157 and 6.0 positions. The premise for this reduction is that with the installation of a high security fence and reallocation of current staff, a police force is no longer needed at JEC. The Governor's Budget also recommends that the remaining budget and positions be transferred to the Department of Health and Human Services. However, the remaining budget and positions shall be eliminated for a total reduction of $417,411 and 11.0 positions.	($417,411) -11.00	R	($417,411) -11.00	R
52 Close Wilkes Detention Facility The Governor's Recommended Budget would close the Wilkes Detention Center because it is not cost- effective to operate. Staff and juveniles will be relocated to the new Alexander Detention Center.	($413,465) -18.00	R	($413,465) -18.00	R
53 Eliminate Vacant Positions at Training Schools Effective July 1, 2001, eliminate 19 vacant positions at various training schools (youth development centers): 14 Counselor Technicians 4 Cottage Parents 1 Cottage Parent Supervisor These classifications maintain a high vacancy rate and the 19 positions are unlikely to be filled.	($560,160) -19.00	R	($560,160) -19.00	R
54 Increase Detention Center Receipts Reduce the General Fund appropriation to offset increased Detention Center receipts.	($350,000)	R	($350,000)	R

Senate Subcommittee on Justice and Public Safety	FY 2001-02		FY 2002-03	
55 Eliminate Vacant Teaching Positions	($88,467)	R	($88,467)	R
Effective July 1, 2001, eliminate 2 vacant teacher positions: one at Samarkand (vacant since Dec. 99) and one at Dillon (vacant since January 2000).	-2.00		-2.00	
56 Reduce Behavioral Specialists Positions	($679,951)	R	($1,058,688)	R
As recommended by the Training School Staffing Study, eliminate 30 Behavioral Specialists positions by the following dates: Eliminate 11 positions effective July 1, 2001 Eliminate 9 positions effective October 1, 2001 Eliminate 10 positions effective April 1, 2002	-30.00		-30.00	
Total Legislative Changes	**($6,668,270)**	R	**($7,376,337)**	R
	($406,280)	NR		
Total Position Changes	-83.00		-83.00	
Revised Budget	**$140,631,495**		**$142,079,708**	

Correction

	GENERAL FUND			
	FY 2001-02		FY 2002-03	
Recommended Budget	**$931,350,075**		**$931,350,075**	
Legislative Changes				
56 Reduce Inmate Food Budget The Governor recommended a reduction of $2,197,549 each year based on the improved efficiency of inmate food service and a resulting decrease in expenditures. It is anticipated that DOC will be able to decrease expenditures further compared to the recommended budget for each year. The food budget shall be reduced by an additional $2 million for a total of $4,197,549.	($4,197,549)	R	($4,197,549)	R
57 Convert Scotland Correctional Center The Governor recommended closing Scotland Correctional Center. Instead, Scotland shall be converted to an inmate work release unit effective October 1, 2001. The reduction shown in the first year is the net amount after subtracting the cost of purchasing two vans to transport up to 30 work release inmates and adding two transportation officers and a work release coordinator. The reduction is possible because fewer staff are needed to supervise Level III minimum custody inmates.	($28,612) -3.00	R	($90,192) -3.00	R
58 Medical Transportation Officers This reduction in the number of correctional officers that transport inmates is possible because DOC has reduced medical contracts and hired more in-house doctors, thus reducing travel for medical purposes.	($263,249) -11.00	R	($315,843) -11.00	R
59 Close Alamance Correctional Center Alamance currently operates as a minimum custody work release unit. The Governor recommended closing this prison consistent with the GPAC recommendations. Cost per day and the declining need for minimum custody beds was also considered. Alamance's cost per day in 1999-2000 was $66.89 compared to $52.52 for the average minimum custody unit. The Subcommittee also reduced the remaining funds in the Alamance inmate budget by 50 per cent. The prison would close August 1, 2001.	($879,887) -27.00	R	($952,882) -27.00	R
60 Increase Funding for Inmate Medical Costs The continuation budget did not sufficiently cover medical and prescription drug costs for inmates. This item provides additional funding for this purpose.	~~$7,425,000~~ $7,103,598	R	~~$7,000,000~~ 6,971,464	R

	FY 2001-02		FY 2002-03	
61 Reduce Funding for Vehicle Replacement The Governor's Recommended Budget reduced this item by $396,000 on a recurring basis. The total non-recurring reduction shall be $1,430,062. This reduction basically limits vehicle replacement to only the highest priority purchases in FY 2001-02.	($396,000) ($1,430,062)	R NR	($396,000)	R
62 Reduce Program Staffing in Prisons The current program staffing ratio is one staff person for every 52 inmates. This reduction would increase the ratio to approximately one person for 56 inmates by 2002-03. The reduction of 14 positions is to be carried out system-wide from among the 606 program positions. Positions to be eliminated are: Program Director (1) Program Assistant Supervisors (5) Program Assistant II's (4) Program Assistant I's (4)	($308,381) -14.00	R	($411,174) -14.00	R
63 Close Blue Ridge Correctional Center Blue Ridge Correctional Center is a minimum custody facility for young adult inmates (ages 18 to 24). The unit was established primarily as one of two operating centers for the BRIDGE program. BRIDGE is a cooperative effort with DOC and DENR to train youthful offenders in wildfire fighting and conservation projects. The BRIDGE program also exists at Western Youth Center. The BRIDGE inmates and staff will be transferred to Western and the remaining positions will be reduced, effective August 1. Cost to operate the facility was $91 a day in 1999-2000.	($1,046,577) -30.00	R	($1,125,022) -30.00	R
64 Reduce funding for MIS contractual Services DOC has reorganized MIS staff to improve efficiency and re-prioritize projects to allow this reduction, as recommended in the Governor's Budget.	($200,000)	R	($200,000)	R
65 Reduce Office and Data Processing Equipment Reduce funding in the office equipment ($200,000) and data processing equipment ($200,000) line items as recommended in the Governor's Budget.	($400,000)	R	($400,000)	R
66 Close IMPACT-West The IMPACT (Boot Camp) program for probationers located in Morganton will be closed September 1, 2001. The program has not been effective in reducing recidivism and probation revocation and the program for women has had few participants. This leaves an 180 bed program for men at Hoffman.	($2,380,133) -68.00	R	($2,843,995) -68.00	R
67 Reduce Travel Budget Reductions will be taken in the travel, meals and lodging line items for the Division of Prisons and the Division of Community Corrections, as recommended in the Governor's budget. The Subcommittee makes the cut recurring.	($260,000)	R	($260,000)	R

	FY 2001-02		FY 2002-03	
68 DOC Management Budget The non-salary line item budget for DOC management was reduced on a non-recurring basis in 1999-2000 and restored in the Governor's Recommended Budget. This budget makes the reduction recurring	($300,000)	R	($300,000)	R
69 Inmate Disciplinary Fees Adjust inmate disciplinary fees to reflect projected collections and reduce General Fund. The Governor's Budget recommended a $120,000 reduction in the General Fund. The reduction shall be $220,000, based on the latest collection figures.	($220,000)	R	($220,000)	R
70 Reception and Diagnostic Centers Based on overstaffing compared to workload guidelines, eight positions shall be eliminated. Positions to be eliminated are: 2 Case Analysts 3 Processing Assts. 1 Admissions Tech 1 Supervisor 1 Behavioral Specialist	($170,651) -8.00	R	($213,314) -8.00	R
71 Increase Work Release Transportation Fee Work release inmates pay a fee to DOC for transportation to their jobs. Increase this fee from $2 to $2.50 to allow for a General Fund reduction.	($33,500)	R	($33,500)	R
72 Increase Work Release Fee Increase the fee charged to inmates for work release by $1, from $15 a day to $16. This allows a reduction in the General Fund.	($307,000)	R	($307,000)	R
73 Inmate Road Squad Payments DOT reimburses DOC for the cost of operating inmate road squads. DOT shall reimburse DOC $8.5 million during 2001-02 and 2002-03, an increase of $1.5 million over the estimated receipt amount for each year. The amount is increased to reflect increased road squad activity and DOC actual costs for road squads. This transfer allows a reduction in the General Fund. DOT shall also transfer a one-time payment in 2001-02 for road squad activity carried out in this fiscal year (2000-01). DOT has not reimbursed DOC for the full $7 million amount directed in HB 168 so it is directed that this payment be made in 2001-02.	($1,500,000) ($1,811,628)	R NR	($1,500,000)	R
74 Annualize Medical Positions The Governor's 1999 budget inadvertently left out annualization of DOC medical positions funded in 1997. This amount annualizes those positions, which are already established.	$949,977	R	$949,977	R
75 Open New Dorm and Kitchen at Women's Prison A new 208 bed dorm and kitchen are due to open September 1, 2001. The Governor's Recommended Budget did not provide funding to operate these buildings	$1,036,418 41.00	R	$1,381,252 41.00	R

	FY 2001-02		FY 2002-03	
76 Open New Central Prison Diagnostic Unit A new 192 bed prison and diagnostic center building is due to open August 1, 2001. The funding, which was not included in the Governor's Recommended Budget, is to operate the new building.	$1,875,760 79.00	R	$2,785,545 79.00	R
77 Staffing Warrenton Segregation Building This unit was converted from medium custody to high level segregation but funds for additional staff were not recommended in the Governor's budget. This budget partially funds the amount requested by DOC.	$700,000 24.00	R	$700,000 24.00	R
78 Operating Funds for Fountain Correctional Center DOC constructed a new segregation unit at Fountain and a new Central Control room, both due to open in May, 2001. This item funds operating costs for these buildings, which were not included in the Governor's budget, effective July 1, 2001.	$477,631 16.00	R	$477,631 16.00	R
79 Contract with Prisoner Legal Services Funding is provided for an increase in the contract between DOC and PLS for PLS to provide legal services to inmates. The increase was previously negotiated and agreed upon by both parties.	$265,787	R	$265,787	R
80 Funding to Operate two Former Private Prisons DOC is now operating Pamlico and Mt. View as State prisons. The prisons were formerly run by a private contractor for DOC. The amount funded is to cover increased DOC operating costs. DOC is already operating these prisons.	$3,000,000	R	$3,000,000	
81 Convert Prison to Close Custody – Mt View Convert Mountain View Prison, a single cell medium custody prison to a close custody prison, effective January 1, 2002	$894,676 $152,850 61.00	R NR	$1,929,569 61.00	R
82 Convert Prison to Close Custody - - Pamlico Convert Pamlico, a single cell medium custody prison, to a close custody prison, effective August 2002.	$0	R	$1,734,339 $141,396 61.00	R NR
83 Reentry Program Continue funding for one more year for program designed to provide inmates with skills needed to function in the community upon release. Training is part of program operated by UNC Chapel Hill.	$130,000	NR		
84 ECO Family Counseling Program Continue funding for program funded in 2000-01 to provide counseling and services for families of inmates. Program is operated by a non-profit organization, Energy for Committed Offenders, Inc.	$60,000	NR		

	FY 2001-02		FY 2002-03	
Alcoholism and Chemical Dependency Programs				
85 Reduce Personal Services Contract The department provides seed money to contract with community service providers of substance abuse services for DART-Cherry community aftercare. The State provides substance abuse services through 39 Area Mental Health Programs. To avoid duplication of services, this cut would eliminate personal services contracts. This is a Governor's recommendation.	($225,000)	R	($225,000)	R
86 Reduce Substance Abuse Aftercare The department provides in-house, substance abuse residential services to inmates. Aftercare services are provided through contracts with private providers to inmates who return to the general population. This would eliminate aftercare service contracts with private providers. This is a Governor's recommendation.	($105,000)	R	($105,000)	R
87 Terminate Substance Abuse Contracts Eliminate State contracts with Cornell($1,185,700) and Right Turn ($1,820,477. These substance abuse services can be delivered using existing services and resources now available in the department. This is a Governor's recommendation.	($3,006,177)	R	($3,006,177)	R
88 Community Substance Abuse The General Assembly appropriated $100,000 NR for FY 2001 to fund a community program in Northhampton County that works with substance abuse offenders. This item is to continue that funding on a non-recurring basis.	$100,000	NR		
Division of Community Corrections				
89 Reduce Various DCC Budget Line Items Reduce Division of Community Corrections Administration travel budget by $6,000; Reduce office and data processing equipment by $60,000; reduce cell phone expenditures by $41,750.	($107,750)	R	($107,750)	R
90 CSWP Budget Reduction and Program Transfer With the elimination of the Department of Crime Control and Public Safety, the Community Service Work Program will be transferred to the Department of Correction, to be merged with Division of Community Corrections. The merger will be complete by June 30, 2002.			$6,268,513 173.00	R
91 Criminal Justice Partnership Program The Criminal Justice Partnership Program awards grants to participating counties to fund local community corrections programs. The Department of Correction will limit CJPP implementation funding to the counties currently participating in the program, allowing for a reduction of $270,000. An additional $1 million will be eliminated to reduce budget to reflect current spending trends. This is a Governor's recommendation.	($1,270,000)	R	($1,270,000)	R

Senate Subcommittee on Justice and Public Safety	FY 2001-02		FY 2002-03	
92 Reduce Appropriation to Summit House Inc. The General Assembly will reduce the annual appropriation to Summit House Inc. by 10%.This reduction shall not result in a reduction to individual sites, but to the Summit House Inc. State Office.	($139,650)	R	($139,650)	R
Post Release Supervision and Parole Commission				
93 Abolish Vacant Parole Commission Positions With the passage of the Structured Sentencing Act, the number of parolees has declined. Therefore, the Parole Commission staff will be reduced by eliminating two vacant positions. This is a Governor's recommendation.	($78,000) -2.00	R	($78,000) -2.00	R
Total Legislative Changes	**($1,497,867)** **($2,798,840)**	R NR	**$7,794,565** **$141,396**	R NR
Total Position Changes	58.00		292.00	
Revised Budget	**$927,053,368**		**$939,286,036**	

Crime Control and Public Safety

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$37,554,148**		**$37,554,148**	
Legislative Changes				
95 Reduce Travel Budget The Department will reduce the travel budget department wide by 10%.	($62,000)	NR		
Administration				
96 Eliminate Vacant Positions in CCPS Administration Three vacant positions in the Administration Division will be eliminated June 30, 2001.	($155,215) -3.00	R	($155,215) -3.00	R
97 Eliminate CCPS Administration Eliminate 33 positions in Administration by eliminating the Department of Crime Control and Public Safety. Three vacant positions will be eliminated June 30, 2001; thirty (30) additional positions will be eliminated by June 30, 2002.Reduction includes salaries and operating funds. Transfer remaining eleven positions to the Department of Administration on July 1, 2002. General Fund Budget $2,369,291 Budget Reduction FY 02 ($ 155,215) Budget Reduction FY 03 ($1,821,098) Net Transfer $ 392,978			($2,214,076) -41.00	R
Alcohol and Law Enforcement				
98 Eliminate Vacant ALE Positions ALE's budget will be reduced by eliminating one vacant office assistant position and one district supervisor position.	($78,210) -2.00	R	($78,210) -2.00	R
99 Reduce Vehicle Replacement Line Item There will be a non-recurring cut to the vehicle replacement line item.	($433,188)	NR		
100 Eliminate District Supervisor Positions ALE shall eliminate 4 additional district supervisor positions by June 30, 2002.			($266,928) -4.00	R

	FY 2001-02		FY 2002-03	
101 ALE Budget Reductions and Program Transfer			($7,805,212)	R
With the elimination of the Department of Crime Control and Public Safety, Alcohol and Law Enforcement will be transferred to the Department of Justice. ALE's budget will be reduced by eliminating two vacant positions on July 1, 2001 and by eliminating four district supervisors by June 30, 2002.			-132.00	
General Fund Budget $8,150,350 Budget Reduction FY 02 ($ 78,210) Budget Reduction FY 03 ($ 266,928) Net Transfer $7,805,212				
Boxing Commission				
102 Eliminate Boxing Commission	($217,174)	R	($217,174)	R
The Boxing Commission shall cease to exist June 30, 2001.	-3.00		-3.00	
Butner Public Safety				
103 Reduce Vehicle Replacement Line Item	($101,500)	NR		
There will be a one time reduction in the vehicle replacement line item for Butner Public Safety.				
104 BPS Budget Program Transfer			($2,683,264)	
With the elimination of the Department of Crime Control and Public Safety, Butner Public Safety will be transferred to the Department of Health and Human Services on July 1, 2002.			-49.00	
Civil Air Patrol				
105 Civil Air Patrol Program Transfer			($157,349)	R
With the elimination of the Department of Crime Control and Public Safety, the Civil Air Patrol would transfer to the Department of Administration. This transfer is effective July 1, 2002.			-2.00	
Emergency Management				
106 Reduce Misc. Contractual Services	($105,000)	R	($105,000)	R
This item removes money from the Continuation Budget that was intended to fund a study on flood mapping. That study has been completed and the funds no longer need to be budgeted.				
107 Reduce Matching Funds	($125,000)	R	($125,000)	R
Funds have been over budgeted for the State match for federal grants. This item reduced the funding to the actual required amount.				

	FY 2001-02		FY 2002-03	
108 Transfer Mapping Division to Emerg. Mgt.	$93,941	R	$93,941	R
The Administrator for Surveying and Mapping will transfer to the Division of Emergency Management. The responsibilities and staff of the Flood Plan Mapping Unit within Surveying and Mapping will also transfer to Emergency Management. The receipt supported budget is $18,473,555 and the General Fund Budget, which pays the administrator's salary, is $93,941.	9.00		9.00	
109 Eliminate Vacant Emergency Management Positions	($125,106)	R	($125,106)	R
Eliminate three (3) vacant positions in Emergency Management on June 30, 2001.	-3.00		-3.00	
110 Emergency Management Program Transfer			($2,941,497)	R
With the elimination of the Department of Crime Control and Public Safety, the Division of Emergency Management will transfer to the Department of Administration on July 1, 2002.			-150.00	

General Fund Budget	$3,202,662
Transfer from OSBM	$ 93,941
Budget Reductions	($ 355,106)
Net Transfer	$2,941,497

Governor's Crime Commission

111 Transfer Governor's Crime Commission			($1,383,829)	R
With the elimination of the Department of Crime Control and Public Safety, the Governor's Crime Commission will be transferred to the Department of Administration and one clerical position will be eliminated. The transfer will be effective July 1,2002.			-41.50	

General Fund Budget	$1,383,829
Budget Reduction FY 03	($ 25,897)
Net Transfer	$1,357,932

Law Enforcement Support Services

112 Law Enforcement Support Services Program Transfer			($220,631)	R
With the elimination of the Department of Crime Control and Public Safety, the Law Enforcement Support Services program will be transferred to the Department of Justice on July 1, 2002.One clerical support position will be eliminated by June 30, 2002.			-4.00	

GeneralFund Budget	$220,631
Budget Reduction FY 03	($ 35,823)
Net Transfer	$184,808

National Guard

113 Increase State Match Tarheel Challenge	$140,000	R	$140,000	R
The federal match requirement for Tarheel Challenge Program, administered by the NC National Guard, will increase by 5% in FY 2002. The program will be funded on a 60% federal to 40% state match basis beginning FY 2002.				

	FY 2001-02		FY 2002-03	
114 Reduce National Guard Pension Fund Payments	($1,002,776)	R	($1,002,776)	R
The budget will be reduced by $1,002,776 to adjust pension payments to reflect actuarial recommendations. $470,635 of this total was in the Governor's recommendations.				
115 National Guard Program Transfer			($8,718,726)	R
As the Department of Crime Control and Public Safety will be eliminated, the North Carolina National Guard will be transferred to the Department of Administration, effective July 1, 2002.			-106.00	

General Fund Budget	$9,581,502
Program Expansion	$ 140,000
Budget Reduction	($1,002,776)
Net Transfer	$8,718,726

State Highway Patrol

116 Transfer State Highway Patrol			$0	R
With the elimination of the Department of Crime Control and Public Safety, the Division of State Highway Patrol will be transferred to the Department of Transportation. This transfer will take place July 1,2002. As the SHP budget is completely funded by the Highway Fund, which is administered by the Department of Transportation, the item shows here as $0 because it does not affect the General Fund.			0.00	

Budget FY 2002- Highway Fund $138,661,719
Budget FY 2003- Highway Fund $140,977,007
1860 positions will transfer

Victims and Justice Services

117 Eliminate Vacant CSWP Supervisors	($82,776)	R	($82,776)	R
The Community Service Work Program budget will be reduced on July 1, 2001 by eliminating two vacant District Supervisor positions.	-2.00		-2.00	
118 CSWP Budget Reduction and Program Transfer			($7,376,709)	R
With the elimination of the Department of Crime Control and Public Safety, the Community Service Work Program will be transferred to the Department of Corrections to be merged with the Division of Community Corrections. The merger will be complete by July 1, 2002. The CSWP budget will be reduced on July 1, 2001 by eliminating two vacant District Supervisor positions. Twenty-seven additional positions will be eliminated by June 30, 2002.			-200.00	

General Fund Budget	$7,459,485
Budget Reduction FY 02	($ 82,776)
Budget Reduction FY 03	($1,108,196)
Net Transfer	$6,268,513

	FY 2001-02		FY 2002-03	
119 Transfer CVCF and RVAF With the elimination of the Department of Crime Control and Public Safety, the Crime Victims Compensation Fund and the Rape Victims Assistance Fund programs will be transferred to the Department of Administration on July 1, 2002.			($2,128,611) -10.00	R
Total Legislative Changes	**($1,657,316)** **($596,688)**	R NR	**($37,554,148)**	R
Total Position Changes	-4.00		-743.50	
Revised Budget	**$35,300,144**		**$0**	

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday June 7, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- Continue Overview of Senate Justice and Public Safety Budget

  Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The House Appropriations Subcommittee on Justice and Public Safety met on **Thursday, June 7, 2001,** at 8:30 a.m. in Room 415 of the Legislative Office Building. Members present were Representatives Culpepper and Haire, Cochairs; and Representatives Goodwin, Hall, Justus, Kiser and Sexton. A Visitor Registration Sheet is attached and made part of these minutes.

Representative Haire called the meeting to order and introduced the pages serving the committee; Adam Padgett of Harnett County, sponsored by Representative Davis, and Richard Cox Jr. of Randolph County, sponsored by Speaker Black.

Discussion continued regarding the budget for Justice and Public Safety. Jim Mills, committee counsel, explained the budget for the Department of Correction, beginning on page I 11 of the Justice and Public Safety budget (attachment 3), including each reduction per item. He stated that items 74-80 in the Justice and Public Safety Corrections Budget were left out of the continuation budget of the governor when the budget crisis arose but were in an original continuation budget. The Senate put the items back in the budget to be funded.

Representative Kiser questioned items 57 and 59 concerning closing Alamance correctional center and making Scotland correctional center a work release program. He asked if Alamance didn't have more jobs available. He then asked about item 60, regarding an increase in funding for inmate medical costs, and where the funding would come from for the DARE program. Jim Mills explained that the program had not been put in the Senate budget but was added in an amendment reducing funding for inmate medical costs. Representative Kiser then asked about item 66 regarding the closing of IMPACT-West. He asked if the people sentenced to the program would be sentenced to other programs and how many that would be. He was told that it would reduce the capacity by 780 individuals, and those individuals may be sent to other facilities or be on probation. Representative Kiser asked about the impact on the budget for other programs and was told that some programs are not at full capacity so they will not be impacted.

Representative Sexton questioned items 57 and 59 regarding the closing of Alamance correctional center. He asked why one correctional center was being closed and another opened and how that would save money. Jim Mills explained that Scotland correctional center was being converted and would also close if a new prison were constructed in Scotland. Representative Sexton asked about item 60 and if the state is spending any more than the bare minimum on inmate medical costs. Gregg Stahl with the Department of Correction explained that the Department has worked to contain this spending and the medical budget had been short in the past.

Representative Justus asked if the work release program is being cut. Gregg Stahl said the program had not been cut, but there had been a drop in the number of inmates available for work release across the state. There is a trend away from work release as the prison system fills with violent offenders. Representative Justus asked about items 63 and 66, regarding closing Blue Ridge and IMPACT-West, and if the positions that are to be moved were filled or vacant positions at the present time. Jim Mills said the positions are filled, but those people will be given an opportunity to work at another location. Representative Justus asked about item 73 concerning road squad payments. Nells Roseland with the State Budget Office said that the Department of Transportation is responsible for reimbursing the Department of Correction for inmate road squads.

Representative Hall asked about item 70 and 76, regarding the elimination of positions at diagnostic centers and the opening of a new diagnostic unit, and if the positions at the diagnostic centers would be transferable. Jim Mills responded that they would be but that it was not always practical.

Representative Kiser asked about item 73 regarding inmate road squad payments saying that a couple years ago a medium security cost over $100,000 to operate, and he wanted to know if that was still true. Jim Mills told the committee that the biggest part of the cost is not for the inmates but for the supervision correctional officer. Representative Kiser stated that if the Department of Transportation is not willing to pay for inmates to clean up the roads, the inmates should be working elsewhere. Representative Kiser then questioned item 69 concerning inmate disciplinary fees and asked how much was collected in the past year from the disciplinary fees. Jim Mills said the program started in October and has yielded about $30,000 a month since then. Representative Kiser asked the total cost for the Department of Corrections for legal services per year. Jim Mills said it is around $2 million. Representative Kiser asked about the number of segregation facilities and the populations of those. Gregg Stahl said there are about 2,000 people in segregation facilities and many on waiting lists.

Kelly Little, committee counsel, explained items 85-93 of the Correction budget. She said items 85-87 came directly from the Governor's budget cuts. Item 89 expands on cuts that the Governor suggested. Item 91 excludes counties from Criminal Justice Partnership Programs that have not indicated desired participation in the program. It does not affect counties with the programs already in place. Item 93 was from the Governor's recommended budget.

Representative Kiser asked about item 92 regarding the administration cost at the Summit House. Kelly Little explained that their operating cost was over $400,000.

Representative Sexton asked for item 90, regarding Community Service Work Program, to be clarified. Kelly Little explained that the Community Service Work Program was being transferred from the Department of Crime Control and Public Safety upon its closing to the Department of Correction.

Representative Kiser asked what the total budget for the Summit House was last year and was told it was $1.39 million.

Kelly Little explained the budget for the Department of Crime Control and Public Safety beginning on page I 17 of the budget (attachment 3). Item 95 was explained to be a non-recurring reduction in the department's travel budget, which is non-recurring because the department will be eliminated after the second year. Most of the items were explained to be reductions because programs will be shifted to be the responsibility of other departments. Questions regarding the Crime Control and Public Safety budget would be next meeting of the subcommittee.

The meeting was adjourned at 10:00 a.m.

Representative Philip Haire
Presiding Committee Chair

Sara Jane Lennard
Committee Assistant

Adrian Lovelace
Transcribing Committee Assistant

Attachments:

Committee Meeting Agenda
Visitor Registration Sheet
Justice and Public Safety Proposed Budget

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee

Date 6-7-01

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Gregg Dix	PJJPP
Gregg Isbell	DOC
Mike Barham	CCPS
Tony McCoy	CCPS
Eddie Caldwell	NC Sheriffs Assn / NC Law Enf Off Assn
Stephen Bryant	DOT
NELS ROSECAND	OSBM
Malcolm R Hunter	IDS
Michelle Frazier	NC Bar Assoc
David Bliss	ACLU
John McHugh	GOV OFFICE

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Lao Rubert	CJK
Ted Whitted	Senate House
Martha Gloss	DOA
Steve Lusk	AOC
Ken D. Howell	Gov's office
Bob Hobgood	AOC
Jim Johnson	FRP
Cam Cover	BPMHL
David Hawkins	Motorola
Debi [illegible]	SEANT

Attachment #3

JUSTICE
&
PUBLIC SAFETY
Section I

Judicial

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$308,769,898**		**$308,769,898**	

Legislative Changes

1 Reduce Funding for Jury Fees Funding is reduced to reflect recent years' experience. This reduction was part of the Governor's recommended budget and leaves $3.8 Million available for 2001-2.	($370,000)	R	($370,000)	R
2 Eliminate Funds for Unemployment/Workers Comp Funding for unemployment and workers compensation payments is eliminated. Since payments are unpredictable most departments do not budget a specific amount. This reduction was included in the Governor's recommended budget.	($370,066)	R	($370,066)	R
3 Reduce Budgeted Funds for Temporary Services Budgeted funds for temporary personnel are eliminated. This reduction was included in the Governor's recommended budget.	($223,767)	R	($223,767)	R
4 Reduce Budgeted Funds for Administrative Contracts Budgeted funds for administrative contracts are reduced. This reduction was included in the Governor's recommended budget. This includes an $102,000 reduction in contractual funds for the Mecklenburg Speedy Drug Court as more of the operations of this program are now done with employees rather than by contract. Contractual funds are also reduced in administration, Superior Court, District Court, Clerks, District Attorneys, Custody Mediation, Arbitration, Sentencing Services and Drug Treatment Court.	($1,752,652)	R	($1,752,652)	R
5 Reduce Funding for Fringe Benefits Budgeted funds for FICA and Retirement are reduced based on reductions in other personnel items and projections for 2001-2002.This reduction was included in the Governor's recommended budget.	($880,751)	R	($880,751)	R
6 Budgeted Overtime Funding for budgeted overtime is eliminated, since the amount is unpredictable and usually covered with available funds. The Governor recommended a reduction of $42,236 and the subcommittee eliminated the remaining $20,428.	($62,664)	R	($62,664)	R

	FY 2001-02		FY 2002-0	
7 Reduced Facility Lease Expense Because of delays in renovating existing state offices, the projected increase in lease expenses for the Judicial Branch in the Governor's budget can be reduced. An increase of $314,082 remains to cover projected increases in existing leases, the cost of rent for the Business Court, and the annualized cost of new office space leased for Court of Appeals staff.	($182,951)	R	($181,701)	R
8 Reduction in Superior Court Judge Travel Funding is reduced for lodging and meal expenses for Superior Court Judge travel to conferences. Judge's may use their subsistence allowance to cover these expenses.	($103,000)	R	($103,000)	R
9 Judicial Branch Travel Reduction in the total travel budget for the Judicial Branch based on actual expenditures in prior years.	($200,000)	R	($200,000)	R
10 Recalculated Longevity Funding is reduced for longevity payments to court officials and staff based on a recalculation in April 2001.	($500,000)	R	($500,000)	R
11 Eliminate Funding for Blood Borne Pathogens Funding for blood borne pathogens (immunizations) is no longer required.	($16,068)	R	($16,068)	R
12 Eliminate Vacant Superior Court Judgeship Funding is eliminated for a Superior Court Judgeship in District #4B (Onslow County) that was authorized as of December 2000 but never filled.	($152,794) -1.00	R	($152,794) -1.00	R
13 Eliminate Vacant DA Investigator A vacant District Attorney Investigator position in District #29 is eliminated. Not all District Attorneys have investigators and this position has been vacant since March 2000.	($47,525) -1.00	R	($47,525) -1.00	R
14 Eliminate Longstanding Vacancies A part-time Assistant Clerk position (Caswell) and a part-time Magistrate position (Johnston) are eliminated. They have been vacant since August 1999 and January 2000 respectively.	($28,152) -0.75	R	($28,152) -0.75	R
15 Eliminate Senior Deputy Director Position The vacant Senior Deputy Director Position at the Administrative Office of the Courts is eliminated. This leaves 6 Deputy Directors and 1 Assistant Director.	($103,900) -1.00	R	($103,900) -1.00	R
16 Increase Budgeted Receipts for Dispute Resolution The General Fund contribution to the Mediated Settlement Conference in Superior Court and the District Court Mediated Settlement programs are reduced to reflect increased fee collections and operating expenses that have been less than originally anticipated.	($70,251)	R	($70,251)	R

	FY 2001-02		FY 2002-03	
17 Budget Fees for Worthless Check Program Participants in the worthless check program pay a $50 fee which is collected in a non- reverting fund. These funds will be used to offset the expenses of the program, allowing a reduction in the General Fund contribution.	($500,000)	R	($500,000)	R
18 Reduce Funds for Court of Appeals Mediation This program, authorized in the 2000 budget, has not been implemented as of May 2001. Funding is reduced to reflect expectation of limited activity in the first years.	($20,000)	R	($20,000)	R
19 Staff Consolidation in Sentencing Services Two staff positions in central administration are eliminated in the Sentencing Services program. Reductions are effective October 1, 2001.	($85,354) -2.00	R	($113,805) -2.00	R
20 Reduction in Funding for Sentencing Services Funding for Sentencing Services grants/contracts with nonprofit providers are reduced by $100,000 based on the amount left unspent in prior years. $4,189,410 in funding for local programs remains.	($100,000)	R	($100,000)	R
21 Annualization of New Positions The recommended continuation budget did not cover the full-year costs of 42 new positions added during 2000-2001. This item provides funds to annualize all the personnel costs and half the operating costs.	$1,602,574	R	$1,902,574	R
22 Telephone and Data Lines for New Courthouses Funds are added to provide telephone and data lines to new courthouses expected to be completed during the biennium; five courthouses in 2001-2 and one in 2002-3. While county governments are responsible for the construction of court facilities, the Judicial Branch is responsible for providing these lines.	$475,000	NR	$125,000	NR
23 Membership in National DA's Association Funding is continued to allow all 39 District Attorneys to join the National District Attorney's Association. Nonrecurring funding was provided for this purpose in 1999-2000.	$15,000	R	$15,000	R
Total Legislative Changes	**($4,152,321)** **$475,000**	R NR	**($3,879,522)** **$125,000**	R NR
Total Position Changes	-5.75		-5.75	
Revised Budget	**$305,092,577**		**$305,015,376**	

Judicial - Indigent Defense

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	$66,660,467		$66,660,467	
Legislative Changes				
24 Increase Budgeted Receipts General Fund budget is reduced to reflect a substantial increase in the amount collected through counselor fee judgments and set-off debt collection .	($750,000)	R	($750,000)	R
25 Reduce Funding to NC State Bar Funding to the NC State Bar is reduced by $1.66 Million. This is the portion that has gone to Legal Services of North Carolina. As of July 1, 2001, Legal Services will receive a portion of court fee collections instead (Special Provision AOC-S2).	($1,660,000)	R	($1,660,000)	R
26 Authorize Assistant Public Defender Positions The Office of Indigent Defense Services may establish up to 3 assistant public defender positions in lieu of using assigned counsel in statewide programs or areas with established Public Defenders. OIDS may use up to $238,884 in 2001-2 and $224,316 in 2002-3 from the indigent fund to establish these positions, at no additional cost to the General Fund.	$0 3.00	R	$0 3.00	
27 Authorize PD Support Staff Positions The Office of Indigent Defense Services may establish up to 3 support positions (legal assistants, investigators, administrative assistants) in statewide programs or areas with established Public Defenders. OIDS may use up to $170,145 in 2001-2 and $154,923 in 2002-3 from the indigent fund to establish these positions, at no additional cost to the General Fund.	$0 3.00	R	$0 3.00	R
28 Annualization of New Positions The continuation budget did not cover the full-year costs of 5 new positions added during 2000-2001. This item provides funds to annualize the personnel costs and the operating costs.	$191,643	R	$191,643	R
29 Increase Funding for Indigent Defense The Governor's Budget recommends this funding increase to cover growing costs of indigent defense. This brings the total General Fund contribution to $46.2 Million. Projected expenses for 2001-2 are about $54 Million.	$5,565,313	R	$5,565,313	R

Senate Subcommittee on Justice and Public Safety	FY 2001-02		FY 2002-03	
Total Legislative Changes	**$3,346,956**	R	**$3,346,956**	R
Total Position Changes	6.00		6.00	
Revised Budget	**$70,007,423**		**$70,007,423**	

Justice

	GENERAL FUND	
	FY 2001-02	FY 2002-03
Recommended Budget	$76,471,632	$76,471,632

Legislative Changes

30 Decrease General Fund Appropriation The general fund appropriation is decreased to offset increased revenue/receipts.	($500,000)	R	($500,000)	R
31 LESS Transfer to Justice With the elimination of the Department of Crime Control and Public Safety, the Law Enforcement Support Services Program will be transferred to the Department of Justice.			$184,808 3.00	R
32 Vehicle Replacement Reduce vehicle replacement funds by $922,018. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($922,018)	NR		
33 ALE Transfer With the elimination of the Department of Crime Control and Public Safety, Alcohol and Law Enforcement is transferred to the Department of Justice.			$7,805,212 132.00	
34 Funding for Traffic Law Enforcement Funds to implement SB 147 which requires the Department of Justice to collect and analyze race, ethnicity, and other data about traffic stops made by county and certain municipality local law enforcement officers.	$260,000	R	$260,000	R
35 Annualization of Position Costs Annualization costs of 8 Tort Claims and SBI Laboratory positions established during FY00-01. These costs were omitted from the Governor's Recommended Budget.	$155,424	R	$155,424	R
36 Eliminate Vacant Positions The Governor's Budget recommends the elimination of 8 vacant positions. The Department of Justice submitted the following 9 positions: Media Technician I(3615-0000-0004-815) CJ Training Coordinator I (3615-0000-0004-603) Paralegal II (3612-0000-0000-185) Attorney I (3612-0000-0000-207) Attorney I (3612-0000-0000-254) Social Research Assoc II (3612-0000-0000-080) Office Asst IV (3613-0000-0003-115) Office Asst IV (3613-0000-0003-013) CJ Spec/Investigator III (3613-0000-0003-012)	($386,338) -9.00	R	($386,338) -9.00	R

	FY 2001-02		FY 2002-03	
37 Reduce Various Contracts and Expense Items The Governor's budget recommends reduced funding for various administrative line items related to personal and purchased services.	($529,925)	R	($529,925)	R
38 Eliminate the Office of the Inspector General Effective October 1, 2001, eliminate the Office of the Inspector General. The functions performed by this office duplicates those responsibilities carried out by the Department of Health and Human Services and county social services offices.	($375,000) -9.00	R	($500,000) -9.00	R
Total Legislative Changes	**($1,375,839)** **($922,018)**	R NR	**$6,489,181**	R
Total Position Changes	-18.00		117.00	
Revised Budget	**$74,173,775**		**$82,960,813**	

Juvenile Justice & Delinquency Prevention

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$147,706,045**		**$149,456,045**	
Legislative Changes				
40 Management Information System Support Annualization of costs related to M.I.S. positions and recurring J-NET communications cost established during Fiscal Year 2000-01. These costs were omitted from the Governor's Recommended Budget.	$1,352,545	R	$1,352,545	R
Administrative Services				
41 Eliminate Vacant Position Effective July 1, 2001, eliminate vacant central office Program Coordinator position (#00119), which has been vacant since January 1, 2000.	($48,031) -1.00	R	($48,031) -1.00	R
42 Reduce Vehicle Replacement Funds Funding for vehicle replacement is reduced by $251,280. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($251,280)	NR		
Intervention/Prevention				
43 JCPC Discretionary Funds Eliminate discretionary JCPC funds. This will not reduce the amount of formula grant funding provided to counties.	($1,800,000)	R	($1,800,000)	R
44 Eliminate Vacant Positions Effective July 1, 2001, eliminate vacant administrative secretary and processing assistant positions.	($66,000) -2.00	R	($66,000) -2.00	R
Special Initiatives				
45 Camp Woodson East Reduce the operating funds for Camp Woodson East due to delayed opening date of October 1, 2001.	($155,000)	NR		
46 Multipurpose Group Home Eliminate operating funds budgeted for the multipurpose group home which has not been constructed.	($500,000)	R	($500,000)	R
47 Eliminate G.R.A.S.P. Contract Effective October 1, 2001, eliminate contract funds budgeted for the Guard Response Alternative Sentencing Program. Program referrals and enrollments are significantly below capacity.	($253,000)	R	($338,000)	R

	FY 2001-02		FY 2002-03	
48 Boys and Girls Clubs Reduce budget by the amount of funds targeted for the 3 eligible but non-participating counties originally specified for this initiative (Chowan, Columbus, & Martin).	($100,000)	R	($100,000)	R
49 Teen Courts Reduce FY2001-02 funds appropriated to DJJDP for Teen Court Programs by half. In FY2002-03, eliminate all appropriations to DJJDP for Teen Court Programs. Currently 18 specified county teen court programs receive these funds. Should these programs wish to continue operating at their current budgeted level, they should seek replacement funds from their county JCPCs or other sources.	($244,330)	R	($488,660)	R
Youth Development				
50 Pilot Multifunctional Facility The Governor's Budget recommends elimination of funds to contract for a privately constructed and operated residential facility for juvenile offenders. Only one bid was received. The bid was over the amount budgeted and the proposed budget was not cost-effective according to DJJDP.	($2,500,000)	R	($2,500,000)	R
51 Police Department - JEC DJJDP operates a police unit for the Juvenile Evaluation Center Training School and for surrounding DHHS facilities. The Governor's Recommended Budget eliminates the portion of the police force that serves the JEC, thus reducing the budget by $224,157 and 6.0 positions. The premise for this reduction is that with the installation of a high security fence and reallocation of current staff, a police force is no longer needed at JEC. The Governor's Budget also recommends that the remaining budget and positions be transferred to the Department of Health and Human Services. However, the remaining budget and positions shall be eliminated for a total reduction of $417,411 and 11.0 positions.	($417,411) -11.00	R	($417,411) -11.00	R
52 Close Wilkes Detention Facility The Governor's Recommended Budget would close the Wilkes Detention Center because it is not cost- effective to operate. Staff and juveniles will be relocated to the new Alexander Detention Center.	($413,465) -18.00	R	($413,465) -18.00	R
53 Eliminate Vacant Positions at Training Schools Effective July 1, 2001, eliminate 19 vacant positions at various training schools (youth development centers): 14 Counselor Technicians 4 Cottage Parents 1 Cottage Parent Supervisor These classifications maintain a high vacancy rate and the 19 positions are unlikely to be filled.	($560,160) -19.00	R	($560,160) -19.00	R
54 Increase Detention Center Receipts Reduce the General Fund appropriation to offset increased Detention Center receipts.	($350,000)	R	($350,000)	R

Senate Subcommittee on Justice and Public Safety	FY 2001-02		FY 2002-[redacted]	
55 Eliminate Vacant Teaching Positions	($88,467)	R	($88,467)	R
Effective July 1, 2001, eliminate 2 vacant teacher positions: one at Samarkand (vacant since Dec. 99) and one at Dillon (vacant since January 2000).	-2.00		-2.00	
56 Reduce Behavioral Specialists Positions	($679,951)	R	($1,058,688)	R
As recommended by the Training School Staffing Study, eliminate 30 Behavioral Specialists positions by the following dates: Eliminate 11 positions effective July 1, 2001 Eliminate 9 positions effective October 1, 2001 Eliminate 10 positions effective April 1, 2002	-30.00		-30.00	
Total Legislative Changes	**($6,668,270)**	R	**($7,376,337)**	R
	($406,280)	NR		
Total Position Changes	-83.00		-83.00	
Revised Budget	**$140,631,495**		**$142,079,708**	

Correction

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$931,350,075**		**$931,350,075**	
Legislative Changes				
56 Reduce Inmate Food Budget The Governor recommended a reduction of $2,197,549 each year based on the improved efficiency of inmate food service and a resulting decrease in expenditures. It is anticipated that DOC will be able to decrease expenditures further compared to the recommended budget for each year. The food budget shall be reduced by an additional $2 million for a total of $4,197,549.	($4,197,549)	R	($4,197,549)	R
57 Convert Scotland Correctional Center The Governor recommended closing Scotland Correctional Center. Instead, Scotland shall be converted to an inmate work release unit effective October 1, 2001. The reduction shown in the first year is the net amount after subtracting the cost of purchasing two vans to transport up to 30 work release inmates and adding two transportation officers and a work release coordinator. The reduction is possible because fewer staff are needed to supervise Level III minimum custody inmates.	($28,612) -3.00	R	($90,192) -3.00	R
58 Medical Transportation Officers This reduction in the number of correctional officers that transport inmates is possible because DOC has reduced medical contracts and hired more in-house doctors, thus reducing travel for medical purposes.	($263,249) -11.00	R	($315,843) -11.00	R
59 Close Alamance Correctional Center Alamance currently operates as a minimum custody work release unit. The Governor recommended closing this prison consistent with the GPAC recommendations. Cost per day and the declining need for minimum custody beds was also considered. Alamance's cost per day in 1999-2000 was $66.89 compared to $52.52 for the average minimum custody unit. The Subcommittee also reduced the remaining funds in the Alamance inmate budget by 50 per cent. The prison would close August 1, 2001.	($879,887) -27.00	R	($952,882) -27.00	R
60 Increase Funding for Inmate Medical Costs The continuation budget did not sufficiently cover medical and prescription drug costs for inmates. This item provides additional funding for this purpose.	~~$7,125,000~~ $7,103,598	R	~~$7,000,000~~ 6,971,464	R

	FY 2001-02		FY 2002-0	
61 Reduce Funding for Vehicle Replacement The Governor's Recommended Budget reduced this item by $396,000 on a recurring basis. The total non-recurring reduction shall be $1,430,062. This reduction basically limits vehicle replacement to only the highest priority purchases in FY 2001-02.	($396,000) ($1,430,062)	R NR	($396,000)	R
62 Reduce Program Staffing in Prisons The current program staffing ratio is one staff person for every 52 inmates. This reduction would increase the ratio to approximately one person for 56 inmates by 2002-03. The reduction of 14 positions is to be carried out system-wide from among the 606 program positions. Positions to be eliminated are: Program Director (1) Program Assistant Supervisors (5) Program Assistant II's (4) Program Assistant I's (4)	($308,381) -14.00	R	($411,174) -14.00	R
63 Close Blue Ridge Correctional Center Blue Ridge Correctional Center is a minimum custody facility for young adult inmates (ages 18 to 24). The unit was established primarily as one of two operating centers for the BRIDGE program. BRIDGE is a cooperative effort with DOC and DENR to train youthful offenders in wildfire fighting and conservation projects. The BRIDGE program also exists at Western Youth Center. The BRIDGE inmates and staff will be transferred to Western and the remaining positions will be reduced, effective August 1. Cost to operate the facility was $91 a day in 1999-2000.	($1,046,577) -30.00	R	($1,125,022) -30.00	R
64 Reduce funding for MIS contractual Services DOC has reorganized MIS staff to improve efficiency and re-prioritize projects to allow this reduction, as recommended in the Governor's Budget.	($200,000)	R	($200,000)	R
65 Reduce Office and Data Processing Equipment Reduce funding in the office equipment ($200,000) and data processing equipment ($200,000)line items as recommended in the Governor's Budget.	($400,000)	R	($400,000)	R
66 Close IMPACT-West The IMPACT (Boot Camp) program for probationers located in Morganton will be closed September 1, 2001. The program has not been effective in reducing recidivism and probation revocation and the program for women has had few participants. This leaves an 180 bed program for men at Hoffman.	($2,380,133) -68.00	R	($2,843,995) -68.00	R
67 Reduce Travel Budget Reductions will be taken in the travel, meals and lodging line items for the Division of Prisons and the Division of Community Corrections, as recommended in the Governor's budget. The Subcommittee makes the cut recurring.	($260,000)	R	($260,000)	R

	FY 2001-02		FY 2002-03	
68 DOC Management Budget The non-salary line item budget for DOC management was reduced on a non-recurring basis in 1999-2000 and restored in the Governor's Recommended Budget. This budget makes the reduction recurring	($300,000)	R	($300,000)	R
69 Inmate Disciplinary Fees Adjust inmate disciplinary fees to reflect projected collections and reduce General Fund. The Governor's Budget recommended a $120,000 reduction in the General Fund. The reduction shall be $220,000, based on the latest collection figures.	($220,000)	R	($220,000)	R
70 Reception and Diagnostic Centers Based on overstaffing compared to workload guidelines, eight positions shall be eliminated. Positions to be eliminated are: 2 Case Analysts 3 Processing Assts. 1 Admissions Tech 1 Supervisor 1 Behavioral Specialist	($170,651) -8.00	R	($213,314) -8.00	R
71 Increase Work Release Transportation Fee Work release inmates pay a fee to DOC for transportation to their jobs. Increase this fee from $2 to $2.50 to allow for a General Fund reduction.	($33,500)	R	($33,500)	R
72 Increase Work Release Fee Increase the fee charged to inmates for work release by $1, from $15 a day to $16. This allows a reduction in the General Fund.	($307,000)	R	($307,000)	R
73 Inmate Road Squad Payments DOT reimburses DOC for the cost of operating inmate road squads. DOT shall reimburse DOC $8.5 million during 2001-02 and 2002-03, an increase of $1.5 million over the estimated receipt amount for each year. The amount is increased to reflect increased road squad activity and DOC actual costs for road squads. This transfer allows a reduction in the General Fund. DOT shall also transfer a one-time payment in 2001-02 for road squad activity carried out in this fiscal year (2000-01). DOT has not reimbursed DOC for the full $7 million amount directed in HB 168 so it is directed that this payment be made in 2001-02.	($1,500,000) ($1,811,628)	R NR	($1,500,000)	R
74 Annualize Medical Positions The Governor's 1999 budget inadvertently left out annualization of DOC medical positions funded in 1997. This amount annualizes those positions, which are already established.	$949,977	R	$949,977	R
75 Open New Dorm and Kitchen at Women's Prison A new 208 bed dorm and kitchen are due to open September 1, 2001. The Governor's Recommended Budget did not provide funding to operate these buildings	$1,036,418 41.00	R	$1,381,252 41.00	R

	FY 2001-02		FY 2002-0	
76 Open New Central Prison Diagnostic Unit	$1,875,760	R	$2,785,545	R
A new 192 bed prison and diagnostic center building is due to open August 1, 2001. The funding, which was not included in the Governor's Recommended Budget, is to operate the new building.	79.00		79.00	
77 Staffing Warrenton Segregation Building	$700,000	R	$700,000	R
This unit was converted from medium custody to high level segregation but funds for additional staff were not recommended in the Governor's budget. This budget partially funds the amount requested by DOC.	24.00		24.00	
78 Operating Funds for Fountain Correctional Center	$477,631	R	$477,631	R
DOC constructed a new segregation unit at Fountain and a new Central Control room, both due to open in May, 2001. This item funds operating costs for these buildings, which were not included in the Governor's budget, effective July 1, 2001.	16.00		16.00	
79 Contract with Prisoner Legal Services	$265,787	R	$265,787	R
Funding is provided for an increase in the contract between DOC and PLS for PLS to provide legal services to inmates. The increase was previously negotiated and agreed upon by both parties.				
80 Funding to Operate two Former Private Prisons	$3,000,000	R	$3,000,000	
DOC is now operating Pamlico and Mt. View as State prisons. The prisons were formerly run by a private contractor for DOC. The amount funded is to cover increased DOC operating costs. DOC is already operating these prisons.				
81 Convert Prison to Close Custody – Mt View	$894,676	R	$1,929,569	R
Convert Mountain View Prison, a single cell medium custody prison to a close custody prison, effective January 1, 2002	$152,850	NR		
	61.00		61.00	
82 Convert Prison to Close Custody - - Pamlico	$0	R	$1,734,339	R
Convert Pamlico, a single cell medium custody prison, to a close custody prison, effective August 2002.			$141,396	NR
			61.00	
83 Reentry Program				
Continue funding for one more year for program designed to provide inmates with skills needed to function in the community upon release. Training is part of program operated by UNC Chapel Hill.	$130,000	NR		
84 ECO Family Counseling Program				
Continue funding for program funded in 2000-01 to provide counseling and services for families of inmates. Program is operated by a non-profit organization, Energy for Committed Offenders, Inc.	$60,000	NR		

	FY 2001-02		FY 2002-03	
Alcoholism and Chemical Dependency Programs				
85 Reduce Personal Services Contract The department provides seed money to contract with community service providers of substance abuse services for DART-Cherry community aftercare. The State provides substance abuse services through 39 Area Mental Health Programs. To avoid duplication of services, this cut would eliminate personal services contracts. This is a Governor's recommendation.	($225,000)	R	($225,000)	R
86 Reduce Substance Abuse Aftercare The department provides in-house, substance abuse residential services to inmates. Aftercare services are provided through contracts with private providers to inmates who return to the general population. This would eliminate aftercare service contracts with private providers. This is a Governor's recommendation.	($105,000)	R	($105,000)	R
87 Terminate Substance Abuse Contracts Eliminate State contracts with Cornell($1,185,700) and Right Turn ($1,820,477. These substance abuse services can be delivered using existing services and resources now available in the department. This is a Governor's recommendation.	($3,006,177)	R	($3,006,177)	R
88 Community Substance Abuse The General Assembly appropriated $100,000 NR for FY 2001 to fund a community program in Northhampton County that works with substance abuse offenders. This item is to continue that funding on a non-recurring basis.	$100,000	NR		
Division of Community Corrections				
89 Reduce Various DCC Budget Line Items Reduce Division of Community Corrections Administration travel budget by $6,000; Reduce office and data processing equipment by $60,000; reduce cell phone expenditures by $41,750.	($107,750)	R	($107,750)	R
90 CSWP Budget Reduction and Program Transfer With the elimination of the Department of Crime Control and Public Safety, the Community Service Work Program will be transferred to the Department of Correction, to be merged with Division of Community Corrections. The merger will be complete by June 30, 2002.			$6,268,513 173.00	R
91 Criminal Justice Partnership Program The Criminal Justice Partnership Program awards grants to participating counties to fund local community corrections programs. The Department of Correction will limit CJPP implementation funding to the counties currently participating in the program, allowing for a reduction of $270,000. An additional $1 million will be eliminated to reduce budget to reflect current spending trends. This is a Governor's recommendation.	($1,270,000)	R	($1,270,000)	R

Senate Subcommittee on Justice and Public Safety	FY 2001-02		FY 2002-03	
92 Reduce Appropriation to Summit House Inc. The General Assembly will reduce the annual appropriation to Summit House Inc. by 10%.This reduction shall not result in a reduction to individual sites, but to the Summit House Inc. State Office.	($139,650)	R	($139,650)	R
Post Release Supervision and Parole Commission				
93 Abolish Vacant Parole Commission Positions With the passage of the Structured Sentencing Act, the number of parolees has declined. Therefore, the Parole Commission staff will be reduced by eliminating two vacant positions. This is a Governor's recommendation.	($78,000) -2.00	R	($78,000) -2.00	R
Total Legislative Changes	**($1,497,867)** **($2,798,840)**	**R** **NR**	**$7,794,565** **$141,396**	**R** **NR**
Total Position Changes	58.00		292.00	
Revised Budget	**$927,053,368**		**$939,286,036**	

Crime Control and Public Safety

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	$37,554,148		$37,554,148	

Legislative Changes

95 Reduce Travel Budget
The Department will reduce the travel budget department wide by 10%.

($62,000) NR

Administration

96 Eliminate Vacant Positions in CCPS Administration
Three vacant positions in the Administration Division will be eliminated June 30, 2001.

($155,215) R
-3.00

($155,215) R
-3.00

97 Eliminate CCPS Administration
Eliminate 33 positions in Administration by eliminating the Department of Crime Control and Public Safety. Three vacant positions will be eliminated June 30, 2001; thirty (30) additional positions will be eliminated by June 30, 2002.Reduction includes salaries and operating funds.

Transfer remaining eleven positions to the Department of Administration on July 1, 2002.

General Fund Budget	$2,369,291
Budget Reduction FY 02	($ 155,215)
Budget Reduction FY 03	($1,821,098)
Net Transfer	$ 392,978

($2,214,076) R
-41.00

Alcohol and Law Enforcement

98 Eliminate Vacant ALE Positions
ALE's budget will be reduced by eliminating one vacant office assistant position and one district supervisor position.

($78,210) R
-2.00

($78,210) R
-2.00

99 Reduce Vehicle Replacement Line Item
There will be a non-recurring cut to the vehicle replacement line item.

($433,188) NR

100 Eliminate District Supervisor Positions
ALE shall eliminate 4 additional district supervisor positions by June 30, 2002.

($266,928) R
-4.00

	FY 2001-02		FY 2002-0	
101 ALE Budget Reductions and Program Transfer			($7,805,212)	R
With the elimination of the Department of Crime Control and Public Safety, Alcohol and Law Enforcement will be transferred to the Department of Justice. ALE's budget will be reduced by eliminating two vacant positions on July 1, 2001 and by eliminating four district supervisors by June 30, 2002.			-132.00	
General Fund Budget $8,150,350 Budget Reduction FY 02 ($ 78,210) Budget Reduction FY 03 ($ 266,928) Net Transfer $7,805,212				
Boxing Commission				
102 Eliminate Boxing Commission	($217,174)	R	($217,174)	R
The Boxing Commission shall cease to exist June 30, 2001.	-3.00		-3.00	
Butner Public Safety				
103 Reduce Vehicle Replacement Line Item				
There will be a one time reduction in the vehicle replacement line item for Butner Public Safety.	($101,500)	NR		
104 BPS Budget Program Transfer			($2,683,264)	
With the elimination of the Department of Crime Control and Public Safety, Butner Public Safety will be transferred to the Department of Health and Human Services on July 1, 2002.			-49.00	
Civil Air Patrol				
105 Civil Air Patrol Program Transfer			($157,349)	R
With the elimination of the Department of Crime Control and Public Safety, the Civil Air Patrol would transfer to the Department of Administration. This transfer is effective July 1, 2002.			-2.00	
Emergency Management				
106 Reduce Misc. Contractual Services	($105,000)	R	($105,000)	R
This item removes money from the Continuation Budget that was intended to fund a study on flood mapping. That study has been completed and the funds no longer need to be budgeted.				
107 Reduce Matching Funds	($125,000)	R	($125,000)	R
Funds have been over budgeted for the State match for federal grants. This item reduced the funding to the actual required amount.				

	FY 2001-02		FY 2002-03	
108 Transfer Mapping Division to Emerg. Mgt.	$93,941	R	$93,941	R
The Administrator for Surveying and Mapping will transfer to the Division of Emergency Management. The responsibilities and staff of the Flood Plan Mapping Unit within Surveying and Mapping will also transfer to Emergency Management. The receipt supported budget is $18,473,555 and the General Fund Budget, which pays the administrator's salary, is $93,941.	9.00		9.00	
109 Eliminate Vacant Emergency Management Positions	($125,106)	R	($125,106)	R
Eliminate three (3) vacant positions in Emergency Management on June 30, 2001.	-3.00		-3.00	
110 Emergency Management Program Transfer			($2,941,497)	R
With the elimination of the Department of Crime Control and Public Safety, the Division of Emergency Management will transfer to the Department of Administration on July 1, 2002.			-150.00	

General Fund Budget	$3,202,662
Transfer from OSBM	$ 93,941
Budget Reductions	($ 355,106)
Net Transfer	$2,941,497

Governor's Crime Commission

111 Transfer Governor's Crime Commission			($1,383,829)	R
With the elimination of the Department of Crime Control and Public Safety, the Governor's Crime Commission will be transferred to the Department of Administration and one clerical position will be eliminated. The transfer will be effective July 1,2002.			-41.50	

General Fund Budget	$1,383,829
Budget Reduction FY 03	($ 25,897)
Net Transfer	$1,357,932

Law Enforcement Support Services

112 Law Enforcement Support Services Program Transfer			($220,631)	R
With the elimination of the Department of Crime Control and Public Safety, the Law Enforcement Support Services program will be transferred to the Department of Justice on July 1, 2002.One clerical support position will be eliminated by June 30, 2002.			-4.00	

General Fund Budget	$220,631
Budget Reduction FY 03	($ 35,823)
Net Transfer	$184,808

National Guard

113 Increase State Match Tarheel Challenge	$140,000	R	$140,000	R
The federal match requirement for Tarheel Challenge Program, administered by the NC National Guard, will increase by 5% in FY 2002. The program will be funded on a 60% federal to 40% state match basis beginning FY 2002.				

	FY 2001-02		FY 2002-03	
114 Reduce National Guard Pension Fund Payments	($1,002,776)	R	($1,002,776)	R
The budget will be reduced by $1,002,776 to adjust pension payments to reflect actuarial recommendations. $470,635 of this total was in the Governor's recommendations.				
115 National Guard Program Transfer			($8,718,726)	R
As the Department of Crime Control and Public Safety will be eliminated, the North Carolina National Guard will be transferred to the Department of Administration, effective July 1, 2002.			-106.00	

General Fund Budget	$9,581,502
Program Expansion	$ 140,000
Budget Reduction	($1,002,776)
Net Transfer	$8,718,726

State Highway Patrol

116 Transfer State Highway Patrol			$0	R
With the elimination of the Department of Crime Control and Public Safety, the Division of State Highway Patrol will be transferred to the Department of Transportation. This transfer will take place July 1,2002. As the SHP budget is completely funded by the Highway Fund, which is administered by the Department of Transportation, the item shows here as $0 because it does not affect the General Fund.			0.00	

Budget FY 2002- Highway Fund $138,661,719
Budget FY 2003- Highway Fund $140,977,007
1860 positions will transfer

Victims and Justice Services

117 Eliminate Vacant CSWP Supervisors	($82,776)	R	($82,776)	R
The Community Service Work Program budget will be reduced on July 1, 2001 by eliminating two vacant District Supervisor positions.	-2.00		-2.00	
118 CSWP Budget Reduction and Program Transfer			($7,376,709)	R
With the elimination of the Department of Crime Control and Public Safety, the Community Service Work Program will be transferred to the Department of Corrections to be merged with the Division of Community Corrections. The merger will be complete by July 1, 2002. The CSWP budget will be reduced on July 1, 2001 by eliminating two vacant District Supervisor positions. Twenty-seven additional positions will be eliminated by June 30, 2002.			-200.00	

General Fund Budget	$7,459,485
Budget Reduction FY 02	($ 82,776)
Budget Reduction FY 03	($1,108,196)
Net Transfer	$6,268,513

	FY 2001-02		FY 2002-03	
119 Transfer CVCF and RVAF With the elimination of the Department of Crime Control and Public Safety, the Crime Victims Compensation Fund and the Rape Victims Assistance Fund programs will be transferred to the Department of Administration on July 1, 2002.			($2,128,611) -10.00	R
Total Legislative Changes	**($1,657,316)** **($596,688)**	R NR	**($37,554,148)**	R
Total Position Changes	-4.00		-743.50	
Revised Budget	**$35,300,144**		**$0**	

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday June 12, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- Overview of Senate Justice and Public Safety Budget

  Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Appropriations Subcommittee on Justice and Public Safety met on **Tuesday, June 12, 2001** at 8:30 a.m. in Room 415 LOB. The following members of the House were present:

Rep. Bill Culpepper	Rep. Wayne Sexton
Rep. Phillip Haire	Rep. John Hall
Rep. Wayne Goodwin	Rep. Joe Kiser
Rep. Larry Justus	

A visitor's registration sheet is attached and made part of these minutes.

Representative William Culpepper chaired the meeting. After welcoming everyone, Representative Culpepper recognized the pages.

Representative Culpepper announced that the meeting would begin with a continuation of the **Special Budget Provisions re: Senate Justice and Public Safety** (Handout #1) by Elisa Wolper. The Chair asked that questions be held until each department finished their presentation.

The handout is taken directly from the bill that is the Senate Budget and starts on page 133. Ms. Wolper went through each section regarding the Judicial Department and explained what was new or revised with additional language. The Chair then opened the floor for questions.

Question Representative Justus. With reference to Section 22.10, how much increase in the $590,000 to the Bar Association? It was explained that it was the identical amount for last two years at that level.

Follow-up Representative Justus. How about before that?

Response regarding 5-year sequence: $250,000; then $500,000; then $570,000 until the level of $590,000 for the past two years.

Follow-up Representative Justus. It seems like what we are doing is getting right back into financing just like we have in the past years.

Question Representative Kiser: On Page 142, Section 22.14, is this entirely new?

Yes, there has not been a prior earmarking of court fees – the funding to the State Bar came from the general funds.

Follow-up. If I have calculated right, a $750,000 estate would pay a fee of $3,000?

Ms. Wolper explained that there was no change in estate fees in this provision. There was an increase last year.

Follow-up. Why is it here if there is no change?
This takes all the statutes which dictate what court fees are in different cases, superior, civil, criminal, and then where previously the money went to the general fund, this has follows each of the statutes and says the first $1.15 will go to the State Bar.

The Chair further explained that the fee did not increase.

Representative KiserFollow-up. When did it change? Last year?

Ms. Wolper explained there was an increase in court fees last year, but not on the cents per $100 part of the estate fee.

The Chair recognized Judge Hobgood who explained with regards to estates and the initial 90-day inventory, if you get above a certain level it there is a maximum owed of $3,000.00.

Follow-up Representative Kiser. So everyone pays the $30.00 fee plus an additional 40 cents per $100.00 for a maximum of $3,000.00?

Judge Hobgood replied yes, that is correct.

Question Representative Justus. Referencing on page 144, Section 22.14.(g), what is that?

Ms. Wolper replied that is the access to Civil Justice Act that sets up the initial funding and use of state funds by the Legal Services programs.

Representative Justus. We have increased the indigent funds by $4 million and now we have two dedicated fees going to access Civil Justice. We don't know how much money that is. So is there any way to determine total monies spent toward Access Civil Justice?

Chairman responded that staff could sit down and calculate those figures for the committee.

Representative Justus. Is not some of this money going into indigent defense?

Chair asked. Which money Representative Justus?

Response Representative Justus. The $1.15.

Chair responds. No sir, I don't believe so. Elisa, could you refresh our recollection. Is it not two items that were deleted from the general fund that were replaced by this?

There is a reduction of $1.66 million that had gone from the general fund to the Office of Indigent Defense Services. That is the amount that had previously gone to the State Bar. Under this provision, if the volume of court fees went up, legal services would realize an increase in

receipts. If the volume went down, they would realize a loss. At the time this bill was drafted, the $1.15 was based on last year's collections. Now we have more current data that amount will be updated to probably $1.06 or $1.07. But the intent of the provision was to have it be a wash.

Chair inquired if the $166 million was the same as last year and was told yes it was.

Question Representative Kiser. Page 137-38, Collection of Worthless Checks Fund. If you are going to use this money for something else, is the worthless check program being paid from general funds? For the past four years I think we have had these, did that fund just sit there and accumulate.

Ms. Wolper replied it was just an oversight on several parties until this year.

Chair said that the worthless check program was being funded out of the general fund and now there are some changes being made?

Ms. Wolper explained that program had been entirely funded under general funds through this year. Under the proposed Senate Budget, future receipts will be credited to that program. We are projecting for the coming fiscal year. We are not projecting that it will be totally fee supported, but I would not be surprise for it to be fee supported down the road.

Question Representative Kiser. I don't see anything in here about salary reserves.

Chair responded that is apparently handled administratively and not legislatively.

There being no further questions on the Judicial Special Provisions, the Chair thanked Ms. Wolper.

Chairman Culpepper then requested Denise Thomas to present the Department of Justice starting on Page 144.

Ms. Thomas went through each section offering explanations to revisions, continued items and new.

Question Representative Kiser. On Page 148, Section 23.8, what are these receipts (Attorney General Retain Receipts)? How many dollars would be generated by this last year? Why do they get to use it for automobiles when other people are so restricted?

Ms. Thomas responded that they were currently working with the Department now in trying to get an estimate on totals collected and reverted in the past. So we are still working on this.

Follow-up Representative Kiser. You mean the Senate passed this special revision and they don't know what the receipts were or how much money was generated by it? And they told the Department that they could keep this money to buy automobiles?

Chair inquired if they (Senate) knew what the figure is?

Ms. Thomas stated that they do not know what the figure. This is in response to a line we have in the money report to decrease the general fund appropriations to the Department of Justice in recognition that receipts had increased over the past biennium and what was included in the Governor's budget was significantly below what they have actually realized in the past three years.

Follow-up Representative Kiser. No further questions at this time.

Question Representative Sexton. On Page 148, Section 23.7(2a)(o)(2), it seems to me that here we are asking law enforcement in counties to do traffic stops, and that is not their primarily goal, is it?

Chair responded saying that would probably differ from county to county. They are not supposed to be out there enforcing traffic laws. Let's ask Representative Kiser to respond since he's a former sheriff.

Representative Kiser. What we try to do, if a traffic law is broken and the officer saw it, and then he responded to it. He didn't ignore breaking of the law. But to go out here and set up shop like the Highway Patrol might do, we had other things to do.

Representative Hall. Evidently one of my counties doesn't have much to do because they go out and set up radar detectors. Is that permissible or do I need to ask them to stop doing that?

Chair stated that was an interesting question. Representative Kiser, do sheriffs have the right to operate radar?

Representative Kiser responded that they do have the right but felt it was unwise for them to do things like that because doing that while someone's house got broken into would bring about much criticism. Ninety percent of counties would not have enough officers to do patrolling and traffic control. Let the Highway Patrol do what they needed to do and the Sheriff's Departments do their job of protecting the citizens.

Comment Representative Hall. We need to fix this problem because I do have one county that's doing traffic stops and checks and using radar.

Representative Goodwin. On the same point, how many municipalities would fall in that position as defined in the above-referenced, Page 148, Section 23.7(2a)(o)(2)?

Ms. Thomas stated approximately 150.

Follow up Representative Goodwin. How was formula derived?

Ms. Thomas said she would refer to Kelly Little who worked on the fiscal note.

Ms. Little said that section was put in there because the thought was that the bill sponsor thought that everyone who stopped traffic would fill out the forms for traffic stops. Realizing that would be an undue burden on agencies with a small amount of law enforcement officers the way he determined you could get as many municipalities as possible without creating an undue burden upon those under staffed if a law enforcement agency has five or more sworn officers per 1,000 in population they have to cover, then they would have sufficient staff to do this traffic form. It takes about an additional 5 minutes to fill out which can add up if you are making a lot of stops. The theory was that he didn't want municipalities who had maybe two sworn officers to have to try to fill these forms out.

Follow up Representative Goodwin. How would these smaller municipalities be aware of this? Would the League of Municipalities or from the Law Enforcement Association?

Kelly Little responded that the Department of Justice has a list of all law enforcement agencies in the state and has on that list the number of sworn officers so they have that formula calculated already.

Ms. Thomas added that since the Department of Justice would be administering this, it would have to contact the agencies with the forms and how to report this data to the Department.

Question Representative Kiser. With regards to Page 144, seized property, is it explicit here that these funds must be used for law enforcement?

Ms. Thomas said the federal requirement relating to these funds specify that they must be used for law enforcement. These are funds for state agencies only.

Chair asked for additional questions. Hearing none Representative Culpepper requested to move on to the Department of Juvenile Justice.

Ms. Thomas presented the sections relating to the Department of Juvenile Justice. She pointed out in Section 24.1.(a) that the amount of $450,000 is in error and should be $550,000.

At the conclusion, Representative Culpepper asked for questions on sections pertaining to the Department of Juvenile Justice.

Question Representative Kiser. Page 150, Section 24.4 why is this necessary? Are these funds state funds being used instead of local funds? Is that why this is necessary?

Ms. Thomas explained that this was necessary because this involves a federal block grant that goes to Crime Control under the Crime Commission. They then distribute this block grant to a lot of local counties who apply for it. The block grant does have a state match requirement so that locals don't have to use their own funds to try to match it. This provision allows us to count the appropriations made to DJJ as the state match.

Representative Culpepper inquired if DJJ determines where they are going to get those funds?

She explained that when the feds look at where the match is for the block grant, the appropriations made to DJJ counts as that match.

Follow up Representative Kiser. This is a benefit to the local government?

Yes.

Follow up Representative Sexton. I just want to take this opportunity to reiterate my opposition.

The Chair stated that Representative Sexton's objection was noted. And stated the JPCP money that is being appropriated across the state still stands at $24 million. The Senate budget reduces it by $1.8 million of that discretionary money but then there is still the $22.9 million.

Chair went on to explain so it still stands at $23 million spread across the state and so that money is out there for various things and the idea is that it could be used for teen courts. If you take a look at the funding it is kind of across the board where some counties get monies and some don't and then some get more than others and it is kind of a real mix match. In other words, it is not consistent across the board. We will take a good look at that, Representative Sexton.

Representative Culpepper thanked Ms. Thomas for a fine job and asked that they move on to the Department of Correction with Jim Mills presenting.

Mr. Mills reviewed each section beginning on page 151, beginning at section 25.1, Department of Correction.

Representative Culpepper called for questions at the conclusion of Mr. Mills' presentation.

Question Representative Sexton. On page 153, I would just like to state that pertaining to lines 2-3, you need to watch that real close because state agencies will go after that like you wouldn't believe. Take DOT for instance – they are powerful and we need to hold tough with what is going on there. For instance in Rockingham County we have property that someone is "hot and heavy" to get and they are fighting on that. I just wanted to make the members aware of potential problems. Also, over on Page 157, Section 25.13, it doesn't make any sense to take from one and give to the other. There should be a comparison here of the money actually saved.

Mr. Mills stated that he would work on something to show Representative Sexton for comparison and money saved.

Question Representative Kiser. On Page 152 where you are talking about reimbursements to counties, refresh me a little on that. The 90 days that misdemeanants serve in jails, the counties pick up that, right?

Mr. Mills stated that was different. Counties pick up to 30 days. The State pays the 30 to 90 days and that is a separate item in Correction's budget to pay that. This is a separate category. These are inmates waiting transfer.

Follow up Representative Kiser. On Page 154, Section 25.7, what do we expect to get in federal funds for construction?

Answer by Gregg Stahl, DOC. This is anticipation of VOID money. I'm not sure that we anticipate getting any more. VOID is the money that we have gotten in the past. What this does anticipate is AARSAP money.

Question Representative Kiser. What is that?

Reply by Mr. Stahl was that he did not know what stands for – it is some residential drug money that the feds send to the Department of Crime Control and Public Safety. It is administered by the Governor's Crime Commission and used for drug treatment in residential facilities during the last six months of a person's stay. We hope to use this for providing good quality drug treatment program in prison to take the place of the two private minimum-security facilities we have shut down.

Question Representative Kiser. Section 25.8.(a). Structured Sentencing Study. We need to be real careful if we start reducing the time of structured sentencing. I don't want us to get back into a position where the public thinks we are soft on crime again. That provision concerns me.

Follow up Representative Kiser. Another place on Page 155 where it lists #(3) on line 24, special things the Secretary of Correction can release people for – obtain medical services not otherwise available – it has always been my understanding that we are responsible for medical for anyone incarcerated. I guess I just wonder why that it's in there?

Gregg Stahl replied that this was an old section of the law and my guess is that we felt we need a statutory authorization to take an inmate to Chapel Hill for treatment. At one time, most medical treatment was done inside a prison hospital, whereas today that is not practical or possible. When you take an inmate to an outside hospital, you have actually released that inmate from the prison setting and they are under supervision. That is what that section covers.

Follow up Representative Kiser. Then if he were in Wake or UNC, would you have to have a guard with him 24 hours a day? Would this relieve that responsible?

Mr. Stahl replied no.

Chairman added that all of this you are referring to is existing law. You are just adding one item to that.

Follow up Representative Kiser. On Page 156 dealing with Department of Transportation shall reimburse – what if they don't pay any attention to this? What is our alternative – they evidently didn't pay attention to it last year since they did not pay everything they were supposed to pay. Can someone tell me what the alternative is here?

Jim Mills replied that they were still taking a look at this provision with the Department and their bill drafters to see if it could be tightened up even more and see if there is something we can do.

Chair asked for Kelly Little to pick up the presentation beginning on Page 157, Section 25.14(a), regarding Summit House.
Upon completion of Ms. Little's review, the Chair asked for questions.

Question Representative Kiser. We usually receive a report of the number of fair sentencing. That's pretty easy to pull up, right?

Ms. Little responded affirmatively.

Question Representative Kiser. Do you happen to have the number of people right now under fair sentencing now?

Ms. Little said she would get that number to him.

Follow up Representative Kiser. I believe you said that a lot of these people were already on work release. And these people have been there for sometime and they have progressed even if they had a serious crime to where they are on work release and they are still not being paroled.

That is correct replied Ms. Little.

Chair recognized Jim Mills who stated it was possible that some of those inmates do have serious sentences and certainly every case has to be looked at individually. But I think you will recall when we went through the population section and inmates who could potentially be paroled, I think there are about 1,300 in minimum custody. I think the Senate felt they would like to keep an eye on what was going on the parole release arena and thought reports might help them to do that.

Chair further explained to the committee that discussions earlier this session had taken place around the idea that you've got somebody that was sentenced under fair sentencing when you had your problems with that. They got a sentence and are sitting in prison and then you have someone sitting in prison with structured sentencing and I know it hard to compare, but you might find someone in prison for the exact same offense and exact same criminal record – the structured sentence has been in and out, and the fair sentence person is still sitting in there.

Meeting adjourned and Chair noted that this meeting would take place again today at 1:30 and pick back up on these special provisions.

Rep. Bill Culpepper, Presiding Committee Chair

Sara Jane Lennard, House Committee Clerk

A.m.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 6/12/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John McHugh	GOV OFFICE
Beth McAllister	Summit House
MaryCatherine Hinds	Summit House
Bob Ross	ACLU
Tye Hunter	IDS
Steve Lusk	AOC
Bob Holyoak	AOC
Brooks Skinner	DoA
Cheryl Dix	DJJDP
NELS ROSELAND	OSBM
	DOC

A.M.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 6-12-01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Pamela Mavery	AOC - Sentencing Services (22nd JD)
Lao Rubert	CYPC
Dwayne Patterson	DJJDP
BRANDON THOMAS	SEANC
Scott Bassett	MARC
LeAnn Wallace	AOC
David Fervell	NC Sheriffs' Assoc. / NC Law Enforcement Officers Assn

#1 6/12/01 a.m.

Senate Justice and Public Safety
Special Budget Provisions

SB 1005 – May 31, 2001

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

TRANSFER OF EQUIPMENT AND SUPPLY FUNDS CONTINUE / REVISED

SECTION 22.1. Funds appropriated to the Judicial Department in the 2001-2003 biennium for equipment and supplies shall be certified in a reserve account. The Administrative Office of the Courts may transfer these funds to the appropriate programs and between programs as the equipment priorities and supply consumptions occur during the operating year. These funds shall not be expended for any other purpose.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

REPORT ON COMMUNITY MEDIATION CENTERS CONTINUE

SECTION 22.2. Article 5 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-38.6. Report on community mediation centers.**

(a) All community mediation centers currently receiving State funds shall report annually to the Mediation Network of North Carolina on the program's funding and activities, including:

(1) Types of dispute settlement services provided;

(2) Clients receiving each type of dispute settlement service;

(3) Number and type of referrals received, cases actually mediated, cases resolved in mediation, and total clients served in the cases mediated;

(4) Total program funding and funding sources;

(5) Itemization of the use of funds, including operating expenses and personnel;

(6) Itemization of the use of State funds appropriated to the center;

(7) Level of volunteer activity; and

(8) Identification of future service demands and budget requirements.

The Mediation Network of North Carolina shall compile and summarize the information provided pursuant to this subsection and shall provide the information to the Chairs of the House of Representatives and Senate Appropriations Committees and the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety by February 1 of each year.

(b) A community mediation center requesting State funds for the first time shall provide the General Assembly with the information enumerated in subsection (a) of this section, or projections where historical data are not available, as well as a detailed statement justifying the need for State funding.

(c) Each community mediation center receiving State funds for the first time shall document in the information provided pursuant to this section that, after the second year of receiving State funds, at least ten percent (10%) of total funding comes from non-State sources.

(d) Each community mediation center receiving State funds for the third, fourth, or fifth year shall document that at least twenty percent (20%) of total funding comes from non-State sources.

(e) Each community mediation center receiving State funds for six or more years shall document that at least fifty percent (50%) of total funding comes from non-State sources.

(f) Each community mediation center currently receiving State funds that has achieved a funding level from non-State sources greater than that provided for that center by subsection (c), (d), or (e) of this section shall make a good faith effort to maintain that level of funding.

(g) The percentage that State funds comprise of the total funding of each community mediation center shall be determined at the conclusion of each fiscal year

with the information provided pursuant to this section and is intended as a funding ratio and not a matching funds requirement. Community mediation centers may include the market value of donated office space, utilities, and professional legal and accounting services in determining total funding.

(h) A community mediation center having difficulty meeting the funding ratio provided for that center by subsection (c), (d), or (e) of this section may request a waiver or special consideration through the Mediation Network of North Carolina for consideration by the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety.

(i) The provisions of G.S. 143-31.4 do not apply to community mediation centers receiving State funds."

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW

SENTENCING SERVICES REPORT

SECTION 22.3. The Judicial Department shall report to the Chairs of the Senate and House of Representatives Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2002, on the effectiveness of the Sentencing Services Program under structured sentencing and the criminal case docketing system. The report shall include:

(1) Data on the number of plans prepared, the recommendations included in those plans, the actual sentences imposed in those cases, and an analysis of the extent to which plans are accepted or rejected by judges;

(2) Data on the number of plans initiated but not presented to the court, including the reason the plan was not completed or presented; and

(3) The results of a survey on the impact of sentencing plans on judicial decisions, to be conducted by the Research, Planning, and Budget Development Section of the Judicial Department or another entity separate from the Sentencing Services Program. The survey shall include superior court judges, district attorneys, public defenders, and defense attorneys.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW / follows $

ELIMINATE VACANT SUPERIOR COURT JUDGESHIP IN DISTRICT 4B

SECTION 22.4. G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven,	2

Second	4A	Pamlico Duplin, Jones, Sampson	1
Second	4B	Onslow	~~2~~1
Second	5	New Hanover, Pender	3
First	6A	Halifax	1
First	6B	Bertie, Hertford, Northampton	1
First	7A	Nash	1
First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
First	7C	(part of Wilson, part of Edgecombe, see subsection (b))	1
Second	8A	Lenoir and Greene	1
Second	8B	Wayne	1
Third	9	Franklin, Granville, Vance, Warren	2
Third	9A	Person, Caswell	1
Third	10A	(part of Wake, see subsection (b))	2
Third	10B	(part of Wake, see subsection (b))	2
Third	10C	(part of Wake, see subsection (b))	1
Third	10D	(part of Wake, see subsection (b))	1
Fourth	11A	Harnett, Lee	1
Fourth	11B	Johnston	1
Fourth	12A	(part of Cumberland, see subsection (b))	1
Fourth	12B	(part of Cumberland, see subsection (b))	1
Fourth	12C	(part of Cumberland, see subsection (b))	2
Fourth	13	Bladen, Brunswick, Columbus	2
Third	14A	(part of Durham, see subsection (b))	1
Third	14B	(part of Durham, see subsection (b))	3
Third	15A	Alamance	2
Third	15B	Orange, Chatham	1
Fourth	16A	Scotland, Hoke	1
Fourth	16B	Robeson	2
Fifth	17A	Rockingham	2
Fifth	17B	Stokes, Surry	2
Fifth	18A	(part of Guilford, see subsection (b))	1
Fifth	18B	(part of Guilford,	1

		see subsection (b))	
Fifth	18C	(part of Guilford, see subsection (b))	1
Fifth	18D	(part of Guilford, see subsection (b))	1
Fifth	18E	(part of Guilford, see subsection (b))	1
Sixth	19A	Cabarrus	1
Fifth	19B1	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Fifth	19B2	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Sixth	19C	Rowan	1
Sixth	20A	Anson, Richmond	1
Sixth	20B	Stanly, Union	2
Fifth	21A	(part of Forsyth, see subsection (b))	1
Fifth	21B	(part of Forsyth, see subsection (b))	1
Fifth	21C	(part of Forsyth, see subsection (b))	1
Fifth	21D	(part of Forsyth, see subsection (b))	1
Sixth	22	Alexander, Davidson, Davie, Iredell	3
Fifth	23	Alleghany, Ashe, Wilkes, Yadkin	1
Eighth	24	Avery, Madison, Mitchell, Watauga, Yancey	1
Seventh	25A	Burke, Caldwell	2
Seventh	25B	Catawba	2
Seventh	26A	(part of Mecklenburg, see subsection (b))	2
Seventh	26B	(part of Mecklenburg, see subsection (b))	2
Seventh	26C	(part of Mecklenburg, see subsection (b))	2
Seventh	27A	Gaston	2
Seventh	27B	Cleveland, Lincoln	2
Eighth	28	Buncombe	2
Eighth	29	Henderson, McDowell, Polk, Rutherford, Transylvania	2
Eighth	30A	Cherokee, Clay, Graham, Macon, Swain	1

Eighth 30B Haywood, Jackson 1."

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

BUSINESS COURT

SECTION 22.5. The Administrative Office of the Courts shall report to the Chairs of the Senate and House of Representatives Appropriations Committees and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety by April 1 of each year on the activities of the North Carolina Business Court, including the number of cases heard by the court and the number of court sessions held outside of Superior Court District 18. CONTINUE / REVISED

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

ELIMINATE UNNECESSARY OR OBSOLETE REPORTS NEW

SECTION 22.6.(a) G.S. 7A-348 reads as rewritten:

"**§ 7A-348. Training and supervision of assistants for administrative and victim and witness services.**

Pursuant to the provisions of G.S. 7A-413, the Conference of District Attorneys shall:

(1) Assist in establishing uniform statewide training for assistants for administrative and victim and witness services; and

(2) Assist in the implementation and supervision of this ~~program; and~~ program.

~~(3) With the Director of the Administrative Office of the Courts, report annually to the Joint Legislative Commission on Governmental Operations on the implementation and effectiveness of this act, beginning on or before February 1, 1987.~~"

SECTION 22.6.(b) G.S. 143-170.4 reads as rewritten:

"**§ 143-170.4. Administrative Office of the Courts; publications procedures manual; reports.**

Not later than June 1, 1990, the Administrative Office of the Courts, after review of the Department of Administration's state publications procedures guidelines and after consultation with the State Librarian and State Auditor, shall adopt (i) a publications procedures manual for public documents, other than the official reports of the North Carolina Supreme Court and the North Carolina Court of Appeals and official forms published by the Administrative Office of the Courts pursuant to G.S. 7A-343, that addresses the elements of publication production described in G.S. 143-170.2 and (ii) an administrative review and approval process to ensure appropriate review and approval of its public documents. The initial guidelines and the administrative review and approval process shall be reported to the Joint Legislative Commission on Governmental Operations by ~~January 1, 1991, and revisions thereto shall be reported to the Joint Legislative Commission on Governmental Operations within six months of adoption.~~ January 1, 1991."

SECTION 22.6.(c) G.S. 143-589 reads as rewritten:

"**§ 143-589. Legislative and judicial branch safety and health programs.**

The Legislative Services Commission and the Administrative Office of the Courts are authorized to separately establish safety and health programs for their employees. ~~The Administrative Office of the Courts shall report annually to the Joint Legislative Commission on Governmental Operations on its safety and health activities with respect to its program.~~"

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

COLLECTION OF WORTHLESS CHECKS FUND NEW

SECTION 22.7. Notwithstanding the provisions of G.S. 7A-308(c), the Judicial Department may use any balance remaining in the Collection of Worthless Checks Fund on June 30, 2001, for the purchase or repair of office or information technology equipment during the 2001-2002 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the Joint Legislative Commission on Governmental Operations and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Information Technology on the equipment to be purchased or repaired and the reasons for the purchases.

Requested by: Senators Jordan, Dannelly, Ballance, Plyler, Odom, Lee

AUTHORIZE FAMILY DRUG TREATMENT COURTS TO SERVE ADDICTED PARENTS OF ABUSED AND NEGLECTED CHILDREN AND TO SERVE SUBSTANCE-ABUSING JUVENILE OFFENDERS WHO COME UNDER THE COURTS' JURISDICTION

NEW

SECTION 22.8.(a) G.S. 7A-791 reads as rewritten:

"**§ 7A-791. Purpose.**

The General Assembly recognizes that a critical need exists in this State for ~~criminal justice system~~ judicial programs that will reduce the incidence of ~~drug use and~~ alcohol and other drug abuse or dependence ~~drug addiction~~ and ~~crimes~~ crimes, delinquent acts, and child abuse and neglect committed as a result of ~~drug use~~ alcohol and other drug abuse or dependence, ~~and drug addiction.~~ and child abuse and neglect where alcohol and other drug abuse or dependence are significant factors in the child abuse and neglect. It is the intent of the General Assembly by this Article to create a program to facilitate the creation of local drug treatment court programs."

SECTION 22.8.(b) G.S. 7A-792 reads as rewritten:

"**§ 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;~~ adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or both;

(2) To reduce criminal and delinquent ~~recidivism;~~ recidivism and the incidence of child abuse and neglect;

(3) To reduce the alcohol-related and other drug-related court workload;

(4) To increase the personal, familial, and societal accountability of ~~offenders;~~ adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect, or both; and

(5) To promote effective interaction and use of resources among criminal and juvenile justice ~~personnel~~ personnel, child protective services personnel, and community agencies."

SECTION 22.8.(c) G.S. 7A-793 reads as rewritten:

"**§ 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 and funding of local drug treatment court programs. The Director of the Administrative Office of the Courts shall provide any necessary staff for planning, organizing, and administering the program. Local drug treatment court programs funded pursuant to this Article shall be operated consistently with the guidelines adopted pursuant to G.S. 7A-795. Local drug treatment court programs established and funded pursuant to this Article may consist of adult drug treatment court programs, juvenile drug treatment court programs, family drug treatment court programs, or any combination of these programs."

SECTION 22.8.(d) G.S. 7A-795 reads as rewritten:

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

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

SECTION 22.8.(e) G.S. 7A-796 reads as rewritten:

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

Each judicial district choosing to establish a drug treatment court shall form a local drug treatment court management committee, which shall be comprised to assure representation appropriate to the type or types of drug treatment court operations to be conducted in the district and shall consist of persons ~~consisting of the following persons,~~ appointed by the senior resident superior court judge with the concurrence of the chief district court judge and the district attorney for that ~~district.~~ district, chosen from the following list:

(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) An attorney representing a county department of social services within the district;
(6) A representative of the guardian ad litem program;
~~(5)~~ (7) A member of the private criminal defense bar;
(8) A member of the private bar who represents respondents in department of social services juvenile matters;
~~(6)~~ (9) A clerk of superior court;
~~(7)~~ (10) The trial court administrator in judicial districts served by a trial court administrator;
(11) The director or member of the child welfare services division of a county department of social services within the district;
(12) The chief juvenile court counselor for the district;
~~(8)~~ (13) A probation officer;
~~(9)~~ (14) A local law enforcement officer;
(15) A representative of the local school administrative unit;
~~(10)~~ (16) A representative of the local community college;
~~(11)~~ (17) A representative of the treatment providers;
(18) A representative of the area mental health program;
~~(12)~~ (19) The local program director provided for in G.S. 7A-798; and
~~(13)~~ (20) 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."

SECTION 22.8.(f) G.S. 7A-799 reads as rewritten:

"**§ 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 or juvenile justice ~~system.~~ system or a respondent in a juvenile petition for abuse, neglect, or both."

SECTION 22.8.(g) G.S. 7A-800 reads as rewritten:

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

Each ~~defendant or~~ defendant, ~~offender~~ offender, or respondent in a juvenile petition for abuse, neglect, or both, who receives treatment under a local drug treatment court program shall contribute to the cost of the ~~substance~~ alcohol and other drug abuse or dependency treatment received in the drug treatment court program, based upon guidelines developed by the local drug treatment court management committee."

SECTION 22.8.(h) This section shall not be construed to obligate the General Assembly to appropriate funds to implement the provisions of this section.

SECTION 22.8.(i) This section becomes effective October 1, 2001.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW

TRANSFER OF FUNDS TO OFFICE OF INDIGENT DEFENSE SERVICES

SECTION 22.9. In the event that requirements for payments to assigned counsel exceed available funds in the Office of Indigent Defense Services during the 2001-2002 fiscal year, the Judicial Department shall transfer to the Office of Indigent Defense Services up to the sum of one million five hundred thousand dollars ($1,500,000) in funds available to pay those additional amounts. The Office of Indigent Defense Services and the Judicial Department shall report to the Joint Legislative Commission on Governmental Operations prior to any transfer of funds authorized by this section.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

NORTH CAROLINA STATE BAR FUNDS CONTINUE

SECTION 22.10. Of the funds appropriated in the continuation budget as a grant-in-aid to the North Carolina State Bar for the 2001-2003 biennium, the North Carolina State Bar may in its discretion use up to the sum of five hundred ninety thousand dollars ($590,000) for the 2001-2002 fiscal year and up to the sum of five hundred ninety thousand dollars ($590,000) for the 2002-2003 fiscal year to contract with the Center for Death Penalty Litigation to provide training, consultation, brief banking, and other assistance to attorneys representing indigent capital defendants.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW

ASSISTANT PUBLIC DEFENDER LONGEVITY/OFFICE OF INDIGENT DEFENSE SERVICES CORRECTIONS

SECTION 22.11.(a) Section 49 of S.L. 2000-144 reads as rewritten:

"Section 49. Except as otherwise provided in this Part, this act becomes effective July 1, 2001. G.S. 7A-498, 7A-498.1, 7A-498.2, 7A-498.4, 7A-498.5, ~~and~~ 7A-498.6, and 7A-498.7(g), as enacted in Section 1 of this act, are effective when they become law; however, except as otherwise provided in this Part, no rules, standards, or other regulations issued by the Commission on Indigent Defense Services, and no decisions regarding the actual delivery of services shall take effect prior to July 1, 2001, and all authority over the expenditure of funds shall remain with the Director of the Administrative Office of the Courts prior to that date. The Commission shall be responsible for the expenditure of funds for all cases pending on or after July 1, 2001."

SECTION 22.11.(b) Section 13 of S.L. 2000-144 reads as rewritten:

"Section 13. Effective July 1, 2000, G.S. 7A-467(d) is repealed. Effective July 1, 2001, G.S. 7A-459, 7A-465, 7A-466, ~~7A-467,~~ 7A-467(a), 7A-467(b), 7A-467(c), 7A-467(e), 7A-467(f), 7A-467(g), 7A-469, 7A-470, 7A-471, 7A-486, 7A-486.1, 7A-486.2, 7A-486.3, 7A-486.4, 7A-486.5, 7A-486.6, and 7A-486.7 are repealed."

SECTION 22.11.(c) G.S. 7A-498.7 is amended by adding three new subsections to read:

"(i) A public defender may apply to the Director of the Administrative Office of the Courts to enter into contracts with local governments for the provision by the State

of services of temporary assistant public defenders pursuant to G.S. 153A-212.1 or G.S. 160A-289.1.

(j) The Director of the Administrative Office of the Courts may provide assistance requested pursuant to subsection (i) of this section only upon a showing by the requesting public defender, supported by facts, that the overwhelming public interest warrants the use of additional resources for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving a threat to public safety.

(k) The terms of any contract entered into with local governments pursuant to subsection (i) of this section shall be fixed by the Director of the Administrative Office of the Courts in each case. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section or to obligate the Administrative Office of the Courts to provide the administrative costs of establishing or maintaining the positions or services provided for under this section. Further, nothing in this section shall be construed to obligate the Administrative Office of the Courts to maintain positions or services initially provided for under this section."

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW

OFFICE OF INDIGENT DEFENSE SERVICES REPORT

SECTION 22.12. The Office of Indigent Defense Services shall report to the Chairs of the Senate and House of Representatives Appropriations Committees and the Chairs of the Senate and House Representatives Appropriations Subcommittees on Justice and Public Safety by March 1 of each year on:

(1) The volume and cost of cases handled in each district by assigned counsel or public defenders;

(2) Actions taken by the Office to improve the cost-effectiveness and quality of indigent defense, including the capital case program;

(3) Plans for changes in rules, standards, or regulations in the upcoming year; and

(4) Any recommended changes in law or funding procedures that would assist the Office in improving the management of funds expended for indigent defense services.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW | Follows #4

ASSISTANT PUBLIC DEFENDERS/PUBLIC DEFENDER OFFICE PERSONNEL

SECTION 22.13.(a) From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 2001-2003 biennium, the Office of Indigent Defense Services may use up to the sum of two hundred thirty-eight thousand eight hundred eighty-four dollars ($238,884) for the 2001-2002 fiscal year and up to the sum of two hundred twenty-four thousand three hundred sixteen dollars ($224,316) for the 2002-2003 fiscal year for salaries, benefits, equipment, and related expenses to establish up to three new assistant public defender positions in districts with existing public defender programs.

SECTION 22.13.(b) From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 2001-2003 biennium, the Office of Indigent Defense Services may use up to the sum of one hundred seventy thousand one hundred forty-five dollars ($170,145) for the 2001-2002 fiscal year and up to the sum of one hundred fifty-four thousand nine hundred twenty-three dollars ($154,923) for the 2002-2003 fiscal year for salaries, benefits, equipment, and related expenses to establish up to three new legal assistant, paralegal, investigator, or administrative assistant positions in districts with existing public defender programs.

SECTION 22.13.(c) Prior to establishing any new positions under this section, the Office of Indigent Defense Services shall report to the Joint Legislative

Commission on Governmental Operations on the positions to be established and the locations of those positions.

NEW

Requested by: Senators Jordan, Clodfelter, Ballance, Plyler, Odom, Lee, Rand

DEDICATE A PORTION OF COURT COSTS TO PROVIDE ACCESS TO CIVIL JUSTICE

SECTION 22.14.(a) G.S. 7A-304(a)(4) reads as rewritten:

"(4) For support of the General Court of Justice, the sum of sixty-five dollars ($65.00) in the district court, including cases before a magistrate, and the sum of seventy-two dollars ($72.00) in the superior court, to be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION 22.14.(b) G.S. 7A-305(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice, the sum of fifty-nine dollars ($59.00) in the superior court, and the sum of forty-four dollars ($44.00) in the district court except that if the case is assigned to a magistrate the sum shall be thirty-three dollars ($33.00). Sums collected under this ~~subsection~~ subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION 22.14.(c) G.S. 7A-306(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice the sum of thirty dollars ($30.00). In addition, in proceedings involving land, except boundary disputes, if the fair market value of the land involved is over one hundred dollars ($100.00), there shall be an additional sum of thirty cents (30¢) per one hundred dollars ($100.00) of value, or major fraction thereof, not to exceed a maximum additional sum of two hundred dollars ($200.00). Fair market value is determined by the sale price if there is a sale, the appraiser's valuation if there is no sale, or the appraised value from the property tax records if there is neither a sale nor an appraiser's valuation. Sums collected under this ~~subsection~~ subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION 22.14.(d) G.S. 7A-307(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice, the sum of thirty dollars ($30.00), plus an additional forty cents (40¢) per one hundred dollars ($100.00), or major fraction thereof, of the gross estate, not to exceed three thousand dollars ($3,000). Gross estate shall include the fair market value of all personalty when received, and all proceeds from the sale of realty coming into the hands of the fiduciary, but shall not include the value of realty. In collections of personal property by affidavit, the fee based on the gross estate shall be computed from the information in the final affidavit of collection made pursuant to G.S. 28A-25-3 and shall be paid when that affidavit is filed. In all other cases, this fee shall be computed from the information reported in the inventory and shall be paid when the inventory is filed with the clerk. If additional gross estate, including income, comes into the hands of

the fiduciary after the filing of the inventory, the fee for such additional value shall be assessed and paid upon the filing of any account or report disclosing such additional value. For each filing the minimum fee shall be fifteen dollars ($15.00). Sums collected under this ~~subsection~~ subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION 22.14.(e) G.S. 7A-474.1 reads as rewritten:

"**§ 7A-474.1. Legislative findings and purpose.**

The General Assembly of North Carolina declares it to be its purpose to provide access to legal representation for indigent persons in certain kinds of civil matters. The General Assembly finds that such representation can best be provided in an efficient, effective, and economic manner through ~~Legal Services of North Carolina, Inc., and the~~ five geographically based field programs in this ~~State receiving funds under the Legal Services Corporation Act (42 U.S.C. § 2996 et seq.).~~State."

SECTION 22.14.(f) G.S. 7A-474.2 reads as rewritten:

"**§ 7A-474.2. Definitions.**

The following definitions shall apply throughout this Article, unless the context otherwise requires:

(1) "Eligible client" means a resident of North Carolina financially eligible for representation under the Legal Services Corporation Act, regulations, and interpretations adopted thereunder (45 CFR § 1611, and subsequent revisions).

(2) "Legal assistance" means the provision of any legal services, as defined by Chapter 84 of the General Statutes, consistent with this Article. Provided, that all legal services provided hereunder shall be performed consistently with the Rules of Professional Conduct promulgated by the North Carolina State Bar. Provided, further, that no funds appropriated under this Article shall be used for lobbying to influence the passage or defeat of any legislation before any municipal, county, state, or national legislative body.

~~(3) "Legal Services of North Carolina, Inc.," means the not-for-profit corporation established by the North Carolina Bar Association to administer the system of local legal services programs primarily funded under the Legal Services Corporation Act (42 U.S.C. § 2996 et seq.) and the interest on Lawyer's Trust Accounts program of the North Carolina State Bar.~~

(4) "Geographically based field programs" means the ~~15 local~~ following not-for-profit corporations ~~supported by funds from Legal Services of North Carolina, Inc., and the Legal Services Corporation and which provide civil legal services to low-income residents of geographic service areas comprising all 100 counties in North Carolina.~~ using State funds to serve the counties listed: Legal Services of the Southern Piedmont, serving Cabarrus, Gaston, Mecklenburg, Stanly, and Union Counties; Legal Aid Society of Northwest North Carolina, serving Davie, Forsyth, Iredell, Stokes, Surry, and Yadkin Counties; North Central Legal Assistance Program, serving Durham, Franklin, Granville, Person, Vance, and Warren Counties; Pisgah Legal Services, serving Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties; and Legal Services of North Carolina, serving 83 counties in North Carolina; or any successor entity or

entities of the named organizations, or, should any of the named organizations dissolve, the entity or entities providing substantially the same services in substantially the same service area."

SECTION 22.14.(g) G.S. 7A-474.4 reads as rewritten:

"**§ 7A-474.4. Funds.**

Funds to provide representation pursuant to this Article shall be provided to ~~Legal Services of North Carolina, Inc.,~~ the North Carolina State Bar for provision of direct services by and support of the geographically based ~~programs based upon the eligible client population in each program's geographic coverage area. Funds authorized by law shall be provided by the North Carolina State Bar to Legal Services of North Carolina, Inc., by a contract between those entities.~~ field programs. The North Carolina State Bar shall allocate these funds directly to each of the five geographically based field programs based upon the eligible client population in each area program, with Pisgah Legal Services receiving the allocation for Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties, based upon the eligible client population in each area program. The North Carolina State Bar shall not use any of these funds for its administrative costs."

SECTION 22.14.(h) G.S. 7A-474.5 reads as rewritten:

"**§ 7A-474.5. Records and reports.**

~~Legal Services of North Carolina, Inc.,~~ The geographically based field programs shall keep appropriate records and make periodic reports, as requested, to the North Carolina State Bar."

PART XXIII. DEPARTMENT OF JUSTICE

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT

SECTION 23.1.(a) Assets transferred to the Department of Justice during the 2001-2003 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of the 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 2001-2003 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of the Department and shall result in an increase of law enforcement resources for the Department. The Departments of Justice and Correction shall report to the Joint Legislative Commission on Governmental Operations upon receipt of the assets and, before using the assets, shall report on the intended use of the assets and the departmental priorities on which the assets may be expended.

SECTION 23.1.(b) The General Assembly finds that the use of assets transferred pursuant to 19 U.S.C. § 1616a for new personnel positions, new projects, the acquisition of real property, repair of buildings where the 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 Correction are prohibited from using these assets for such purposes without the prior approval of the General Assembly.

SECTION 23.1.(c) Nothing in this section prohibits North Carolina law enforcement agencies from receiving funds from the United States Department of Justice pursuant to 19 U.S.C. § 1616a.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

PRIVATE PROTECTIVE SERVICES AND ALARM SYSTEMS LICENSING BOARDS PAY FOR USE OF STATE FACILITIES AND SERVICES

SECTION 23.2. 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.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

CERTAIN LITIGATION EXPENSES TO BE PAID BY CLIENTS

SECTION 23.3. Client departments, agencies, and boards shall reimburse the Department of Justice for reasonable court fees, attorney travel and subsistence costs, and other costs directly related to litigation in which the Department of Justice is representing the department, agency, or board.

Continue

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee, Rand

REIMBURSEMENT FOR UNC BOARD OF GOVERNORS LEGAL REPRESENTATION

SECTION 23.4. 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.

Continue

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

STUDY FEE ADJUSTMENT FOR CRIMINAL RECORD CHECKS

SECTION 23.5. The Office of State Budget and Management, in consultation with the Department of Justice, shall study the feasibility of adjusting the fees charged for criminal records checks conducted by the Division of Criminal Information of the Department of Justice as a result of the increase in receipts from criminal records checks. The study shall include an assessment of the Division's operational, personnel, and overhead costs ~~related to~~ providing criminal records checks and how those costs have changed since the 1998-99 fiscal year. The Office of State Budget and Management shall report its findings ~~and recommendations~~ to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on or before March 1, 2002.

Continue/ revised

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

CRIMINAL JUSTICE INFORMATION NETWORK REPORT/ADD REPRESENTATIVE FROM THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO THE BOARD

SECTION 23.6.(a) The Criminal Justice Information ~~Network~~ Governing Board established pursuant to G.S. 143-661 shall report by April 1, 2002, to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on:

(1) The operating budget of the Board, the expenditures of the Board as of the date of the report, and the amount of funds in reserve for the operation of the Board; and

(2) A long-term strategic plan and cost analysis for statewide implementation of the Criminal Justice Information Network. For each component of the Network, the initial cost estimate of the component, the amount of funds spent to date on the component, the source of funds for expenditures to date, and a timetable for completion of that component, including additional resources needed at each point.

Continue/ Revise

Add DJJDP to Board

SECTION 23.6.(b) G.S. 143-661(b) reads as rewritten:

"(b) The Board shall consist of 19 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~~Juvenile Justice and Delinquency Prevention 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 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) Six members appointed by the Chief Justice of the North Carolina Supreme Court, as follows:

a. The Director of the Administrative Office of the Courts, or an employee of the Administrative Office of the Courts, for a term beginning July 1, 1997, and expiring June 30, 2001.

b. One member who is a district attorney or an assistant district attorney upon the recommendation of the Conference of District Attorneys of North Carolina, for a term beginning July 1, 1998, and expiring June 30, 1999.

c. Two members who are superior court or district court judges for terms beginning July 1, 1998, and expiring June 30, 2001.

d. One member who is a magistrate upon the recommendation of the North Carolina Magistrates' Association, for a term beginning July 1, 1998, and expiring June 30, 1999.

e. One member who is a clerk of superior court upon the recommendation of the North Carolina Association of Clerks of Superior Court, for a term beginning July 1, 1998, and expiring 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."

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

PROVIDE FOR COLLECTION OF TRAFFIC LAW ENFORCEMENT STATISTICS ON STOPS MADE BY CERTAIN LOCAL LAW ENFORCEMENT AGENCIES New

SECTION 23.7.(a) G.S. 114-10(2a) reads as rewritten:

"(2a) To collect, correlate, and maintain the following information regarding traffic law enforcement by ~~State~~ law enforcement officers:

a. The number of drivers stopped for routine traffic enforcement by ~~State~~ law enforcement officers, the officer making each stop, the date each stop was made, the agency of the officer making each stop, and whether or not a citation or warning was issued;

b. Identifying characteristics of the drivers stopped, including the race or ethnicity, approximate age, and gender;

c. The alleged traffic violation that led to the stop;

d. Whether a search was instituted as a result of the stop;

e. Whether the vehicle, personal effects, driver, or passenger or passengers were searched, and the race or ethnicity, approximate age, and gender of each person searched;

f. Whether the search was conducted pursuant to consent, probable cause, or reasonable suspicion to suspect a crime, including the basis for the request for consent, or the circumstances establishing probable cause or reasonable suspicion;

g. Whether any contraband was found and the type and amount of any such contraband;

h. Whether any written citation or any oral or written warning was issued as a result of the stop;

i. Whether an arrest was made as a result of either the stop or the search;

j. Whether any property was seized, with a description of that property;

k. Whether the officers making the stop encountered any physical resistance from the driver or passenger or passengers;

l. Whether the officers making the stop engaged in the use of force against the driver, passenger, or passengers for any reason;

m. Whether any injuries resulted from the stop;

n. Whether the circumstances surrounding the stop were the subject of any investigation, and the results of that investigation; and

o. The geographic location of the stop; if the officer making the stop is a member of the State Highway Patrol, the location shall be the Highway Patrol District in which the stop was made; for all other law enforcement officers, the location shall be the city or county in which the stop was made.

For purposes of this subdivision, "law enforcement officer" means:

1. All State law enforcement officers;
2. Law enforcement officers employed by county sheriffs or county police departments;
3. Law enforcement officers employed by police departments in municipalities with a population of 10,000 or more persons; and
4. Law enforcement officers employed by police departments in municipalities employing five or more full-time sworn officers for every 1,000 in population.

The information required by this subdivision need not be collected in connection with impaired driving checks under G.S. 20-16.3A or other types of roadblocks, vehicle checks, or checkpoints that are consistent with the laws of this State and with the State and federal constitutions, except when those stops result in a warning, search, seizure, arrest, or any of the other activity described in sub-subdivisions d. through n. of this subdivision.

The identity of the law enforcement officer making the stop required by sub-subdivision a. of this subdivision may be accomplished by assigning anonymous identification numbers to each officer in an agency. The correlation between the identification numbers and the names of the officers shall not be a public record, and shall not be disclosed by the agency except when required by order of a court of competent jurisdiction to resolve a claim or defense properly before the court."

SECTION 23.7.(b) The Division of Criminal Statistics shall establish a procedure and a schedule for the reporting of the information required by this act to the Division. The Division shall print and supply all forms necessary for the collection of this information.

SECTION 23.7.(c) This section becomes effective January 1, 2002, and applies to law enforcement actions occurring on or after that date.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee, Rand

ATTORNEY GENERAL RETAIN RECEIPTS

SECTION 23.8. The Department of Justice may retain all receipts collected in the 2001-2002 fiscal year. The receipts may be used for the purchase of automobiles and equipment. The Department of Justice shall report to the Joint Legislative Commission on Governmental Operations no later than January 1, 2002, on the amount of receipts collected and the use of those receipts.

NEW

Requested by: Senator Ballance

DRUG EDUCATION PROGRAM FUNDS/REVIEW

SECTION 23.9.(a) Funds in the amount of $396,402 for the 2001-2002 fiscal year and $528,536 for the 2002-2003 fiscal year that are appropriated in Section 2.1 of this act to the Department of Correction for Inmate Medical Costs are hereby transferred to the Department of Justice to fund the DARE Program. NEW

SECTION 23.9.(b) The Juvenile Justice Institute at North Carolina Central University shall review DARE and other drug education efforts in North Carolina to identify an effective model for drug education. The Juvenile Justice Institute shall report the results of its review to the Joint Legislative Education Oversight Committee, the Justice and Public Safety Subcommittee of the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division by April 1, 2002.

PART XXIV. DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

S.O.S. ADMINISTRATIVE COST LIMITS AND REPEAL CONFERENCE REQUIREMENT

SECTION 24.1.(a) Of the funds appropriated to the Department of Juvenile Justice and Delinquency Prevention in this act, not more than four hundred fifty thousand dollars ($450,000) for the 2001-2002 fiscal year and not more than four hundred fifty thousand dollars ($450,000) for the 2002-2003 fiscal year may be used to administer the S.O.S. Program, to provide technical assistance to applicants and to local S.O.S. programs, and to evaluate the local S.O.S. programs. The Department may contract with appropriate public or nonprofit agencies to provide the technical assistance, including training and related services. Continue/ Revise

SECTION 24.1.(b) G.S. 143B-152.3(1) is repealed. $550,000

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

JUVENILE CRIME PREVENTION COUNCIL GRANT REPORTING, CERTIFICATION, AND FUNDING OF RESEARCH-BASED PROGRAMS

SECTION 24.2.(a) On or before May 1 each year, the Department of Juvenile Justice and Delinquency Prevention shall submit to the Joint Legislative Commission on Governmental Operations and the Appropriations Committees of the Senate and House of Representatives a list of the recipients of the grants awarded, or preapproved for award, from funds appropriated to the Department for local Juvenile Crime Prevention Council grants. The list shall include for each recipient the amount of the grant awarded, the membership of the local committee or council administering the award funds on the local level, and a short description of the local services, programs, or projects that will receive funds. The list shall also identify any programs that received grant funds at one time but for which funding has been eliminated by the Department of Juvenile Justice and Delinquency Prevention. A written copy of the list and other information regarding the projects shall also be sent to the Fiscal Research Division of the General Assembly. Continue/ Revised/ New

SECTION 24.2.(b) Each county in which local programs receive Juvenile Crime Prevention Council grant funds from the Department of Juvenile Justice and Delinquency Prevention shall certify annually through its local council to the Department that funds received are not used to duplicate or supplant other programs within the county.

SECTION 24.2.(c) On or before April 1 of each year, the Department of Juvenile Justice and Delinquency Prevention shall report on the effectiveness of new

programs funded by the county Juvenile Crime Prevention Councils. Specifically, the report shall address:

(1) The extent to which programs that receive the Juvenile Crime Prevention Council grants are compatible with research that shows which prevention and early intervention strategies work with juvenile offenders and have a measurable impact in preventing or reducing juvenile crime and delinquency.

(2) The impact of programs funded with local grants on school performance, school attendance, the incidence of delinquency, the use of alcohol or other controlled substances, and violent, problematic, or antisocial behavior. For programs serving adjudicated or diverted youth, measures of effectiveness shall also include impacts on rates of rearrest or recidivism.

(3) Actions taken by the Department and local Juvenile Crime Prevention Councils to encourage collaboration among county councils to replicate research-proven, cost-effective intervention programs for juvenile offenders with Levels 1 and 2 intermediate sanctions, including functional family therapy, aggression replacement training, multisystemic therapy, adolescent mentoring, and foster care treatment programs.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

REPORTS ON CERTAIN PROGRAMS

Continue/revised

SECTION 24.3.(a) Project Challenge North Carolina, Inc., shall report to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety by April 1 each year on the operation and the effectiveness of its program in providing alternative dispositions and services to juveniles who have been adjudicated delinquent or undisciplined. The report shall include information on the source of referrals for juveniles, the types of offenses committed by juveniles participating in the program, the amount of time those juveniles spend in the program, the number of juveniles who successfully complete the program, and the number of juveniles who commit additional offenses after completing the program.

SECTION 24.3.(b) The Department of Juvenile Justice and Delinquency Prevention shall report to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on the effectiveness of the Juvenile Assessment Center by April 1 each year. The report on the Juvenile Assessment Center shall include information on the number of juveniles served and an evaluation of the effectiveness of juvenile assessment plans and services provided as a result of these plans.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

Continue

SECTION 24.4. Funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the 2001-2002 fiscal year may be used as matching funds for the Juvenile Accountability Incentive Block Grants. If North Carolina receives Juvenile Accountability Incentive Block Grants, or a notice of funds to be awarded, the Office of State Budget and Management and the Governor's Crime Commission shall consult with the Department of Juvenile Justice and Delinquency Prevention regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Juvenile Justice and Delinquency Prevention shall report to the Appropriations Committees of the Senate and House of Representatives and the Joint Legislative Commission on Governmental Operations prior to allocation of the federal funds. The report shall

identify the amount of funds to be received for the 2001-2002 fiscal year, the amount of funds anticipated for the 2002-2003 fiscal year, and the allocation of funds by program and purpose.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

ANNUAL EVALUATION OF COMMUNITY PROGRAMS

SECTION 24.5. The Department of Juvenile Justice and Delinquency Prevention shall conduct an evaluation of the Eckerd and Camp Woodson wilderness camp programs, the teen court programs, the program that grants funds to the local organizations of the Boys and Girls Clubs established pursuant to Section 21.10 of S.L. 1999-237, the Save Our Students program, the Governor's One-on-One Programs, and multipurpose group homes. The teen court report shall include statistical information on the number of juveniles served, the number and type of offenses considered by teen courts, referral sources for teen courts, and the number of juveniles that become court-involved after participation in teen courts. The report on the Boys and Girls Clubs program shall include information on:

(1) The expenditure of State appropriations on the program;
(2) The operations and the effectiveness of the program; and
(3) The number of juveniles served under the program.

In conducting the evaluation of each of these programs, the Department shall consider whether participation in each program results in a reduction of court involvement among juveniles. The Department shall also identify whether the programs are achieving the goals and objectives of the Juvenile Justice Act, S.L. 1998-202. The Department shall report the results of the evaluation to the Chairs of the House of Representatives and Senate Appropriations Committees and the Chairs of the Subcommittees of Justice and Public Safety of the House of Representatives and Senate Appropriations Committees by March 1 of each year.

Continued/Revised

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

FUNDING OF TEEN COURT PROGRAMS

SECTION 24.6. All direct General Fund appropriations to the Department of Juvenile Justice and Delinquency Prevention for teen court programs shall terminate June 30, 2002. Teen court programs may use Juvenile Crime Prevention Council grant funds or other funds to continue operations after June 30, 2002.

NEW

PART XXV. DEPARTMENT OF CORRECTION

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

NEW

EARNED TIME CREDIT FOR MEDICALLY AND PHYSICALLY UNFIT INMATES

SECTION 25.1.(a) G.S. 15A-1355 is amended by adding a new subsection to read:

"(d) Earned Time Credit for Medically and Physically Unfit Inmates. – Inmates in the custody of the Department of Correction who suffer from medical conditions or physical disabilities that prevent their assignment to work release or other rehabilitative activities may, consistent with rules of the Department of Correction, earn credit based upon good behavior or other criteria determined by the Department that may be used to reduce their maximum term of imprisonment as provided in G.S. 15A-1340.13(d) for felony sentences and in G.S. 15A-1340.20(d) for misdemeanor sentences."

SECTION 25.1.(b) This section is effective when it becomes law and applies to inmates serving sentences on or after that date.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

FEDERAL GRANT REPORTING CONTINUE/REVISE DATE

SECTION 25.2. The Department of Correction, the Department of Justice, the Department of Crime Control and Public Safety, the Judicial Department, and the Department of Juvenile Justice and Delinquency Prevention shall report by May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Chairs of the Senate and House of Representatives Appropriations Committees, and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on federal grant funds received or preapproved for receipt by those departments. The report shall include information on the amount of grant funds received or preapproved for receipt by each department, the use of the funds, the State match expended to receive the funds, and the period to be covered by each grant. If the department intends to continue the program beyond the end of the grant period, the department shall report on the proposed method for continuing the funding of the program at the end of the grant period. Each department shall also report on any information it may have indicating that the State will be requested to provide future funding for a program presently supported by a local grant.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

LIMIT USE OF OPERATIONAL FUNDS CONTINUE/REVISE

SECTION 25.3. 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 shall not be expended for any other purpose, except as provided for in this act, and shall not be expended for additional prison personnel positions until the new facilities are within 120 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.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee CONTINUE

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM

SECTION 25.4. The Department of Correction may use funds appropriated to the Department for the 2001-2002 fiscal year to pay the sum of forty dollars ($40.00) per day as reimbursement to counties for the cost of housing convicted inmates, parolees, and post-release supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The Department shall report by December 1 and May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections and Juvenile Justice Oversight Committee, the Chairs of the Senate and House of Representatives Appropriations Committees, and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on the expenditure of funds to reimburse counties for prisoners awaiting transfer and on its progress in reducing the jail backlog.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee CONTINUE/REVISE

USE OF CLOSED PRISON FACILITIES/ALTERNATIVE USES FOR BLUE RIDGE CORRECTIONAL CENTER AND IMPACT FACILITIES

SECTION 25.5.(a) In conjunction with the closing of prison facilities, including 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, with the elected State and local officials, and with State agencies about the possibility of converting that unit to other use. The Department may also consult with any private for-profit or nonprofit firm

25.5 (a) Continue
25.5 (b) New

about the possibility of converting the unit to other use. In developing a proposal for future use of each unit, the Department shall give priority to converting the unit to other criminal justice use. Consistent with existing law and the future needs of the Department of Correction, the State may provide for the transfer or the lease of any of these units to counties, municipalities, State agencies, 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. A prison unit under lease to a county pursuant to the provisions of this section for use as a jail is exempt for the period of the lease from any of the minimum standards adopted by the Secretary of Health and Human Services pursuant to G.S. 153A-221 for the housing of adult prisoners that would subject the unit to greater standards than those required of a unit of the State prison system.

Prior to any transfer or lease of these units, the Department of Correction shall report on the terms of the proposed transfer or lease to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections and Juvenile Justice Oversight Committee. The Department of Correction shall also provide annual summary reports to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections and Juvenile Justice Oversight Committee on the conversion of these units to other use and on all leases or transfers entered into pursuant to this section.

NEW SECTION

SECTION 25.5.(b) In complying with the provisions of subsection (a) of this section, the Secretary of Correction shall consult with the Secretary of the Department of Juvenile Justice and Delinquency Prevention on possible alternative uses of the Blue Ridge Correctional Center and of the facilities used for the IMPACT program in Morganton. These alternative uses may include use as a youth development center or detention center for juvenile offenders, as a residential facility for juveniles on Level 1 (community) or Level 2 (intermediate) sanctions, or for residential programs for adult offenders under the supervision of the Division of Community Corrections or the Division of Alcohol and Chemical Dependency in the Department of Correction. The Secretaries shall report by March 1, 2002, to the Joint Legislative Commission on Governmental Operations on proposed uses, including estimated costs for renovation, program development, and operation.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

INMATE COSTS/MEDICAL BUDGET FOR PRESCRIPTION DRUGS CONTINUE

SECTION 25.6.(a) If the cost of providing food and health care to inmates housed in the Division of Prisons is anticipated to exceed the continuation budget amounts provided for that purpose in this act, the Department of Correction shall report the reasons for the anticipated cost increase and the source of funds the Department intends to use to cover those additional needs to the Joint Legislative Commission on Governmental Operations, the Chairs of the House of Representatives and Senate Appropriations Committees, and the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety.

NEW SECTION

SECTION 25.6.(b) Notwithstanding the provisions of G.S. 143-23(a2), the Department of Correction may use funds available during the 2001-2002 fiscal year for the purchase of prescription drugs for inmates if expenditures are projected to exceed the Department's inmate medical continuation budget for prescription drugs. The Department shall consult with the Joint Legislative Commission on Governmental Operations prior to exceeding the continuation budget amount.

The Department of Administration, Purchase and Contract Division, and the Department of Correction shall review the current statewide contract for purchase of prescription drugs as it applies to the Department of Correction's purchases for inmates

to determine if the Department is receiving the lowest rate available and to determine whether the Department should be authorized to issue a request for proposals for a separate vendor or purchasing consortium for the provision of prescription drugs for inmates. The Departments shall report on their findings to the Joint Legislative Commission on Governmental Operations by February 1, 2002.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

FEDERAL GRANT MATCHING FUNDS CONTINUE/REVISE

SECTION 25.7. Notwithstanding the provisions of G.S. 148-2, the Department of Correction may use up to the sum of nine hundred thousand dollars ($900,000) from funds available to the Department to provide the State match needed in order to receive federal grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Commission on Governmental Operations on the grants to be matched using these funds.

Requested by: Senators Jordan, Ballance, Kerr, Plyler, Odom, Lee

STRUCTURED SENTENCING STUDY NEW

SECTION 25.8.(a) The North Carolina Sentencing and Policy Advisory Commission shall exercise its statutory responsibility under Article 4 of Chapter 164 of the General Statutes to monitor and review the criminal justice and corrections system as follows. The Commission is directed to study and review the State's sentencing laws in order to develop options for slowing the anticipated increase in incarceration over the next 10 years. Areas of review may include the classification of offenses and offenders, the relationship of the sentence and the sentence length to the offense, and the sentence dispositions available to judges. The Commission shall also analyze the parole-eligible population in terms of offense committed, sentence, and time served in comparison to structured sentencing inmates. The options shall be consistent with the purposes of sentencing as stated in G.S. 15A-1340.12. The Commission's options, and any recommendations, should balance the need to ensure that sentencing laws appropriately penalize offenders for the nature and degree of harm caused by the offense with the need to consider the potential impact on correctional resources of the growth in the prison population.

SECTION 25.8.(b) The North Carolina Sentencing and Policy Advisory Commission shall report its findings to the 2001 General Assembly no later than the convening of the 2002 Regular Session of the 2001 General Assembly.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

EXTEND LIMITS OF CONFINEMENT FOR TERMINALLY ILL AND PERMANENTLY AND TOTALLY DISABLED INMATES NEW

SECTION 25.9.(a) G.S. 148-4 reads as rewritten:

"**§ 148-4. Control and custody of prisoners; authorizing prisoner to leave place of confinement.**

The Secretary of Correction shall have control and custody of all prisoners serving sentence in the State prison system, and such prisoners shall be subject to all the rules and regulations legally adopted for the government thereof. Any sentence to imprisonment in any unit of the State prison system, or to jail to be assigned to work under the State Department of Correction, shall be construed as a commitment, for such terms of imprisonment as the court may direct, to the custody of the Secretary of Correction or his authorized representative, who shall designate the places of confinement within the State prison system where the sentences of all such persons shall be served. The authorized agents of the Secretary shall have all the authority of peace

officers for the purpose of transferring prisoners from place to place in the State as their duties might require and for apprehending, arresting, and returning to prison escaped prisoners, and may be commissioned by the Governor, either generally or specially, as special officers for returning escaped prisoners or other fugitives from justice from outside the State, when such persons have been extradited or voluntarily surrendered. Employees of departments, institutions, agencies, and political subdivisions of the State hiring prisoners to perform work outside prison confines may be designated as the authorized agents of the Secretary of Correction for the purpose of maintaining control and custody of prisoners who may be placed under the supervision and control of such employees, including guarding and transferring such prisoners from place to place in the State as their duties might require, and apprehending and arresting escaped prisoners and returning them to prison. The governing authorities of the State prison system are authorized to determine by rules and regulations the manner of designating these agents and placing prisoners under their supervision and control, which rules and regulations shall be established in the same manner as other rules and regulations for the government of the State prison system.

The Secretary of Correction may extend the limits of the place of confinement of a prisoner, as to whom there is reasonable cause to believe he will honor his trust, by authorizing him, under prescribed conditions, to leave the confines of that place unaccompanied by a custodial agent for a prescribed period of time to

(1) Contact prospective employers; or

(2) Secure a suitable residence for use when released on parole or upon discharge; or

(3) Obtain medical services not otherwise available; or

(4) Participate in a training program in the community; or

(5) Visit or attend the funeral of a spouse, child (including stepchild, adopted child or child as to whom the prisoner, though not a natural parent, has acted in the place of a parent), parent (including a person though not a natural parent, has acted in the place of a parent), brother, or sister; or

(6) Participate in community-based programs of rehabilitation, including, but not limited to the existing community volunteer and home-leave programs, pre-release and after-care programs as may be provided for and administered by the Secretary of Correction and other programs determined by the Secretary of Correction to be consistent with the prisoner's rehabilitation and return to society; or

(7) Be on maternity leave, for a period of time not to exceed 60 days. The county departments of social services are expected to cooperate with officials at the North Carolina Correctional Center for Women to coordinate prenatal care, financial services, and placement of the ~~child.~~ child; or

(8) Receive palliative care, only in the case of a terminally ill inmate or a permanently and totally disabled inmate that the Secretary finds no longer poses a threat to society, and only after consultation with any victims of the inmate or the victims' families. For purposes of this subdivision, the term "terminally ill" describes an inmate who, as determined by a licensed physician, has an incurable condition caused by illness or disease that will likely produce death within 12 months. For purposes of this subdivision, the term "permanently and totally disabled" describes an inmate who, as determined by a licensed physician, suffers from permanent and irreversible physical incapacitation as a result of an existing physical or medical condition.

The willful failure of a prisoner to remain within the extended limits of his confinement, or to return within the time prescribed to the place of confinement designated by the Secretary of Correction, shall be deemed an escape from the custody of the Secretary of Correction punishable as provided in G.S. 148-45."

SECTION 25.9.(b) This section is effective when it becomes law and applies to inmates serving sentences on or after that date.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW

ENERGY FOR COMMITTED OFFENDERS/CONTRACT AND REPORT

SECTION 25.10. The Department of Correction may continue to contract with Energy for Committed Offenders, Inc., for the purchase of prison beds for minimum security female inmates during the 2001-2003 biennium. Energy for Committed Offenders, Inc., shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the annual cost per inmate and the average daily inmate population compared to bed capacity using the same methodology as that used by the Department of Correction. Energy for Committed Offenders, Inc., shall also provide information on the rearrest rate and the return-to-prison rate for inmates participating in the program who are paroled or released from prison.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

MEDIUM CUSTODY ROAD CREW COMPENSATION CONTINUE/REVISE

SECTION 25.11.(a) Of funds appropriated to the Department of Transportation by this act, the sum of eight million five hundred thousand dollars ($8,500,000) per year shall be used by the Department to reimburse the Department of Correction during the 2001-2003 biennium for costs authorized by G.S. 148-26.5 for highway-related labor performed by medium-custody prisoners. The Department of Transportation may use funds appropriated by this act to pay requested reimbursements submitted by the Department of Correction over and above the eight million five hundred thousand dollars ($8,500,000), but those reimbursement requests shall be subject to negotiations among the Department of Transportation, the Department of Correction, and the Office of State Budget and Management prior to payment by the Department of Transportation.

SECTION 25.11.(b) The Department of Transportation shall reimburse the Department of Correction the sum of one million eight hundred eleven thousand six hundred twenty-eight dollars ($1,811,628) between July 1 and July 31, 2001, in order to fully comply with subsection (a) of Section 27.21 of S.L. 1999-237, which directed the Department of Transportation to provide reimbursement during the 1999-2001 biennium for highway-related labor performed by medium-custody prisoners.

SECTION 25.11.(c) Subsection (b) of Section 27.21 of S.L. 1999-237 is repealed.

SECTION 25.11.(d) The Department of Transportation and the Department of Correction shall report to the Joint Legislative Corrections and Juvenile Justice Oversight Committee and the Joint Legislative Transportation Oversight Committee by March 1, 2002, on road squad activity and the implementation of the provisions of this section.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW

CLARIFY THE LAW PROVIDING FOR COMPENSATION TO PERSONS ERRONEOUSLY CONVICTED AND INCREASE THE AMOUNT OF COMPENSATION ALLOWED

SECTION 25.12.(a) G.S. 148-84 reads as rewritten:

"§ 148-84. **Evidence; action by Industrial Commission; payment and amount of compensation.**

At the hearing the claimant may introduce evidence in the form of affidavits or testimony to support the claim, and the Attorney General may introduce counter affidavits or testimony in refutation. If the Industrial Commission finds from the evidence that the claimant received a pardon of innocence for the reason that the crime was not committed at all, or was not committed by the claimant, and that the claimant was imprisoned and has been vindicated in connection with the alleged offense for which he or she was imprisoned, the Industrial Commission shall ~~determine the amount the claimant is entitled to be paid for the claimant's pecuniary loss and shall enter an award for that amount. The Director of the Budget shall pay the amount of the award to the claimant out of the Contingency and Emergency Fund, or out of any other available State funds. The Industrial Commission shall~~ award to the claimant an amount equal to ~~ten thousand dollars ($10,000)~~ twenty thousand dollars ($20,000) for each year or the pro rata amount for the portion of each year of the imprisonment actually served, including any time spent awaiting trial, but in no event shall the compensation exceed a total amount of ~~one hundred fifty thousand dollars ($150,000).~~ five hundred thousand dollars ($500,000). The Director of the Budget shall pay the amount of the award to the claimant out of the Contingency and Emergency Fund, or out of any other available State funds. The Industrial Commission shall give written notice of its decision to all parties concerned. The determination of the Industrial Commission shall be subject to judicial review upon appeal of the claimant or the State according to the provisions and procedures set forth in Article 31 of Chapter 143 of the General Statutes."

SECTION 25.12.(b) This section is effective when it becomes law and applies to persons granted a pardon of innocence on or after January 1, 2001.

Requested by: Senators Jordan, Ballance, Purcell, Plyler, Odom, Lee

SCOTLAND WORK RELEASE PROGRAM NEW

SECTION 25.13. The Department of Correction shall expand the work release program at Scotland Correctional Center during the 2001-2003 biennium. As part of this expansion, the Department shall close the segregation unit at Scotland Correctional Center, which will allow up to 24 additional inmates to be placed in work release programs. The Department shall place all eligible inmates in work release programs except those inmates needed for various community work projects and work at the correctional center. The Department shall close the Scotland Correctional Center during the 2003-2004 fiscal year if the proposed new close-custody prison in Scotland County is constructed and scheduled to become operational during the 2003-2004 fiscal year, but the Department shall make a good faith effort to continue providing work release for inmates transferred from the Scotland Correctional Center and to continue providing community work projects in Scotland County.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

REDUCE SUMMIT HOUSE APPROPRIATION NEW

SECTION 25.14.(a) The General Fund appropriation to the Department of Correction for Summit House, Inc., is reduced by the sum of one hundred thirty-nine thousand six hundred fifty dollars ($139,650) for each year of the 2001-2003 biennium. This ten percent (10%) reduction in funding shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites.

SECTION 25.14.(b) The Joint Legislative Corrections and Juvenile Justice Oversight Committee and the Fiscal Research Division shall review the organizational structure and expenditures of Summit House, Inc., prior to the convening of the 2002 Regular Session of the 2001 General Assembly to identify potential modifications that would provide for more efficient operation of the program in future fiscal years.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee NEW

CHANGE REFERENCES TO THE DIVISION OF ADULT PROBATION AND PAROLE TO THE DIVISION OF COMMUNITY CORRECTIONS

SECTION 25.15. The phrase "Adult Probation and Parole" is deleted and replaced by the phrase "Community Corrections" everywhere it occurs in each of the following sections of the General Statutes:

G.S. 15A-837.	Responsibilities of Division of Adult Probation and Parole.
G.S. 15A-1343.2.	Special probation rules for persons sentenced under Article 81B.
G.S. 15A-1368.4.	Conditions of post-release supervision.
G.S. 105-259.	Secrecy required of officials; penalty for violation.
G.S. 115D-5.	Administration of institutions by State Board of Community Colleges; personnel exempt from State Personnel Act; extension courses; tuition waiver; in-plant training; contracting, etc., for establishment and operation of extension units of the community college system; use of existing public school facilities.
G.S. 143B-262.	Department of Correction – functions.
G.S. 143B-478.	Governor's Crime Commission – creation; composition; terms; meetings, etc.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee CONTINUE/REVISE

MODIFICATION OF FUNDING FORMULA FOR THE NORTH CAROLINA STATE-COUNTY CRIMINAL JUSTICE PARTNERSHIP FORMULA

SECTION 25.16.(a) Notwithstanding the funding formula set forth in G.S. 143B-273.15, appropriations made to the Department of Correction through the North Carolina State-County Criminal Justice Partnership Act for the 2001-2003 biennium shall be distributed to the counties as specified in G.S. 143B-273.15(2) only, and not as discretionary funds. The Department may also use funds from the State-County Criminal Justice Partnership Account in order to maintain the counties' allocations of eight million three hundred thousand dollars ($8,300,000) as provided in previous fiscal years. WAO $ 600.00

SECTION 25.16.(b) Appropriations not claimed or expended by the counties during the 2001-2003 biennium shall be distributed as specified in G.S. 143B-273.15(1). A single county may apply for discretionary funds under G.S. 143B-273.15(1) for a residential program that serves offenders from other counties; in order for those other counties to assign offenders to such a program, those counties shall include a residential component in an approved partnership plan.

SECTION 25.16.(c) The Department of Correction may not deny funds to a county to support both a residential program and a day reporting center if the Department of Correction determines that the county has a demonstrated need and a fully developed plan for each type of sanction.

SECTION 25.16.(d) The Department of Correction shall report by February 1 of each year to the Chairs of the Senate and House of Representatives Appropriations Committees, the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Joint Legislative Corrections and Juvenile Justice Oversight Committee on the status of the Criminal Justice Partnership Program. The report shall include the following information:

(1) The amount of funds carried over from the prior fiscal year;

(2) The dollar amount and purpose of grants awarded to counties as discretionary grants for current fiscal year;
(3) Any counties the Department anticipates will submit requests for new implementation grants;
(4) An update on efforts to ensure that all counties make use of the electronic reporting system, including the number of counties submitting offender participation data via the system;
(5) An analysis of offender participation data received, including data on each program's utilization and capacity; and
(6) An analysis of comparable programs, prepared by the Research and Planning Division of the Department of Correction, and a summary of the reports prepared by county Criminal Justice Partnerships Advisory Boards. NEW

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

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

SECTION 25.17. The Post-Release Supervision and Parole Commission shall report by March 1 of each year to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on an updated transition plan for implementing staff reductions through the 2002-2003 fiscal year, including a minimum ten percent (10%) reduction in staff positions in the 2002-2003 fiscal year over the 2001-2002 fiscal year.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

REPORTS ON NONPROFIT PROGRAMS CONTINUE/REVISE/NEW SECTION

SECTION 25.18.(a) Funds appropriated in this act to the Department of Correction to support the programs of Harriet's House may be used for program operating costs, the purchase of equipment, and the rental of real property. Harriet's House shall report by February 1 of each year 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.

SECTION 25.18.(b) Summit House shall report by February 1 of each year 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, the number of clients who have their probation revoked, and the number of clients who successfully complete the program while housed at Summit House, Inc.

SECTION 25.18.(c) Women at Risk shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the expenditure of State funds and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program.

SECTION 25.18.(d) The John Hyman Foundation shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the expenditure of State funds and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program. NEW

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

EXEMPTION FROM LICENSURE AND CERTIFICATE OF NEED

CONTINUE

SECTION 25.19.(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 Health and Human Services 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.

SECTION 25.19.(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 Health and Human Services 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.

SECTION 25.19.(c) This section applies to existing facilities, as well as future facilities contracting with the Department of Correction.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

REPORT ON PROBATION AND PAROLE CASELOADS CONTINUE

SECTION 25.20. The Department of Correction shall report by March 1 of each year to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Corrections and Juvenile Justice Oversight Committee on caseload averages for probation and parole officers. The report shall include:

(1) Data on current caseload averages for Probation Parole Officer I, Probation Parole Officer II, and Probation Parole Officer III positions;

(2) An analysis of the optimal caseloads for these new officer classifications;

(3) An assessment of the role of surveillance officers; and

(4) Projected impact of the new officer classifications and procedures on the operating and equipment expenditures of the Division of Community Corrections.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

REPORT ON INMATES ELIGIBLE FOR PAROLE NEW

SECTION 25.21. The Post-Release Supervision and Parole Commission shall provide quarterly reports to the Joint Legislative Commission on Governmental Operations on inmates eligible for parole. These reports shall include at least the following:

(1) The total number of Fair Sentencing and Pre-Fair Sentencing inmates that were parole-eligible during the previous quarter and the total number of those inmates that were paroled. The report should group these inmates by offense type and custody classification; quarterly

(2) A list of all those inmates paroled or released by category of parole or release, including each inmate's offense and custody classification at the time of the parole or release;

(3) The average time served, by offense class, of Fair Sentencing and Pre-Fair Sentencing inmates compared to inmates sentenced under Structured Sentencing;

(4) The projected number of parole-eligible inmates to be paroled or released by the end of the 2001-2002 fiscal year and by the end of the 2002-2003 fiscal year.

PART XXVI. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee New

ELIMINATE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY/RELOCATE DIVISIONS

SECTION 26.1.(a) Article 11 of Chapter 143B of the General Statutes is repealed, and the Department of Crime Control and Public Safety is abolished.

SECTION 26.1.(b) Article 19 of Chapter 143A of the General Statutes is repealed.

SECTION 26.1.(c) Article 68 of Chapter 143 of the General Statutes is repealed, and the North Carolina State Boxing Commission is abolished.

SECTION 26.1.(d) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Highway Patrol Division of the Department of Crime Control and Public Safety are transferred to the Department of Transportation. The Revisor of Statutes shall substitute the term "Department of Transportation" for the term "Department of Crime Control and Public Safety" and the term "Transportation" for the term "Crime Control and Public Safety" everywhere those terms appear in each of the following sections of the General Statutes:

G.S. 8-50.2.	Results of speed-measuring instruments; admissibility.
G.S. 17C-6.	Powers of Commission.
G.S. 20-125.	Horns and warning devices.
G.S. 20-184.	Patrol under supervision of Department of Crime Control and Public Safety.
G.S. 20-185.	Personnel; appointment; salaries.
G.S. 20-187.	Orders and rules for organization and conduct.
G.S. 20-187.1.	Awards.
G.S. 20-187.3.	Quotas prohibited.
G.S. 20-188.	Duties of Highway Patrol.
G.S. 20-189.	Patrolmen assigned to Governor's office.
G.S. 20-190.	Uniforms; motor vehicles and arms; expense incurred; color of vehicle.
G.S. 20-192.	Shifting of patrolmen from one district to another.
G.S. 20-195.	Cooperation between Patrol and local officers.
G.S. 20-196.	Statewide radio system authorized; use of telephone lines in emergencies.
G.S. 20-196.3.	Who may hold supervisory positions over uniformed personnel.
G.S. 166A-26.	Regional Response Team Advisory Committee.

SECTION 26.1.(e) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Community Service Work Program of the Division of Victim and Justice Services of the Department of Crime Control and Public Safety are transferred to the Department of Correction.

The Revisor of Statutes shall substitute the term "Department of Correction" for the terms "Department of Crime Control and Public Safety" and "Crime Control and Public Safety" everywhere those terms appear in the following sections of the General Statutes:

G.S. 20-179.4.	Community service alternative punishment; responsibilities of the Department of Crime Control and Public Safety; fee.
G.S. 143B-475.1.	Deferred prosecution, community service restitution, and volunteer program.

SECTION 26.1.(f) The Secretary of the Department of Crime Control and Public Safety and the Secretary of the Department of Correction shall collaborate to identify 25 vacant positions to terminate no later than June 30, 2002. The positions shall be identified from the four regional managers and the 21 district managers in the area of community service work and the judicial district managers and judicial division managers in the area of probation and parole. In addition to the 25 vacant positions to terminate no later than June 30, 2002, the positions of Director of Victim and Justice Services and administrative assistant shall cease to exist after June 30, 2002. On or before April 1, 2002, the Secretary of Crime Control and Public Safety and the Secretary of Correction shall report the specific vacant positions to terminate no later than June 30, 2002, to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly.

SECTION 26.1.(g) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Crime Victims Compensation Fund and Rape Victims Assistance Fund, and programs related to those Funds, of the Division of Victim and Justice Services of the Department of Crime Control and Public Safety are transferred to the Department of Administration. Part 3A of Article 11 of Chapter 143B of the General Statutes, Assistance Program for Victims of Rape and Sex Offenses, is recodified as Part 10D of Article 9 of Chapter 143B of the General Statutes, and the Revisor of Statutes shall substitute "Department of Administration" for "Department of Crime Control and Public Safety" everywhere that term appears in Part 10D of Article 9 of Chapter 143B of the General Statutes.

SECTION 26.1.(h) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety are transferred to the Department of Justice. The Revisor of Statutes shall substitute the term "Department of Justice" for the term "Department of Crime Control and Public Safety" and the term "Attorney General" for the term "Secretary of Crime Control and Public Safety" everywhere those terms appear in each of the following statutes:

G.S. 18B-101.	Definitions.
G.S. 18B-500.	Alcohol law-enforcement agents.
G.S. 20-39.	Administering and enforcing laws; rules and regulations; agents, etc.; seal; fees; licenses and plates for undercover officers.
G.S. 19-2.1.	Action for abatement; injunction.

SECTION 26.1.(i) Of the 10 remaining supervisor positions and the 12 assistant supervisor positions in the district offices of the Alcohol Law Enforcement Division, four positions shall terminate no later than June 30, 2002. The Secretary of Crime Control and Public Safety in collaboration with the Attorney General shall identify the positions that will terminate pursuant to this section and shall report to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly by May 1, 2002, on the positions identified by the Department pursuant to this section.

SECTION 26.1.(j) Part 5A of Article 11 of Chapter 143B of the General Statutes, North Carolina Center for Missing Persons, is recodified as Article 7 of Chapter 114 of the General Statutes, and the Revisor of Statutes shall substitute the term "Department of Justice" for the term "Department of Crime Control and Public Safety" and the term "Attorney General" for the terms "Secretary" and "Secretary of the Department of Crime Control and Public Safety" everywhere those terms appear in Article 7 of Chapter 114, as recodified in this section.

SECTION 26.1.(k) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Emergency Management Division of the Department of Crime Control and Public Safety are transferred to the Department of Administration. G.S. 166A-5(2) is repealed. The Revisor of Statutes shall substitute the term "Department of Administration" for the terms "Department of Crime Control and Public Safety", "Crime Control and Public Safety", "Secretary", and "Secretary of Crime Control and Public Safety" everywhere those terms appear in each of the following sections of the General Statutes:

Chapter 166A of the General Statutes, Emergency Management Act.

G.S. 104E-8. Radiation Protection Commission. – Members; selections; removal; compensation; quorum; services.

SECTION 26.1.(l) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Civil Air Patrol Division of the Department of Crime Control and Public Safety are transferred to the Department of Administration. Part 5 of Article 11 of Chapter 143B of the General Statutes, G.S. 143B-490 through G.S. 143B-492 is recodified as Part 4 of Article 36 of Chapter 143 of the General Statutes, and the Revisor of Statutes shall substitute the term "Department of Administration" for the terms "Department of Crime Control and Public Safety" and "Secretary" everywhere those terms appear in those sections of the General Statutes.

SECTION 26.1.(m) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the National Guard Division of the Department of Crime Control and Public Safety are transferred to the Department of Administration. The Revisor of Statutes shall substitute the term "Department of Administration" for the terms "Department of Crime Control and Public Safety", "Crime Control and Public Safety", "Secretary of Crime Control and Public Safety", "Secretary of the Department of Crime Control and Public Safety", "Department", or "Secretary" everywhere those terms appear in each of the following statutes:

G.S. 127A-17.1.	Confidentiality of national guard records.
G.S. 127A-40.	Pensions for the members of the North Carolina national guard.
G.S. 127A-80.	Authority to organize and maintain State defense militia of North Carolina.
G.S. 127A-81.	State defense militia cadre.
G.S. 127A-107.	Rate of pay for other service.
G.S. 127A-139.	Allowances made to different organizations and personnel.
G.S. 127A-162.	Authority to foster development of armories and facilities.
G.S. 127A-163.	Powers of Department specified.
G.S. 127A-164.	Power to acquire land, make contracts, etc.
G.S. 166A-6.	State of disaster.
G.S. 166A-6.1.	Emergency planning; charge.

SECTION 26.1.(n) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Governor's Crime Commission of the Department of Crime Control and Public Safety are transferred to the Department of Administration. Part 3 of Chapter 143B of the General Statutes is recodified as Part 5 of Article 36 of Chapter 143 of the General Statutes, and the Revisor of Statutes shall substitute the term "Department of Administration" for the terms "Department of Crime Control and Public Safety", "Secretary", and "Director, Crime Control Division of the Department of Crime Control and Public Safety" everywhere those terms appear in Part 5 of Article 36 of Chapter 143 of the General Statutes, as recodified in this section.

SECTION 26.1.(o) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Butner Public Safety Division of the Department of Crime Control and Public Safety are transferred to the Department of Health and Human Services. The Revisor of Statutes shall substitute the term "Health and Human Services" for the term "Crime Control and Public Safety" everywhere that term appears in each of the following statutes:

G.S. 122C-408.	Butner Public Safety Division of the Department of Crime Control and Public Safety; jurisdiction; fire and police district.
G.S. 122C-409.	Community of Butner comprehensive emergency management plan.
G.S. 122C-411.	Fire protection contracts.
G.S. 143-341.	Powers and duties of Department.

SECTION 26.1.(p) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting and purchasing, of the Law Enforcement Support Services Division of the Department of Crime Control and Public Safety are transferred to the Department of Justice.

SECTION 26.1.(q) The Revisor of Statutes shall delete any references to "the Secretary of Crime Control and Public Safety", "Secretary of the Department of Crime Control and Public Safety", "Crime Control and Public Safety", or "the Department of Crime Control and Public Safety" and delete any extraneous punctuation, whenever these references appeal in the following sections of the General Statutes:

G.S. 143-215.56.	Delineation of flood hazard areas and 100-year floodplains; powers of Department; powers of local governments and of the Department.
G.S. 58-78-1.	State Fire and Rescue Commission created; membership.
G.S. 126-5.	Employees subject to Chapter; exemptions.
G.S. 127A-35.	Elimination and disposition of officers; efficiency board; transfer to inactive status.
G.S. 127A-42.	Distinguished Service Medal by Governor of North Carolina.
G.S. 108A-29.	First Stop Employment Assistance; priority for employment services.

SECTION 26.1.(r) G.S. 120-70.94 reads as rewritten:

"**§ 120-70.94. Purpose and powers of Committee.**

(a) The Joint Legislative ~~Corrections and Crime Control~~ Corrections and Juvenile Justice Oversight Committee shall examine, on a continuing basis, the ~~correctional and law enforcement~~ correctional, law enforcement, and juvenile justice systems in North Carolina, in order to make ongoing recommendations to the General

Assembly on ways to improve ~~the correctional and law enforcement~~ those systems and to assist those systems in realizing their objectives of protecting the public and of punishing and rehabilitating offenders. In this examination, the Committee shall:

(1) Study the budget, programs, and policies of the Departments of ~~Correction and Crime Control and Public Safety,~~ Correction, Juvenile Justice and Delinquency Prevention, and Transportation to determine ways in which the General Assembly may improve the effectiveness of those Departments;

(2) Examine the effectiveness of the Department of Correction in implementing the public policy stated in G.S. 148-26 of providing work assignments and employment for inmates as a means of reducing 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;

(2a) Examine the effectiveness of the Department of ~~Crime Control and Public Safety~~ Transportation in implementing the duties and responsibilities charged to the Department in ~~G.S. 143B-474~~ Article 8 of Chapter 143B of the General Statutes and the overall effectiveness and efficiency of law enforcement in the State; ~~and~~

(2b) Examine the effectiveness of the Department of Juvenile Justice and Delinquency Prevention in implementing the duties and responsibilities charged to the Department in Article 12 of Chapter 143B of the General Statutes and the overall effectiveness and efficiency of the juvenile justice system in the State; and

(3) Study any other matters that the Committee considers necessary.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee."

SECTION 26.1.(s) Except for the sections of the General Statutes amended in this section, the Revisor of Statutes shall substitute the term "Joint Legislative Corrections and Juvenile Justice Oversight Committee" for the term "Joint Legislative Corrections and Crime Control Oversight Committee" everywhere that term appears in the General Statutes.

SECTION 26.1.(t) Subsections (f), (i), (r), and (t) of this section become effective July 1, 2001. The remainder of this section becomes effective July 1, 2002.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

ANNUAL EVALUATION OF THE TARHEEL CHALLENGE PROGRAM Continue

SECTION 26.2. The Department of Crime Control and Public Safety shall report to the Chairs of the House of Representatives and Senate Appropriations Committees and the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety by April 1 of each year on the operations and effectiveness of the National Guard Tarheel Challenge Program. The report should evaluate the program's effectiveness as an intervention method for preventing juveniles from becoming undisciplined or delinquent. The report shall also evaluate the Program's role in improving individual skills and employment potential for participants and shall include:

(1) The source of referrals for individuals participating in the Program;

(2) The summary of types of actions or offenses committed by the participants of the Program;

(3) An analysis outlining the cost of providing services for each participant, including a breakdown of all expenditures related to the

administration and operation of the Program and the education and treatment of the Program participants;

(4) The number of individuals who successfully complete the Program; and

(5) The number of participants who commit offenses after completing the Program.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee Continued

LEGISLATIVE REVIEW OF DRUG LAW ENFORCEMENT AND OTHER GRANTS

SECTION 26.3.(a) Section 1303(4) of the Omnibus Crime Control and Safe Streets Act of 1968 provides that the State application for Drug Law Enforcement Grants is subject to review by the State legislature or its designated body. Therefore, the Governor's Crime Commission of the Department of Crime Control and Public Safety shall report on the State application 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, to the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety when the General Assembly is in session. When the General Assembly is not in session, the Governor's Crime Commission shall report on the State application to the Joint Legislative Commission on Governmental Operations.

SECTION 26.3.(b) Unless a State statute provides a different forum for review, when a federal law or regulation provides that an individual State application for a grant shall 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.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

VICTIMS ASSISTANCE NETWORK REPORT Continued / revised

SECTION 26.4. The Department of Crime Control and Public Safety shall report on the expenditure of funds allocated pursuant to this section for the Victims Assistance Network. The Department shall also report on the Network's efforts to gather data on crime victims and their needs, act as a clearinghouse for crime victims' services, provide an automated crime victims' bulletin board for subscribers, coordinate and support activities of other crime victims' advocacy groups, identify the training needs of crime victims' services providers and criminal justice personnel, and coordinate training for these personnel. The Department shall submit its report to the Chairs of the Appropriations Subcommittees on Justice and Public Safety of the Senate and House of Representatives by December 1 of each year of the biennium.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee Continued / New Subsection

REVISE REPORT ON CRIME VICTIMS COMPENSATION FUND

SECTION 26.5. G.S. 15B-21 reads as rewritten:

"**§ 15B-21. Annual report.**

The Commission shall, by March 15 each year, prepare and transmit to the Governor and the General Assembly a report of its activities in the prior fiscal year and the current fiscal year to date. The report shall include:

(1) The number of claims filed;

(2) The number of awards made;

(2a) The number of pending cases by year received;

(3) The amount of each award;

(4) A statistical summary of claims denied and awards made;

(5) The administrative costs of the Commission, including the compensation of commissioners;
(6) The current unencumbered balance of the North Carolina Crime Victims Compensation Fund;
(7) The amount of funds carried over from the prior fiscal year;
(8) The amount of funds received in the prior fiscal year from the Department of Correction and from the compensation fund established pursuant to the Victims Crime Act of 1984, 42 U.S.C. § 10601, et seq.; and
(9) The amount of funds expected to be received in the current fiscal year, as well as the amount actually received in the current fiscal year on the date of the report, from the Department of Correction and from the compensation fund established pursuant to the Victims Crime Act of 1984, 42 U.S.C. § 10601, et seq.

The Attorney General and State Auditor shall assist the Commission in the preparation of the report required by this section."

Requested by: Senators Ballance, Plyler, Odom, Lee

New

AMEND THE CRIME VICTIMS COMPENSATION ACT BY INCREASING REIMBURSEMENT FOR FUNERAL EXPENSES AND WORK LOSS AND BY PROVIDING THAT WORK LOSS INCLUDES LOST WAGES FOR TIME SPENT IN COURT AND COURT-RELATED TRANSPORTATION COSTS

SECTION 26.6.(a) G.S. 15B-2(1) reads as rewritten:

"(1) "Allowable expense" means reasonable charges incurred for reasonably needed products, services, and accommodations, including those for medical care, rehabilitation, medically related property, and other remedial treatment and care.

Allowable expense includes a total charge not in excess of ~~three thousand five hundred dollars ($3,500)~~ four thousand dollars ($4,000) for expenses related to funeral, cremation, and burial, including transportation of a body, but excluding expenses for flowers, gravestone, and other items not directly related to the funeral service."

SECTION 26.6.(b) G.S. 15B-2(14) reads as rewritten:

"(14) "Work loss" means loss of income from work that the injured person would have performed if he had not been injured and expenses reasonably incurred by him to obtain services in lieu of those he would have performed for income, reduced by any income from substitute work actually performed by him, or by income he would have earned in available appropriate substitute work that he was capable of performing but unreasonably failed to undertake. "Work loss" includes lost wages resulting from time spent in court attending criminal proceedings directly related to the injury and transportation expenses incurred to attend those proceedings.

Compensation for work loss will be limited to ~~26~~ 36 weeks commencing from the date of the injury, and compensation shall not exceed ~~three hundred dollars ($300.00)~~ four hundred dollars ($400.00) per week. A claim for work loss will be paid only upon proof that the injured person was gainfully employed at the time of the criminally injurious conduct and, by physician's certificate, that the injured person was unable to work. However, a claim for work loss resulting from time spent in court attending criminal proceedings will be paid

upon proof of the loss of an opportunity to work as a result of attending those proceedings."

SECTION 26.6.(c) G.S. 15B-11(f) reads as rewritten:

"(f) Compensation for replacement services loss, dependent's economic loss, and dependent's replacement services loss may not exceed two hundred dollars ($200.00) per week. Compensation for work loss may not exceed four hundred dollars ($400.00) per week. Compensation for ~~and~~ household support loss may not exceed three hundred dollars ($300.00) per week."

SECTION 26.6.(d) This section becomes effective July 1, 2001, and applies to injuries occurring on or after that date.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

TRANSPORT OF PERSONS TO AND FROM BUTNER FACILITIES New

SECTION 26.7.(a) G.S. 122C-408(b) reads as rewritten:

"(b) After taking the oath of office required for law-enforcement officers, the special police officers authorized by this section shall have the authority of deputy sheriffs of Durham and Granville Counties in those counties respectively. Within the territorial jurisdiction stated in subsection (a) of this section, the special police officers have the primary responsibility to enforce the laws of North Carolina and any rule applicable to that territory adopted under authority of this Part or under G.S. 143-116.6 or G.S. 143-116.7 or under the authority granted any other agency of the State and also have the powers set forth for firemen in Articles 80, 82 and 83 of Chapter 58 of the General Statutes. Any civil or criminal process to be served on any individual confined at any State facility within the territorial jurisdiction described in subsection (a) of this section shall be forwarded by the sheriff of the county in which the process originated to the Director of the Butner Public Safety Division. ~~Special police officers authorized by this section shall be assigned to transport any individual transferred to or from any State facility within the territorial jurisdiction described in subsection (a) of this section to or from the psychiatric service of the University of North Carolina Hospitals at Chapel Hill.~~"

SECTION 26.7.(b) No State funds appropriated for Butner Public Safety for the 2001-2003 biennium shall be used to transport any individual transferred to or from any State facility within the territorial jurisdiction of the Butner Public Safety Division to or from the psychiatric service of the University of North Carolina Hospitals at Chapel Hill.

Requested by: Senators Jordan, Ballance, Plyler, Odom, Lee

REPORT ON BUTNER PUBLIC SAFETY New

SECTION 26.8. The Secretary of Health and Human Services, in consultation with the Granville County and Durham County board of commissioners, shall develop a plan for phasing out the State's provision of fire and police protection to the Town of Butner through Butner Public Safety. The Secretary shall report to the Joint Legislative Commission on Governmental Operations by December 15, 2001, on its recommendations for the transfer of those services to Granville and Durham Counties.

PART XXVII. DEPARTMENT OF TRANSPORTATION

Requested by: Senators Gulley, Plyler, Odom, Lee

REPEAL BOND RETIREMENT TRANSFER FROM HIGHWAY FUND TO HIGHWAY TRUST FUND

SECTION 27.1. G.S. 136-176(a)(4) and G.S. 136-183 are repealed.

Requested by: Senators Gulley, Plyler, Odom, Lee

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday June 12, 2001
1:30 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative Bill Culpepper, Presiding
Representative R. Phillip Haire

II. PRESENTATIONS

- Complete Overview of Senate Justice and Public Safety Budget
  Crime Control & Public Safety

  Fiscal Research Staff

- Presentation of Bills Assigned to JPS Appropriations

  -HB 313 Eckerd Wilderness Camps Funds
  Rep. Pryor Gibson

  -HB 490 Family Court Program District #10
  -HB 491 District Court Judge Computer Training
  -HB 492 Additional District Ct Judge District #10
  -HB 493 Increase Penalty Indecent Exposure
  Rep. Bob Hensley

  -HB 939 Community Mediation Center Funds

  Rep. Sexton, Haire and Nesbitt

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Appropriations Subcommittee on Justice and Public Safety met on **Tuesday, June 12, 2001** at 1:30 a.m. in Room 415 LOB. The following members of the House were present:

Rep. Bill Culpepper	Rep. Wayne Sexton
Rep. Phillip Haire	Rep. John Hall
Rep. Wayne Goodwin	Rep. Joe Kiser
Rep. Larry Justus	

A visitor's registration sheet is attached and made part of these minutes.

Representative Bill Culpepper chaired the meeting. After welcoming everyone, Representative Culpepper asked Representative Goodwin to introduce a special guest, Steve Smith, Law Enforcement Officer from Scotland County.

Representative Culpepper announced that the meeting would begin with a continuation of **Special Budget Provisions re: Senate Justice and Public Safety** (Handout #1) by Kelly Little regarding the Department of Crime Control and Public Safety beginning on Page 161 which calls for the elimination of said Department. Ms. Little went over each section showing transfers to other Departments where appropriate. Provisions call for the elimination of the Boxing Commission.

At the conclusion of Ms. Little's presentation, Chair Representative Culpepper asked for questions.

There being none, Jim Mills requested that he would like to point out something to the committee that he had failed to point out earlier regarding the Senate Budget.

Mr. Mills said that in the front of the Senate Budget Bill (no copies were available for handout), there are two money reductions relating to the Department of Corrections. In Section 2.2D, there are a number of special funds where the cash balance is taken for general availability as far as the Department of Corrections, $380,000 is transferred out of the inmate welfare fund. The Governor originally recommended $280,000 for a budget reduction. The Senate Budget took another $100,000. One other section in that same area, Section 2.2F, transfers funds from the Prison Enterprises Fund to basically allow the Senate to reduce the general fund and $500,000 one time money and $500,000 recurring in the first year's biennium. The second year there is another $500,000 reduction. This would total $1 million the first year; half of it non-recurring and then $500,000 the second year. Those sections for reference purposes are in the front of the budget.

Representative Kiser asked if that was under the availability?

Mr. Mills said this is general language under transfers from special funds. This is not shown on the money report.

Question Representative Kiser. Please tell me where this money goes. Are you taking it away from Corrections and moving it to some other area?

Mr. Mills responded the General Assembly in last year's budget took a reduction in the enterprise fund and welfare fund. In essence, you are taking money from those funds to increase availability allowing you to reduce the general fund amount under the Department of Correction.

Follow up Representative Kiser. I understand all of that. Did it go to the General Fund to the availability of the General Fund or to the JPS?

Response from Mr. Mills was to the availability of the General Fund.

Follow up Representative Kiser. Sometimes when monies pass through so many hands, it doesn't all get back and that it was I am concerned about.

Follow up Representative Kiser. With regards to the Prisoner's Welfare Fund – it is generated by the selling of canteen products, or what?

Mr. Mills explained there were two different areas. One was canteen products and secondary was telephone commissions.

Follow up Representative Kiser. It has always been my understanding that any funds generated from the sale of products or services to inmates had to be used by law for the inmates. I guess that's not true because we have been doing this for two or three years now.

Mr. Mills replied (and he stands to be corrected) that he believed it was by policy not by statute. Historically, it has been used to go back into inmate-related programs except where you have taken some of that money to generate availability in the general funds.

Question Representative Goodwin. On the section regarding Crime Control and Public Safety, I wanted to say that I have not been persuaded as to the Senate's position, and I am concerned about what they proposed.

Chairman Culpepper stated so noted.

Kelly Little was recognized and stated that she did leave out information regarding an increase of Butner taxes on Page 283 of your budget bill. Currently residents pay 20 cents per $100 in value for their public safety services. This rate has been the same since 1983 and the provision would increase the tax to 30 cents the first year and 40 cents the second year.

Question Representative Kiser. Who represents that area in the House? (Response - Representative Crawford).

The Chair asked Ms. Little approximately how much money that would generate.

Response from Ms. Little: In the first year of the biennium assuming 97% collection range, $265,000; in the second year, a little over $500,000.

Chair went on to further say he assumes it would go back to offset money paid to Butner for police and fire protection services?

Ms. Little said it goes into the General Fund and then you appropriate money to run Butner's public safety. This special provision would increase the amount of taxes coming in and increase General Fund availability. The total cost of Butner's safety is $2.7 million and there are sending in about $500,000. Currently they are bringing in $571,000 in revenues so you are lessening the disparity with the tax increase.

Question Representative Kiser. Does the federal government contribute anything to public safety and fire protection there?

Ms. Little said no.

Question Representative Haire. There has not been an increase there since 1983?

Ms. Little said correct.

Representative Culpepper asked for any additional questions. There being none, the Chair reminded the committee that during the House session last night, several bills were referred to this subcommittee to be heard. We have a few of those scheduled for hearing this afternoon.

We will start with **House Bill 313, Eckerd Wilderness Camps Fund, 9 (handout #2)** sponsored by Representative Pryor Gibson. I am going to ask the Sergeant at Arms to pass out the bill to members. We will recognize Representative Gibson and Representative Preston to give us an explanation of HB313.

Representative Gibson began by saying that this is probably his first ever appropriation bill and asked for your support on this one. The Eckerd's set aside a large amount of stock to fund these programs. With the stock market problems, the funding is now in trouble for the youth facilities. Therefore, we are asking for funds to keep these kids out of prison and return them to society to be productive citizens.

Representative Preston said she was approached by a representative of the Eckerd Family Youth Program because a lot of these camps have recently been devastated by storms and hurricanes. They are in need of dire repair. In the past, these kids have been coming out of the camps and doing quite well in the communities. Like Representative Gibson said, this is the first time they have had to ask for public help.

Comment Representative Goodwin. As a co-sponsor of this bill, I, too ask for support of this excellent program.

Chair, Representative Culpepper, asked for further questions. There being none, he reiterated that motions were not being taken today.

Comment Representative Justus. I, personally, have been to these camps a few times. And it is one of the few programs that I can say is really working.

Chairman Culpepper then asked Representative Hensley to comment on **House Bill 490, Family Court Program / District 10, (handout #3)** The Chair requested the Sergeant of Arms to pass out all four (4) of Representative Hensley's bills so members will have them to refer as he explains the bills.

Representative Hensley stated that this bill requests money to set up a Family Court Pilot Program for Wake County (District 10). He said he understood from Judge Hobgood that it might be in the works anyway. Every year before session, I meet with my district court judges and ask the superior judges if they would like to meet, also. At that time, I get their ideas and requests for what they think needs to be done for the district court bench in District 10. This is one of those requests. The number of family court cases that comes through Wake County is astronomical and this would be a more efficient way of handling them.

The Chair called for questions regarding HB490.

Question Representative Kiser. How many district court judges do you have in Wake County?

Response was fourteen (14) and I believe we are ranked number one with district court judge workload – 18,156 cases being handled by each judge.

Follow up Representative Kiser. This would do two things? It would lower that and it would establish a family court, too? So the caseload would be lower?

Response from Representative Hensley was that it would not lower the caseload because that constantly increases. One of my other bills for you to hear today is asking for additional district court judges would definitely lower it. This bill (HB 490) might increase the caseload.

Follow up Representative Kiser. Could you explain how it would increase?

Representative Hensley explained if you have one judge following a specific case through, it might keep that judge from hearing other cases. In that case, it would raise the amount.

There being no further questions, the Chair asked that we move to **House Bill 491, District Court Judge Computer Training / Funds,(handout #4)**

Representative Hensley said that in speaking with district court judges, he noticed they had lap top computers. Even though they were using they were not necessarily being utilized at full potential. After speaking with some of the judges, he had learned that more training would assist them in using them as they were intended. This bill requests the money for that training.

Question Representative Goodwin. The $40,000 appropriation recommendation, from what is that based and is it enough?

Response from Representative Hensley was that his chief district judge checked into what she would consider adequate training and determined that it could be attained for around $10,000 for the biennium. Basing it on that, $40,000 would be a reasonable amount for four (4) districts.

Question Representative Justus. How would you do this training? Does someone come to where the judges are? Do they go to school?

Representative Hensley responded that his judges agreed to meet on Saturdays to be trained on the computers.

Question Representative Goodwin. I assume this is a request for non-recurring funds?

Representative Hensley said it would be a one-time request; however, he hoped other districts would pick it up in the future, too.

Representative Culpepper asked for additional questions. He then asked Representative Hensley where Districts 8, 13 and 28 were located.

Elisa Wolper responded: District 8 is Wayne, Greene and Lenoir; District 13 is Bladen, Brunswick and Columbus; and District 28 is Buncombe.

The Chair requested Representative Hensley to explain **House Bill 492, Additional District Court Judges / District 10,(handout #5).** Currently, there are fourteen (14) district court judges in Wake County. We need more. This bill asks for three (3). I am not unmindful of the situation, but I hope this committee would see fit to at least include one (1). As I told you before, we have the highest amount of cases in the state. We also have another situation whereby several years ago, this General Assembly allowed district court judges to handle felony pleas for certain types of felonies in district court. We made it the choice of the chief district judge. There are lots of counties in the state who do not do this for whatever reason. In Wake County, we do more of these than any other county in the state. 1998-99, we did 37% of all of those that were handled – 1,485 cases of superior court pleas were handled in Wake County. Forsyth County came in behind us with 800 cases. This frees up our superior court judges to try cases and allows the more serious cases not to get stuck over and over again and have to wait for trial. This puts a strain on our district court judges who must handle these in addition to the normal caseload.

Question Representative Kiser. You said they don't go fishing on Wednesday, what do they do on Friday?

Representative Hensley responded they stay in court.

Question Representative Kiser. I would like a comparison (asking staff) between the workload (caseload in district court) in Wake County and Mecklenburg County. I would like to see that.

Chairman Culpepper then asked Representative Hensley about **House Bill 493, Increase Penalty for Indecent Exposure, (handout #6)** This bill has already passed a sub Judiciary Committee, has it not? And it has been referred to this committee changing the subject crime from a Class 2 misdemeanor to a Class 1 misdemeanor. Is there a fiscal note prepared to go with this?

Representative Hensley said there was a note and that is why it was sent to this committee. (Members were handed a copy of the fiscal note).

Representative Hensley stated this was a bill suggested by a court judge who said that in these particular types of cases, there were not enough sentencing options for people who weren't just drunk and decided to relieve themselves by a building, but some very aggravated cases. Therefore, he was asking for some sentencing options to deal with that. At a level 2, the judge didn't feel that he could do that. Some of the other judges agreed that it could be an offense that carried a little more punishment; thus, I agreed to put the bill in.

Questions from the committee?

Representative Culpepper, Chairman, told Representative Hensley they would see what they could do regarding this bill because apparently we would have to make some provision in the budget.

Next the Chair asked to hear from Representative Nesbitt regarding **House Bill 939, Community Mediation Center Funds,(handout #7).**

Representative Nesbitt explained this bill was the only solution to our crowded court system. The mediation programs solve disputes where most times both parties walk away happy. When the court decides, most of the time both parties walk away mad. This bill would increase funding about 30%. We need to keep building these mediation centers so our courts can sufficiently handle the workload they've got.

Question Representative Justus. How did you determine the relative amount for each location as shown?

Representative Nesbitt responded saying he had asked Scott Bradley, Executive Director of the Mediation Network of North Carolina, which is the volunteer association of the twenty-five (25) centers across the state. The process used is that each center identifies their own needs. Each also had to get support from their own board of directors and at least one member of their delegation.

Question Representative Kiser. Where is this Carolina Dispute Settlement Services Center located?

They are based here in Raleigh. The Durham Center merged with them about a year ago.

Comment Representative Sexton. I agree with Representative Nesbitt that this is the "best bang for the buck".
At this time, Jim Mills requested that another bill by Representative Nesbitt be heard; that is, **House Bill 976, Women at Risk Funds.** With permission from the Chair, Representative Nesbitt agreed to proceed. Sergeant at Arms passed out the appropriate bill to the members.

After thanking the Chair, Representative Nesbitt explained the program as a volunteer-driven program which started in Asheville. This program assists women whose supports have reached the limit. And with this extensive support, they help them work out their problems. A good example would be a woman who had written bad checks. Every time she was released, she would write another one, perhaps there is a drug problem or prostitution. These women cannot break the cycle. The program has a great success rate of working with these people and getting them on the right track. The bill requests to expand the program to Districts 11, 15B and 27A, and to allow the program to handle increased caseloads. Also, volunteer groups in those areas have come to us and requested assistance in starting their programs. The judges and probation people are the biggest supporters of this program – keeping these women out of prisons and helping them to break their habits.

Question Representative Justus. After established, most of these are volunteer-driven. Correct?

Yes sir.

Chair, Representative Culpepper, thanked Representative Nesbitt.

The Chair went on to say that at this time we still do not know if we are going to have an expansion budget or not and have not been given any kind of figures from Appropriations.

Question Representative Goodwin regarding House Bill 493. If I am not mistaken, the reason Judiciary III requested this bill to go to appropriations was Representative Redwine had commented that anything that impacted jails or prisons needed to go to appropriations.

The Chair agreed and said that was right.

The meeting will take back up tomorrow at 8:30 a.m., Room 415. Meeting adjourned.

Rep. Bill Culpepper
Presiding Committee Chair

Sara Jane Lennard
Sara Jane Lennard
House Committee Clerk

p.m. 6/13/01

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 6-13-01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
LISA FERGUSON	COURTHOUSE KIDSCENTER
Elaine Whitford	Courthouse Kids Center - Wake County
STEVE SMITH	RICHMOND COMMUNITY COLLEGE, HAMLET, NC
Bob Hobgood	AOC
Deb Ross	AOC
Bill Wilson	NCATL
Michelle Frazier	NCBA
PAMELA NANCY	AOC/SENTENCING SERVICES (22nd JD - Non-profit)
J Preston	NC Hse.
Martha Glenn	DOC

#2

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 313

Short Title: Eckerd Wilderness Camps Funds. (Public)
Sponsors: Representatives Preston; Alexander, Crawford, Culp, Easterling, Fox, Gibson, Goodwin, Justus, Morris, Nye, Smith, Walend, and G. Wilson.
Referred to: Appropriations.

February 28, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AT THE ECKERD WILDERNESS EDUCATIONAL FACILITIES FOR AT-RISK YOUTH.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to Eckerd Family Youth Alternatives, Inc., a nonprofit corporation, the sum of three hundred thousand dollars ($300,000) for the 2001-2002 fiscal year to be equally divided among the six wilderness facilities in Bladen, Carteret, Henderson, Montgomery, Surry, and Vance Counties for capital improvements including renovation of classrooms and replacement of buildings. The Eckerd Wilderness Educational Facilities serve all 100 North Carolina counties.

SECTION 2. This act becomes effective July 1, 2001.

#3

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 490

Short Title: Family Court Program/District 10. (Public)
Sponsors: Representatives Hensley and Blue.
Referred to: Appropriations.

March 6, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A FAMILY COURT PILOT PROGRAM IN DISTRICT COURT DISTRICT 10.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Judicial Department the sum of four hundred fifty-eight thousand eight hundred nineteen dollars ($458,819) for the 2001-2002 fiscal year and the sum of three hundred fifty-one thousand two hundred ninety-one dollars ($351,291) for the 2002-2003 fiscal year to establish a family court program in District Court District 10. The program shall function in the same manner and be assigned the same matters as those pilot programs established pursuant to Section 25 of S.L. 1998-202.

SECTION 2. This act becomes effective July 1, 2001.

#4

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 491

Short Title: District Court Judge Computer Training/Funds. (Public)
Sponsors: Representatives Hensley; Blue, Redwine, Baddour, and Nesbitt.
Referred to: Appropriations.

March 6, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A PILOT PROGRAM FOR COMPUTER TRAINING OF DISTRICT COURT JUDGES.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Judicial Department the sum of forty thousand dollars ($40,000) for the 2001-2002 fiscal year to establish pilot programs for the computer training of district court judges in District Court Districts 8, 10, 13, and 28.

SECTION 2. This act becomes effective July 1, 2001.

#5

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 492

Short Title: Additional District Court Judges/District 10. (Public)
Sponsors: Representatives Hensley and Blue.
Referred to: Appropriations.

March 6, 2001

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THREE ADDITIONAL DISTRICT COURT JUDGES IN DISTRICT 10.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-133(a) reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set forth in the following table:

District	Judges	County
1	5	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
2	4	Martin Beaufort Tyrrell Hyde Washington
3A	5	Pitt
3B	5	Craven Pamlico Carteret
4	8	Sampson Duplin Jones Onslow
5	7	New Hanover Pender
6A	2	Halifax
6B	3	Northampton Bertie Hertford
7	7	Nash Edgecombe Wilson
8	6	Wayne Greene Lenoir
9	4	Granville (part of Vance see subsection

(b))

		Franklin
9A	2	Person
		Caswell
9B	2	Warren
		(part of Vance see subsection
(b))		
10	~~14~~ 17 Wake	
11	8	Harnett
		Johnston
		Lee
12	9	Cumberland
13	6	Bladen
		Brunswick
		Columbus
14	6	Durham
15A	4	Alamance
15B	4	Orange
		Chatham
16A	3	Scotland
		Hoke
16B	5	Robeson
17A	3	Rockingham
17B	3	Stokes
		Surry
18	12	Guilford
19A	4	Cabarrus
19B	6	Montgomery
		Moore
		Randolph
19C	4	Rowan
20	7	Stanly
		Union
		Anson
		Richmond
21	8	Forsyth
22	9	Alexander
		Davidson
		Davie
		Iredell
23	4	Alleghany
		Ashe
		Wilkes
		Yadkin
24	4	Avery
		Madison
		Mitchell
		Watauga
		Yancey
25	8	Burke
		Caldwell
		Catawba
26	17	Mecklenburg
27A	6	Gaston
27B	4	Cleveland
		Lincoln
28	6	Buncombe
29	6	Henderson
		McDowell
		Polk

		Rutherford
		Transylvania
30	5	Cherokee
		Clay
		Graham
		Haywood
		Jackson
		Macon
		Swain."

SECTION 2. The Governor shall appoint the additional district court judges for District Court District 10 authorized by Section 1 of this act. Those judges' successors shall be elected in the 2004 election for four-year terms commencing on the first Monday in December 2004.

SECTION 3. There is appropriated from the General Fund to the Judicial Department the sum of four hundred eleven thousand nine hundred thirty-three dollars ($411,933) for the 2001-2002 fiscal year and the sum of three hundred seventy thousand five hundred twelve dollars ($370,512) for the 2002-2003 fiscal year to establish the three new district court judges provided for in this act.

SECTION 4. This act becomes effective December 1, 2001.

#6-A

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 493

Short Title: Increase Penalty for Indecent Exposure. (Public)
Sponsors: Representatives Hensley, Blue; and Goodwin.
Referred to: Judiciary III.

March 6, 2001

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE CRIMINAL PENALTY FOR INDECENT EXPOSURE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-190.9(a) reads as rewritten:

"(a) Any person who shall willfully expose the private parts of his or her person in any public place and in the presence of any other person or persons, of the opposite sex, or aids or abets in any such act, or who procures another to perform such act; or any person, who as owner, manager, lessee, director, promoter or agent, or in any other capacity knowingly hires, leases or permits the land, building, or premises of which he is owner, lessee or tenant, or over which he has control, to be used for purposes of any such act, shall be guilty of a ~~Class 2~~ Class 1 misdemeanor."

SECTION 2. This act becomes effective December 1, 2001, and applies to offenses on or after that date.

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 493 < 1st Edition>

SHORT TITLE: Increase Penalty for Indecent Exposure

SPONSOR(S): Representatives Hensley, Blue, and Goodwin

FISCAL IMPACT

Yes (X) **No ()** **No Estimate Available ( )**

	FY 2001-02	FY 2002-03	FY 2003-04	FY 2004-05	FY 2005-06
REVENUES					
EXPENDITURES					
Indigent Defense Funds	**$4,500**	**$9,900**	**$10,890**	**$11,979**	**$13,177**

County Jails (*if* sentencing under this new law follows the pattern of sentencing for existing Class 1 Misdemeanors, it could result in up to 4,145 additional inmate days in county jails per year)

POSITIONS: **0**

*Indigent defense funds in the first year are at 50% because the bill is effective Dec 1, 2001. Also, costs include an anticipated 10% growth annually.

PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Dept. of Correction; Judicial Branch; Local Jails

EFFECTIVE DATE: Applies to offenses committed on or after December 1, 2001

BILL SUMMARY:

Rewrites GS 14-190.9(a) to change indecent exposure from a Class 2 to a Class 1 misdemeanor. That statute makes it a crime for any person to willfully expose the private parts of his or her person in any public place and in the presence of any person of the opposite sex, or to aid or abet, or procure another to perform such act. It is also an offense to knowingly hire, lease or permit the land, building or premises over which a person has control to be used for purposes of such act.

ASSUMPTIONS AND METHODOLOGY:

Sentencing Commission

According to the Sentencing Commission, there were 259 convictions under this statute during FY 1999/2000. Notwithstanding, this reclassification is not expected to have a significant impact on the prison population. However, it is estimated to have an impact on local jail populations. While we cannot project the number of new jail inmates due to this bill, we do know that in FY 1999/2000, 15% of all Class 1 misdemeanor convictions resulted in active sentences. The average sentence length imposed was 45 days. Offenders serving active sentences of less than 90 days are housed in county jails.

The AOC database showed 614 defendants convicted under GS14-190.9(a) in calendar year 2000. *If* we assume that 15% of offenders sentenced under this new law receive active sentences averaging 45 days, this would result in 4,145 (=.15%*614*45) additional jail days for the counties to absorb. There is no recent data available on the average cost per day in county jail because it varies so widely among the counties. In the past, FRD had used the figure of $40/day, based on a 1996 survey. However, that data is too old to be used here.

If Judges sentence offenders of this crime differently than the average Class 1 misdemeanor (different % active sentences, different length sentences) or if some of the offenders face prison sentences for other offenses, the number of county jail inmate days will be affected.

Judicial Branch

Under current law, an active sentence would not be authorized for conviction of indecent exposure, a Class 2 misdemeanor, unless the defendant had at least five prior convictions (of any offense). In contrast, as a Class 1 misdemeanor under this bill, conviction could result in an active sentence if the defendant has any prior convictions. Additionally, it must be assumed that the reclassification in offense sought by this bill would be accompanied in some cases with more time and cost for the courts to dispose of the cases and longer sentences (active or suspended) authorized.

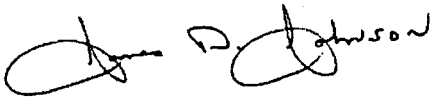
In calendar year 2000, there were 614 defendants charged with the indecent exposure offense under G.S. 14-190.9. AOC projects that it would take an average of ten additional minutes of court time per case, or 102 additional hours of court time for disposition of the 614 total charges under that statute. Given a cost of $1,022 per day, this would amount to $17,374 in district court costs. However, Fiscal Research does not include these costs in its calculation if the workload increase is less than 3600 hours (3600 hours = 2 fulltime positions).

Assuming an indigency rate for these cases of 25% or 154 cases, the cost for private assigned counsel would total $9,000 (based on $50 per hour times 180 additional hours, which consists of 26 additional in-court hours (10 minutes per case) and 1 hour of additional preparation time per case).

TECHNICAL CONSIDERATIONS: None
FISCAL RESEARCH DIVISION 733-4910

PREPARED BY: Lisa Robinson
Elisa Wolper

APPROVED BY: James D. Johnson



DATE: March 12, 2001

#7

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 939*

Short Title: Community Mediation Center Funds. (Public)
Sponsors: Representatives Nesbitt, Sexton, Haire (Primary Sponsors); Alexander, Cansler, Clary, Cole, Daughtry, Davis, Easterling, Harrington, Kiser, McLawhorn, McMahan, Mitchell, Morris, Redwine, Sherrill, Tucker, Underhill, Wainwright, Walend, and Womble.
Referred to: Appropriations.

March 29, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO COMMUNITY MEDIATION CENTERS ACROSS THE STATE.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Judicial Department the sum of five hundred five thousand four hundred sixty dollars ($505,460) for the 2001-2002 fiscal year and the sum of five hundred five thousand four hundred sixty dollars ($505,460) for the 2002-2003 fiscal year for additional funding for 20 community mediation centers, also known as dispute settlement centers, across the State, and additional funding for the Mediation Network of North Carolina.

SECTION 2. Of the funds appropriated in Section 1 of this act, fifteen thousand dollars ($15,000) for the 2001-2002 fiscal year and fifteen thousand dollars ($15,000) for the 2002-2003 fiscal year shall be allocated for additional funding for the Mediation Network of North Carolina. The remaining funds shall be allocated for the 2001-2002 fiscal year and for the 2002-2003 fiscal year as follows:

(1) $5,000 for the Alamance County Dispute Resolution Center;
(2) $47,000 for the Albemarle Dispute Settlement Center;
(3) $25,000 for the Blue Ridge Dispute Settlement Center;
(4) $97,000 for Carolina Dispute Settlement Services;
(5) $50,000 for the Charlotte-Mecklenburg Dispute Settlement Program;
(6) $3,960 for the Chatham County Dispute Settlement Center;
(7) $38,000 for the Conflict Resolution Center of Catawba, Burke, and Caldwell;
(8) $10,000 for the Cumberland County Dispute Resolution Center;
(9) $40,000 for the Dispute Settlement Center of Duplin, Jones, Sampson, and Onslow;
(10) $15,000 for the Dispute Settlement Center of Moore County;
(11) $20,000 for Foothills Mediation Center;
(12) $4,500 for the Henderson County Dispute Settlement Center;
(13) $30,000 for The Mediation Center, Buncombe County;

(14) $25,000 for the Mediation Center of Eastern Carolina;
(15) $25,000 for Mediation Services of Guilford County;
(16) $5,000 for Mediation Services of Rockingham County;
(17) $25,000 for Mountain Dispute Settlement Center;
(18) $5,000 for Orange County Dispute Settlement Center;
(19) $10,000 for Piedmont Mediation Center;
(20) $10,000 for Transylvania Dispute Settlement Center.

SECTION 3. This act becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 976

Short Title: Women at Risk Funds. (Public)
Sponsors: Representatives Nesbitt; Alexander, Cansler, Hilton, Kiser, Redwine, Sherrill, Smith, Wainwright, and Walend.
Referred to: Appropriations.

April 5, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO EXPAND THE WOMEN AT RISK PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Department of Correction the sum of two hundred fifty thousand dollars ($250,000) for the 2001-2002 fiscal year to expand the Women at Risk Program to Districts 11, 15B, and 27A and to allow the program to handle increased caseloads.

SECTION 2. This act becomes effective July 1, 2001.

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday June 13, 2001
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative Bill Culpepper
Representative R. Phillip Haire, Presiding

II. PRESENTATIONS

- Presentation of Bills Assigned to JPS Appropriations

-HB 87 Teen Court Funds
-HB 199 No State Funds for Jury Consultants
✓HB 241 Family Drug Treatment Courts
-HB 530 Additional Superior Ct Judge District #24
-HB 679 Cumberland Juvenile Assessment Center
-HB 901 Additional Family Court Pilots
-HB 966 Additional ADA in District #8
-HB 1132 Increase Jurors' Fees
-HB 1142 National Guard Tuition Assistance
✓HB 1359 Courthouse Child Care Center Funds
-HB 1378 Chowan Magistrate Funds

Bill Sponsors

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The House Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, June 13, 2001,** at 8:30 a.m. in Room 415 of the Legislative Office Building. Members present were Representatives Haire and Culpepper, Co-Chairs, and Representatives Goodwin, Hall, Justus, Kiser and Sexton. A Visitor's Registration Sheet is attached and made part of these minutes.

Representative Haire called the meeting to order and introduced the pages. Various House members were present to make presentations on Bills assigned to JPS Appropriations.

Rep. Martha Alexander addressed the Committee on HB 1359 – Courthouse Child Care Center Funds.

Rep. John Hurley presented HB 241 – Family Drug Treatment Courts – filed by Rep. Mia Morris. Rep. Culpepper asked if it had already been thru one of the Judiciary Committees and Elisa Wolper, Staff, replied that it went through committees in the House and the Senate version, different titles, and Judiciary. Rep. Culpepper asked if there was a companion Senate Bill. The text of the Senate Bill minus the appropriation is in the Senate Budget as a special provision. Authorization is there, but no funding for expansion. Rep. Culpepper asked if you took the appropriations out - Section 8 - does the bill have a fiscal impact? Ms. Wolper replied that no, certainly not in the short term, but there is the potential for expansion request down the road – no obligation to serve more people than they are currently funded for. Rep. Kiser asked how much funding is in here? Rep. Haire pointed out that there was $600,000.

Rep. Hurley presented HB 679 – Cumberland Juvenile Assessment Center. Rep. Haire asked how long this program has been in operation. Rep. Hurley said since 1995, he believed. Rep. Haire asked if it had a sunset on it which would remove that. Rep. Hurley answered in the affirmative. Rep. Sexton asked how many youth does this serve? Denise Thomas, Staff, remarked that this bill was already in the continuation budget and they do have an annual report that they will copy and make available to the members. Rep. Haire asked if the money being asked for were expansion funds? Ms. Thomas said, actually they don't really need the money because it is already recurring in the continuation budget. Rep. Kiser asked if some of the people were placed in a program in Fayetteville called 'Sergeant Red?Rep. Hurley replied that he imagined so. Rep. Kiser asked if the program is already funded, do they have to take any action on it. Rep. Haire responded that to remove the sunset and make it continuing, there would have to be action taken on it.

Rep. Walter Church presented HB 87 – Teen Court Funds. Rep. Justus asked why we were having a problem with this? The Teen Courts were in the continuation budget in

1994 – is it because the Senate moved the money? Rep.Haire said that the Senate proposed cutting back some of the money and there was a special provision that recommended that these Teen Courts be funded through the JCPC monies. Rep. Justus asked how much is state money and how much is federal money? Staff responded that it is all state money.

Rep. Don Davis presented HB 1132 – Increase Juror's Fees. Rep. Haire asked if there was a fiscal note on this. Rep. Davis did not have a fiscal note. Ms. Wolper estimated that this bill would cost about 4.5 million dollars. Rep. Culpepper asked if they would have to appropriate approximately 4.5 million dollars in order for this bill to go forward? Ms. Wolper said that they would have to have additional money to fund this line item. Rep. Culpepper asked if this bill would have to go to Finance and Ms. Wolper said that she would not expect so, but would defer to the Chair on that. Rep. Culpepper said that would be looked into.

Rep. Phil Baddour presented HB 901 – Additional Family Court Pilots.
Rep. Kiser asked where we have the eight programs, is a Judge assigned to all cases that deal with a family? Rep. Baddour replied that this was correct and that one judge would be assigned to one family and stay with that case as long as it is in court. Rep. Kiser asked if one Judge is handling all of the family issues in these eight programs? Rep. Baddour said that it depends on the size of the district. There may be 3 or 4 Judges because 35-40% of the district courts are dealing with family matters.

Rep. Baddour presented another bill, HB 966 – Additional ADA in District #8. Rep. Justus asked if Family Court Judges have special training? Rep. Baddour replied in the affirmative. Rep. Justus asked if there was a certification that Judges have to get for Family Court? Judge Robert Hobgood said that the Institute of Government has a certification program for Juvenile Courts and 16 Judges are scheduled to go this summer for that certification. Rep. Justus asked if there were any plans to create a certification program for Family Court Judges? Larry Dix, Department of Juvenile Justice, said that a certification program is being looked at for the Family Court Judges.

Rep. Bob Hensley was present to hand out some information on a request for an additional District Court Judge for Wake County which was presented to this committee yesterday.

Rep. Gregg Thompson presented HB 530 – Additional Superior Ct. Judge District #24.

Rep. Wayne Sexton presented HB 1142 – National Guard Tuition Assistance. Rep. Culpepper remembered from previous discussions in this Committee that there was something about this program not working as well as it should or people not taking advantage of it and asked for some clarification. Kelly Little, Staff, answered that there was not enough money thus not making it as helpful a tool as it could be. Rep. Culpepper asked what was the level of funding.

Rep. Culpepper presented HB1378 – Chowan Magistrate Funds.

Elisa Wolper, Staff, presented HB 199 – No State Funds for Jury Consultants - for Rep. Rick Eddins. A discussion followed with recommendations for this bill from Judge Bob Hobgood, and Debra Ross

Rep. Culpepper asked if were at the discretion of the presiding Judge right now? Judge Hobgood answered yes, but that a brand new Judge with no experience might not know this would not be of value. A seasoned Judge would know that it is a total waste of money. Rep. Culpepper asked if Judges do not get some kind of training? Judge Hobgood said that yes – it lasted for three days. Rep. Culpepper asked if advising new Judges that money for Jury consultants is a waste of money would not be a good idea? Judge Hobgood replied yes. Rep. Goodwin asked about the few that had been granted, what was the tenure of service of the Judges who granted? (Inaudible).

Rep. Kiser asked to what extent it had been used? Ms.Ross answered that it has only been used twice in the past year – not much money. Rep. Justus asked about the use during a 10-year period. Ms. Wolper stated that it is now used less often than in the past, even though it has not been tracked specifically. Rep. Justus if there were any limit on what a consultant could be paid? Ms. Wolper stated that it was at the Judges' discretion. Rep. Kiser asked if there had been any cases where a District Attorney has used a Jury Consultant? Judge Hobgood did not know of a single DA who would stand up and ask for a Jury Consultant.

There being no further business, the meeting was adjourned.

Rep. Phil Haire, Presiding House Chair

Sara Jane Lennard, House Committee Clerk

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY June 13, 2001

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
John McHugh	GOV OFFICE
Jim Johnson	FRD
Bob Holbrook	AOC
Carey Dix	DJJDP
BRANDON THOMAS	SEANC
Mary Catherine Hinds	Summit House
Beth McAllister	Summit House
Pamela Nauey	AOC/SENTENCING SERVICES (22nd JD/NON-PROFIT)
Denise Davis	Re-Entry Sentencing Services, Dept.
Eddie Caldwell	NC Sheriffs Assn/NC Law Enf Off Assn
Michelle Frazier	NC Bar Assoc.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jason Winn	LSPC
Nels Roseland	OSBM
	DOC
Richard Barrett	DOC
Lee Rubert	CJPC
Cass Cross	BPMC

Rep. Alexander #1

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 1359

Short Title: Funds for Courthouse Child Care Centers. (Public)
Sponsors: Representatives Alexander, Hensley (Primary Sponsors); and Luebke.
Referred to: Appropriations.

April 19, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR COURTHOUSE CHILD CARE CENTERS.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Judicial Department the sum of fifty thousand dollars ($50,000) for the 2001-2002 fiscal year for the court-based child care centers in Wake County and Mecklenburg County. The Judicial Department shall allocate twenty-five thousand dollars ($25,000) to the ~~Young Women's Christian Association~~ Court House Kids Assoc. of Wake County, North Carolina, Incorporated, for the court-based child care center in Wake County and twenty-five thousand dollars ($25,000) to Court Clubhouse: Children's Play & Care Center in Mecklenburg County for the court-based child care center in Mecklenburg County.

SECTION 2. This act becomes effective July 1, 2001.

#2
Rep. Hurley

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 3

HOUSE BILL 241*
Committee Substitute Favorable 3/8/01
Committee Substitute #2 Favorable 5/22/01

Short Title: Family/Juvenile Drug Treatment Court Prgms. (Public)
Sponsors:
Referred to:

February 26, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A FAMILY DRUG TREATMENT COURT PROGRAM AND A JUVENILE DRUG TREATMENT COURT PROGRAM AND TO FUND THE FAMILY DRUG TREATMENT COURT PROGRAM, AS RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON CHILDREN AND YOUTH.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-791 reads as rewritten:

"**§ 7A-791. Purpose.**

The General Assembly recognizes that a critical need exists in this State for ~~criminal justice system~~ judicial programs that will reduce the incidence of ~~drug use and~~ alcohol and other drug abuse or dependence, ~~drug addiction~~ and ~~crimes~~ crimes, delinquent acts, and child abuse and neglect committed as a result of ~~drug use~~ alcohol and other drug abuse or dependence, ~~and drug addiction~~ and child abuse and neglect where alcohol and other drug abuse or dependence are significant factors in the child abuse and neglect. It is the intent of the General Assembly by this Article to create a program to facilitate the creation of local drug treatment court programs."

SECTION 2. G.S. 7A-792 reads as rewritten:

"**§ 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;~~ adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or both;

~~(2)~~ To reduce criminal and delinquent ~~recidivism;~~ recidivism and the incidence of child abuse and neglect;

(3) To reduce the alcohol-related and other drug-related court workload;

(4) To increase the personal, familial, and societal accountability of ~~offenders;~~ adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect, or both; and

(5) To promote effective interaction and use of resources among criminal and juvenile justice ~~personnel~~

~~personnel, child protective services~~ personnel, and community agencies."

SECTION 3. G.S. 7A-793 reads as rewritten:

"§ 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 and funding of local drug treatment court programs. The Director of the Administrative Office of the Courts shall provide any necessary staff for planning, organizing, and administering the program. Local drug treatment court programs funded pursuant to this Article shall be operated consistently with the guidelines adopted pursuant to G.S. 7A-795. Local drug treatment court programs established and funded pursuant to this Article may consist of adult drug treatment court programs, juvenile drug treatment court programs, family drug treatment court programs, or any combination of these programs."

SECTION 4. G.S. 7A-795 reads as rewritten:

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

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

SECTION 5. G.S. 7A-796 reads as rewritten:

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

Each judicial district choosing to establish a drug treatment court shall form a local drug treatment court management committee, which shall be comprised to assure representation appropriate to the type or types of drug treatment court operations to be conducted in the district and shall consist of ~~consisting of the following~~ persons, appointed by the senior resident superior court judge with the concurrence of the chief district court judge and the district attorney for that ~~district:~~district, chosen from the following list:

(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) An attorney representing a county department of social services within the district;
(6) A representative of the guardian ad litem program;
~~(5)~~ (7) A member of the private criminal defense bar;
(8) A member of the private bar who represents respondents in department of social services

juvenile matters;

~~(6)~~ (9) A clerk of superior court;

~~(7)~~ (10) The trial court administrator in judicial districts served by a trial court administrator;

(11) The director or member of the child welfare services division of a county department of social services within the district;

~~(12)~~ The chief juvenile court counselor for the district;

~~(8)~~ (13) A probation officer;

~~(9)~~ (14) A local law enforcement officer;

(15) A representative of the local school administrative unit;

~~(10)~~ (16) A representative of the local community college;

~~(11)~~ (17) A representative of the treatment providers;

(18) A representative of the area mental health program;

~~(12)~~ (19) The local program director provided for in G.S. 7A-798; and

~~(13)~~ (20) 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."

SECTION 6. G.S. 7A-799 reads as rewritten:

"**§ 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 or juvenile justice ~~system.~~ system or a respondent in a juvenile petition for abuse, neglect, or both."

SECTION 7. G.S. 7A-800 reads as rewritten:

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

Each ~~defendant or~~ defendant, ~~offender~~ offender, or respondent in a juvenile petition for abuse, neglect, or both, who receives treatment under a local drug treatment court program shall contribute to the cost of the substancealcohol and other drug abuse or dependency treatment received in the drug treatment court program, based upon guidelines developed by the local drug treatment court management committee."

SECTION 8. The sum of six hundred thousand dollars ($600,000) for the 2001-2002 fiscal year is appropriated from the General Fund to the Administrative Office of the Courts to be used solely to develop, implement, and evaluate three or more local family drug treatment court programs. In developing and implementing local family drug treatment court programs, the Administrative Office of the Courts shall, to the extent practicable, equitably distribute funds among the geographic regions of the State and between the urban and rural areas of the State.

SECTION 9. This act becomes effective October 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 679

Rep. Hurley
#3

Short Title: Cumberland Juvenile Assessment Center. (Public)
Sponsors: Representatives Morris; Hurley, Lucas, McAllister, Nye, Warner, and Yongue.
Referred to: Appropriations.

March 19, 2001

A BILL TO BE ENTITLED

AN ACT TO CONTINUE THE OPERATION OF THE CUMBERLAND COUNTY JUVENILE ASSESSMENT CENTER PROJECT AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

SECTION 1. Section 18.21(b) of S.L. 1997-443, as amended by Section 16.6 of S.L. 1998-212, reads as rewritten:

"(b) The Administrative Office of the Courts, in collaboration with the Chief Court Counselor of District Court District 12, the Cumberland County Department of Social Services, and the appropriate local school administrative units, shall develop and implement a Juvenile Assessment Center Project in District Court District 12 to operate from the effective date of this ~~act to June 30, 1999.~~ act. The purpose of the Project is to facilitate efficient prevention and intervention service delivery to juveniles who are (i) alleged to be delinquent or undisciplined and have been taken into custody or (ii) at risk of becoming delinquent or undisciplined because they have behavioral problems and have committed delinquent acts even though they have not been taken into custody. The Project shall assist these juveniles by providing a centralized point of intake and assessment for the juveniles, by addressing the educational, emotional, and physical needs of the juveniles, and by providing juveniles with an atmosphere for learning personal responsibility, self-respect, and respect for others. The Administrative Office of the Courts shall consider the recommendations of the Juvenile Assessment Advisory Board in developing and implementing the Project."

SECTION 2. Section 18.21(d) of S.L. 1997-443, as amended by Section 16.6 of S.L. 1998-212, reads as rewritten:

"(d) There is established the Juvenile Assessment Advisory Board to make recommendations to the Administrative Office of the Courts regarding the development and operations of the Project. The Board shall consist of 13 members, including:

(1) The director of the Department of Social Services of Cumberland County, or the director's designee.
(2) A representative from the local mental health area authority of Cumberland County.
(3) A member of the Cumberland County Board of Education.
(4) The sheriff of Cumberland County, or the sheriff's designee.
(5) The chief of police of the Fayetteville Police Department, or the designee of the chief of police.
(6) A judge of District Court District 12.

(7) A juvenile court counselor from District Court District 12.
(8) The director of the Guardian Ad Litem program in Cumberland County, or the director's designee.
(9) The director of the Health Department of Cumberland County, or the director's designee.
(10) Two public members appointed by the Fayetteville City Council.
(11) Two public members appointed by the Board of County Commissioners of Cumberland County.

The members of the Board shall, within 30 days after the initial appointment is made, meet and elect one member as chair. The Board shall meet at least once a month at the call of the ~~chair, and a quorum of the Board shall consist of a majority of its members.~~ chair. The Board of County Commissioners of Cumberland County shall provide necessary clerical and professional assistance to the Board.

~~Initial appointments shall be made by October 1, 1997, and all terms shall expire June 30, 1999."~~

SECTION 3. The Juvenile Assessment Center Project shall continue to do all of the following:

(1) Identify those juveniles who are alleged to be delinquent or undisciplined or who are at risk of becoming delinquent or undisciplined.
(2) Evaluate the educational, emotional, and physical needs of the juveniles identified and determine whether the juveniles have problems related to substance abuse, depression, or other emotional conditions.
(3) Develop a collaborative interagency information network that will speed appropriate law enforcement, juvenile court, and relevant intervention responses for referred youth and their families.
(4) Develop in-depth and comprehensive assessment plans for the juveniles identified that recommend appropriate treatment, counseling, and disposition of the juveniles.
(5) Provide services to juveniles identified and their families through collaboration with public and private resources, including local law enforcement, parents' organizations, the faith community, and county and community programs and organizations that provide substance abuse treatment and child and family counseling.
(6) Maintain individual case files and keep statistical information used to document services delivered and evaluate the progress of the program.

SECTION 4. The Department of Juvenile Justice and Delinquency Prevention shall evaluate the Project and report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division of the General Assembly by October 1, 2002, on the operations of the Project. The report shall include recommendations on whether the Project should be continued and, if so, the extent to which it should be continued, why it should be continued, and the costs associated with continuing the Project. If the Department recommends the Project should not be continued, it shall provide the reasons for that recommendation.

SECTION 5. There is appropriated from the

General Fund to the Department of Juvenile Justice and Delinquency Prevention the sum of one hundred fifty thousand dollars ($150,000) for the 2000-2001 fiscal year and the sum of one hundred fifty thousand dollars ($150,000) for the 2001-2002 fiscal year to continue the operations of the Juvenile Assessment Center Project, as authorized by this act.

SECTION 6. Sections 1, 2, and 6 of this act become effective June 29, 1999. The remainder of this act becomes effective July 1, 2001.

Rep Church #4

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 87

Short Title: Teen Court Funds. (Public)
Sponsors: Representatives Church, Kiser, Buchanan; and Insko.
Referred to: Appropriations.

February 12, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH TEEN COURT PROGRAMS IN BURKE AND CATAWBA COUNTIES AND TO FUND THE TEEN COURT PROGRAM IN CALDWELL COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Department of Juvenile Justice and Delinquency Prevention the sum of one hundred five thousand dollars ($105,000) for the 2001-2002 fiscal year to establish teen court programs in Burke and Catawba Counties and to fund the teen court program established in Caldwell County. The Department shall allocate thirty-five thousand dollars ($35,000) for each of the three teen court programs. The teen court programs shall be established and operate pursuant to the guidelines and objectives set forth in Section 40 of Chapter 24 of the Session Laws of the 1994 Extra Session.

SECTION 2. This act becomes effective July 1, 2001.

31 Programs
625 clients
28,023 Comm. Serv.

Rep. Davis
#5

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 1132

Short Title: Increase Jurors' Fees. (Public)
Sponsors: Representatives Davis; Capps, Carpenter, Decker, Eddins, Harrington, Hilton, Johnson, Morris, Rayfield, Russell, Setzer, Sexton, Shubert, Starnes, Walend, and C. Wilson.
Referred to: Appropriations.

April 12, 2001

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE UNIFORM FEES PAID FOR JURY SERVICE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-312 reads as rewritten:

"**§ 7A-312. Uniform fees for jurors; meals.**

A juror in the General Court of Justice including a petit juror, or a coroner's juror, but excluding a grand juror, shall receive ~~twelve dollars ($12.00)~~twenty-five dollars ($25.00) per day, except that if any person serves as a juror for more than five days in any 24-month period, the juror shall receive ~~thirty dollars ($30.00)~~ fifty dollars ($50.00) per day for each day of service in excess of five days. A grand juror shall receive ~~twelve dollars ($12.00)~~twenty-five dollars ($25.00) per day. A juror required to remain overnight at the site of the trial shall be furnished adequate accommodations and subsistence. If required by the presiding judge to remain in a body during the trial of a case, meals shall be furnished the jurors during the period of sequestration. Jurors from out of the county summoned to sit on a special venire shall receive mileage at the same rate as State employees."

SECTION 2. This act becomes effective July 1, 2001, and applies to fees paid on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

Rep. Baddour

H 1

HOUSE BILL 901

Short Title: Additional Family Court Pilots/Funds. (Public)
Sponsors: Representatives Baddour; Alexander, Barefoot, Hall, Smith, Underhill, Wainwright, and Warren.
Referred to: Appropriations.

March 29, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR TWO ADDITIONAL FAMILY COURT PILOT PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Judicial Department the sum of two hundred seventy-six thousand two hundred fifty-two dollars ($276,252) for the 2001-2002 fiscal year and the sum of two hundred fifty-four thousand eight hundred seventy-eight dollars ($254,878) for the 2002-2003 fiscal year to expand the family court pilot program established in Section 25 of S.L. 1998-202 from eight pilot programs to 10 pilot programs.

SECTION 2. This act becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

Rep. Baddour

H 1

HOUSE BILL 966

Short Title: Additional ADA/District 8. (Public)
Sponsors: Representatives Baddour; and Russell.
Referred to: Appropriations.

April 4, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITION IN PROSECUTORIAL DISTRICT EIGHT TO ALLOW FOR THE ASSIGNMENT OF SENIOR ASSISTANT DISTRICT ATTORNEYS TO THE FAMILY COURT PILOT IN THAT DISTRICT.

Whereas, the Eighth Prosecutorial District is serving as a pilot family court district as recommended by the Commission for the Future of Justice and the Courts in North Carolina, in an effort to bring consistency, efficiency, and fairness to the resolution of family and juvenile justice matters; and

Whereas, in order to function in the manner foreseen by the Commission, the family court pilot needs to have senior assistant district attorneys assigned to it; and

Whereas, the number of full-time assistant district attorney positions established for the Eighth Prosecutorial District is proving to be insufficient to allow for those senior assistant district attorneys' assignment to family court without the sacrifice of other prosecutorial duties in the District; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-60(a1) reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

Prosecutorial District	District	Counties	No. of Full-Time Asst. District Attorneys
1		Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	9
2		Beaufort, Hyde, Martin, Tyrrell, Washington	5
3A		Pitt	9
3B		Carteret, Craven, Pamlico	10
4		Duplin, Jones, Onslow, Sampson	14
5		New Hanover, Pender	14
6A		Halifax	4
6B		Bertie, Hertford, Northampton	4
7		Edgecombe, Nash, Wilson	15
8		Greene, Lenoir, Wayne~~11~~ 12	

9	Franklin, Granville, Vance, Warren	10
9A	Person, Caswell	4
10	Wake	30
11	Harnett, Johnston, Lee	14
12	Cumberland	18
13	Bladen, Brunswick, Columbus	10
14	Durham	13
15A	Alamance	8
15B	Orange, Chatham	7
16A	Scotland, Hoke	5
16B	Robeson	9
17A	Rockingham	5
17B	Stokes, Surry	5
18	Guilford	26
19A	Cabarrus	6
19B	Montgomery, Moore, Randolph	11
19C	Rowan	5
20	Anson, Richmond, Stanly, Union	15
21	Forsyth	17
22	Alexander, Davidson, Davie, Iredell	16
23	Alleghany, Ashe, Wilkes, Yadkin	5
24	Avery, Madison, Mitchell, Watauga, Yancey	4
25	Burke, Caldwell, Catawba	14
26	Mecklenburg	33
27A	Gaston	12
27B	Cleveland, Lincoln	8
28	Buncombe	10
29	Henderson, McDowell, Polk, Rutherford, Transylvania	11
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain."	8

SECTION 2. There is appropriated from the General Fund to the Judicial Department the sum of eighty-one thousand eight hundred thirty-two dollars ($81,832) for the 2001-2002 fiscal year and the sum of seventy-five thousand three hundred thirty dollars ($75,330) for the 2002-2003 fiscal year to establish the assistant district attorney position authorized by this act.

SECTION 3. This act becomes effective July 1, 2001.

Rep. Henley
H 493

WAKE COUNTY

DISTRICT COURT

WORK LOAD

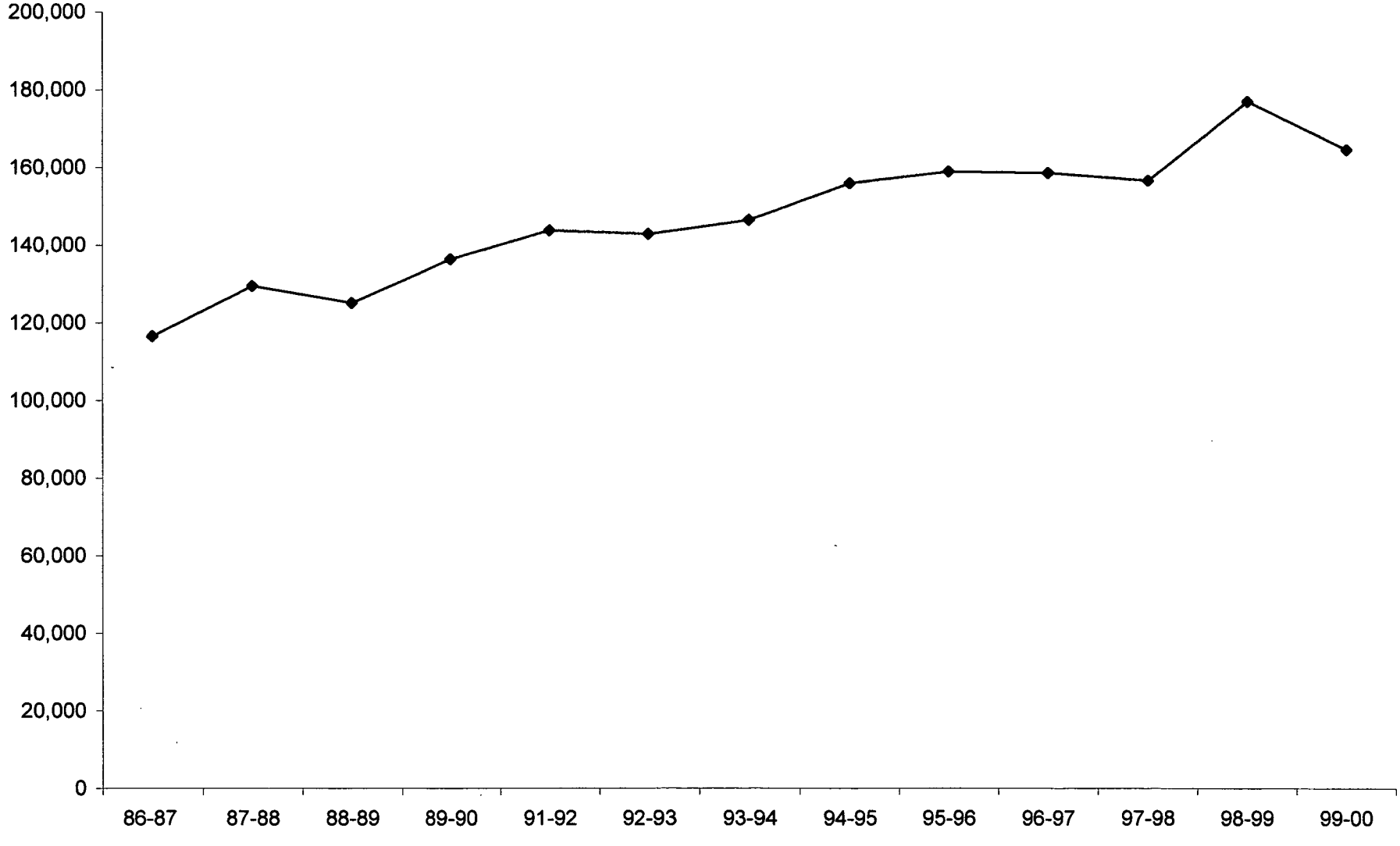
TABLE
Filings and Dispositions

	1986-1987	1987-1988	1988-1989	1989-1990	1991-1992	1992-1993	1993-1994	1994-1995	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000
Child Support	1,989	1,711	1,455	1,618	2,144	2,072	2,385	2,256	2,381	2,417	2,177	2,134	2,327
Civil	5,985	5,705	6,464	7,046	6,723	5,158	4,447	4,291	4,466	5,404	5,843	5,254	5,378
Small Claims Appeals	266	327	223	304	310	304	393	541	536	654	447	418	332
Domestic	1,699	2,259	2,464	2,676	2,812	2,974	3,187	3,576	3,542	3,832	3,738	3,815	3,632
Civil License Revocations	3,403	3,515	4,114	5,220	3,709	3,460	3,644	3,645	3,107	3,272	3,086	3,155	3,039
Criminal Motor Vehicle	38,588	38,712	38,508	44,673	44,291	42,092	43,313	51,301	57,179	54,929	58,650	68,274	64,614
Criminal Non-Motor Vehicle	31,952	34,122	35,947	39,062	40,794	41,016	40,942	41,238	40,461	42,266	38,981	36,775	36,405
Infractions	31,758	42,173	34,842	34,353	41,574	43,895	46,362	46,707	45,063	43,703	41,617	55,003	47,826
Juvenile	969	981	1,146	1,375	1,525	1,975	1,957	2,404	2,326	2,251	2,270	2,333	1,667
Total Filings in District Court	116,609	129,505	125,163	136,327	143,882	142,946	146,630	155,959	159,061	158,728	156,809	177,161	165,220
Child Support	2,134	1,635	1,298	1,319	2,422	2,605	2,068	1,884	2,168	2,107	2,141	1,815	1,536
Civil	4,705	5,499	5,785	5,801	7,429	7,340	5,869	3,854	4,735	4,971	5,900	5,691	5,201
Small Claims Appeals	291	304	205	230	294	341	349	488	485	576	544	478	348
Domestic	1,040	1,867	2,043	2,289	3,085	3,721	3,090	3,032	3,382	3,646	4,049	4,003	3,309
Civil License Revocations	**	**	**	**	**	**	**	**	**	**	**	**	**
Criminal Motor Vehicle	39,182	37,810	39,233	39,962	42,000	45,007	41,495	52,289	56,204	54,436	56,651	67,357	61,711
Criminal Non-Motor Vehicle	30,132	32,771	33,301	37,363	35,463	48,145	37,121	40,246	38,500	38,054	38,982	36,872	34,459
Infractions	24,052	42,748	37,104	31,768	40,499	43,091	45,732	48,211	44,893	43,026	41,265	52,818	46,332
Juvenile	735	748	648	1,338	1,544	1,760	2,006	2,117	2,327	2,189	2,159	1,748	1,892
Total Disposed of in District Court	102,271	123,382	119,617	120,070	132,736	152,010	137,730	152,121	152,694	149,005	151,691	170,782	154,788

** The County totals for "number disposed" do not include "Civil Revocation" (CVR) dispositions because only filing data are collected for this case type.

Source: Administrative Office of the Courts

WAKE COUNTY DISTRICT COURT CASE LOAD BY FILINGS



Adult District Court Drug Treatment Court

** Total number of people since the beginning of November 1999 is **63**

** Total Felonies since the beginning of November 1999 that all came in on Probation Violations is **16**

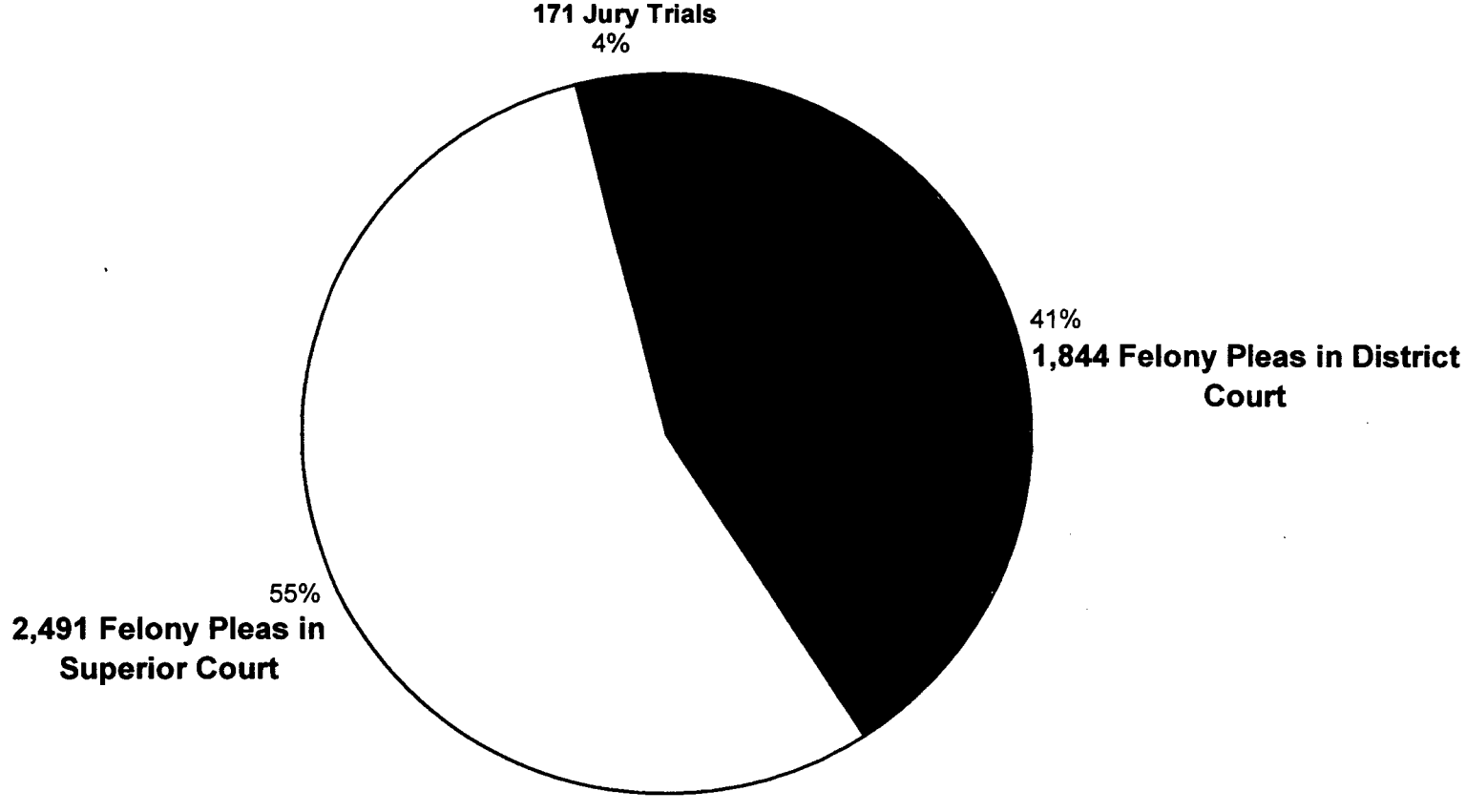
** Number of participants currently is **26**

** Number of Felonies currently is 7

** Number of Grads as of March 8, 2001 is 3

03/09/01

Wake County Felonies Dispositions
FY 1999-2000



Note: This does not include felonies disposed of in District or Superior Court by Misdemeanor Pleas or Dismissals

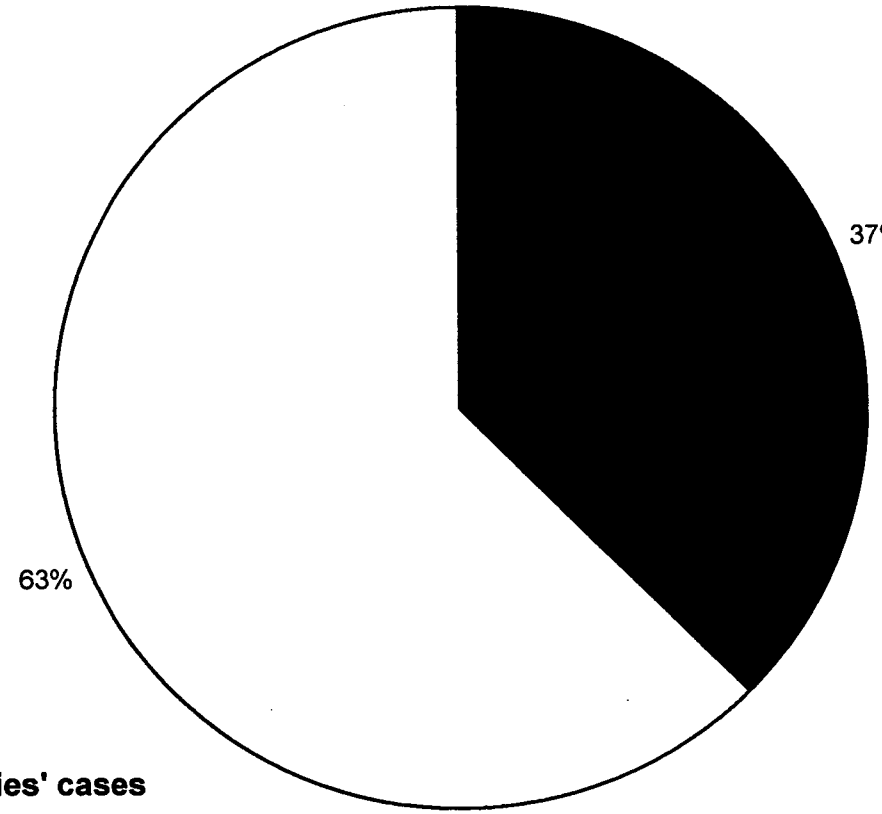
Source: N.C. Conference of District Attorneys
Administrative Office of the Courts

3/9/2001

NC JUDICIAL DEPARTMENT--AOC COURT MANAGEMENT AND INFORMATIONS SERVICES
FREQUENCY OF FY98/9 FELONY CONVICTIONS IN DISTRICT COURTS

ALAMANCE	0
ALEXANDER	0
ALLEGHANY	43
ANSON	0
ASHE	4
AVERY	4
BEAUFORT	0
BERTIE	0
BLADEN	10
BRUNSWICK	0
BUNCOMBE	9
BURKE	0
CABARRUS	0
CALDWELL	0
CAMDEN	0
CARTERET	0
CASWELL	0
CATAWBA	0
CHATHAM	1
CHEROKEE	2
CHOWAN	0
CLAY	0
CLEVELAND	84
COLUMBUS	1
CRAVEN	1
CUMBERLAND	0
CURRITUCK	1
DARE	1
DAVIDSON	3
DAVIE	1
DUPLIN	2
DURHAM	19
EDGECOMBE	0
FORSYTH	894
FRANKLIN	0
GASTON	0
GATES	0
GRAHAM	3
GRANVILLE	0
GREENE	1
GUILFORD	3
HALIFAX	0
HARNETT	0
HAYWOOD	0
HENDERSON	116
HERTFORD	0
HOKE	12
HYDE	0
IREDELL	0
JACKSON	1
JOHNSTON	0
JONES	9
LEE	0
LENOIR	10
LINCOLN	3
MACON	0
MADISON	1
MARTIN	1
MCDOWELL	219
MECKLENBURG	7
MITCHELL	2
MONTGOMERY	1
MOORE	0
NASH	0
NEW HANOVER	31
NORTHAMPTON	0
ONSLOW	1
ORANGE	0
PAMLICO	3
PASQUOTANK	0
PENDER	1
PERQUIMANS	1
PERSON	3
PITT	0
POLK	23
RANDOLPH	0
RICHMOND	2
ROBESON	0
ROCKINGHAM	0
ROWAN	425
RUTHERFORD	189
SAMPSON	0
SCOTLAND	4
STANLY	0
STOKES	2
SURRY	3
SWAIN	0
TRANSYLVANIA	75
TYRRELL	0
UNION	0
VANCE	1
WAKE	1,485
WARREN	0
WASHINGTON	0
WATAUGA	0
WAYNE	0
WILKES	187
WILSON	0
YADKIN	23
YANCEY	40
NORTH CAROLINA	3,968

N.C. Felony Pleas in District Court FY 1998-1999

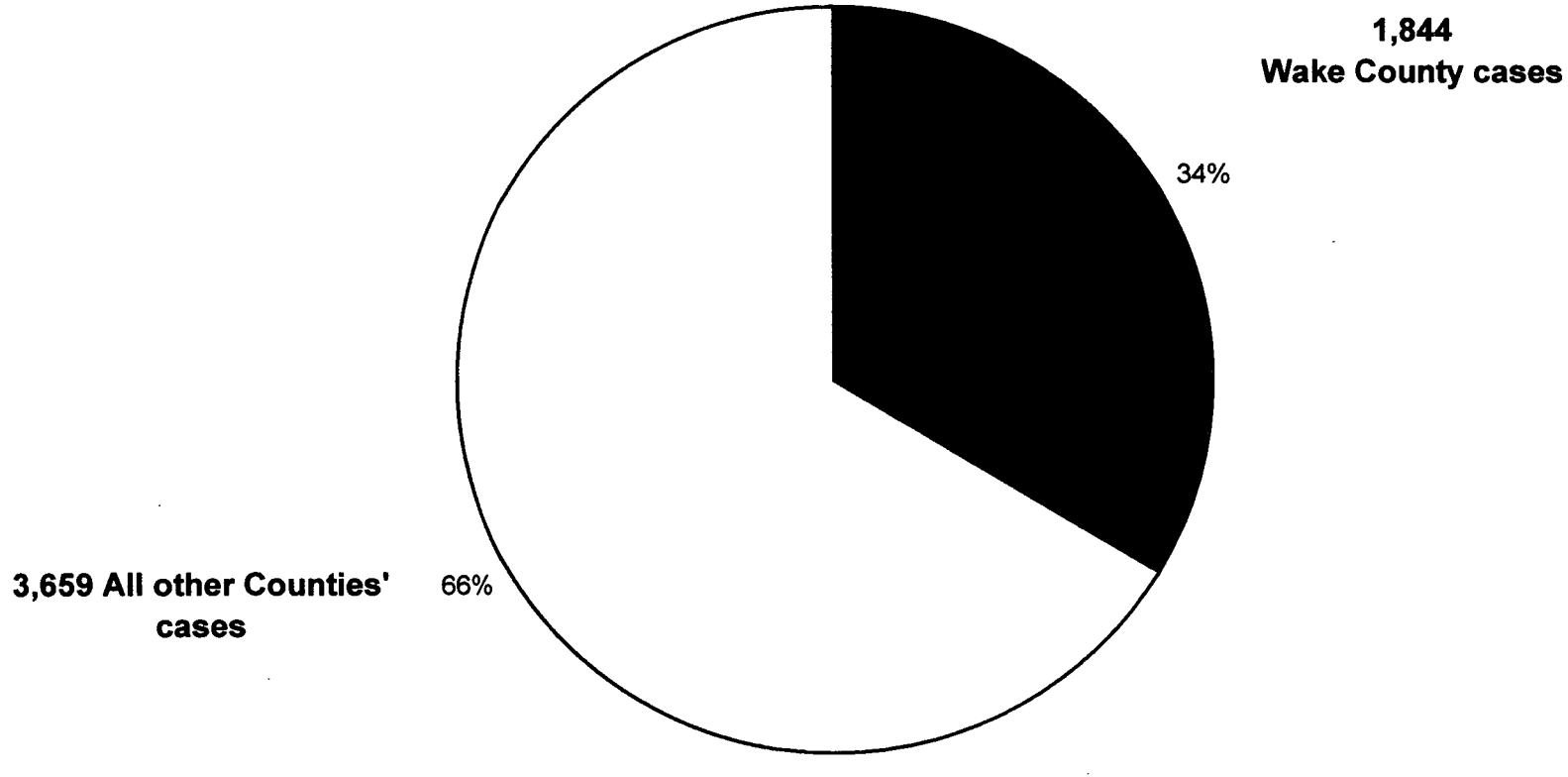


3/9/2001

NC JUDICIAL DEPARTMENT--AOC COURT SERVICES AND INFORMATION MANAGEMENT
FREQUENCY OF FELONY CONVICTIONS IN DISTRICT COURT
CHARGES DISPOSED FROM: 07/01/1999 -- 06/30/2000

ALAMANCE	1
ALEXANDER	0
ALLEGHANY	35
ANSON	0
ASHE	23
AVERY	3
BEAUFORT	0
BERTIE	0
BLADEN	3
BRUNSWICK	0
BUNCOMBE	0
BURKE	0
CABARRUS	0
CALDWELL	0
CAMDEN	0
CARTERET	3
CASWELL	0
CATAWBA	0
CHATHAM	0
CHEROKEE	14
CHOWAN	0
CLAY	58
CLEVELAND	88
COLUMBUS	1
CRAVEN	0
CUMBERLAND	5
CURRITUCK	0
DARE	0
DAVIDSON	1
DAVIE	1
DUPLIN	1
DURHAM	10
EDGECOMBE	0
FORSYTH	1,212
FRANKLIN	0
GASTON	0
GATES	0
GRAHAM	5
GRANVILLE	0
GREENE	1
GUILFORD	4
HALIFAX	0
HARNETT	48
HAYWOOD	0
HENDERSON	254
HERTFORD	0
HOKE	4
HYDE	0
IREDELL	2
JACKSON	2
JOHNSTON	0
JONES	11
LEE	0
LENOIR	3
LINCOLN	1
MACON	0
MADISON	5
MARTIN	0
MCDOWELL	154
MECKLENBURG	8
MITCHELL	9
MONTGOMERY	0
MOORE	0
NASH	0
NEW HANOVER	393
NORTHAMPTON	0
ONSLOW	0
ORANGE	0
PAMLICO	0
PASQUOTANK	0
PENDER	2
PERQUIMANS	0
PERSON	1
PITT	0
POLK	22
RANDOLPH	0
RICHMOND	3
ROBESON	0
ROCKINGHAM	0
ROWAN	421
RUTHERFORD	209
SAMPSON	1
SCOTLAND	0
STANLY	1
STOKES	0
SURRY	5
SWAIN	11
TRANSYLVANIA	206
TYRRELL	0
UNION	3
VANCE	0
WAKE	1,844
WARREN	0
WASHINGTON	0
WATAUGA	0
WAYNE	0
WILKES	347
WILSON	0
YADKIN	38
YANCEY	26
NORTH CAROLINA	5,503

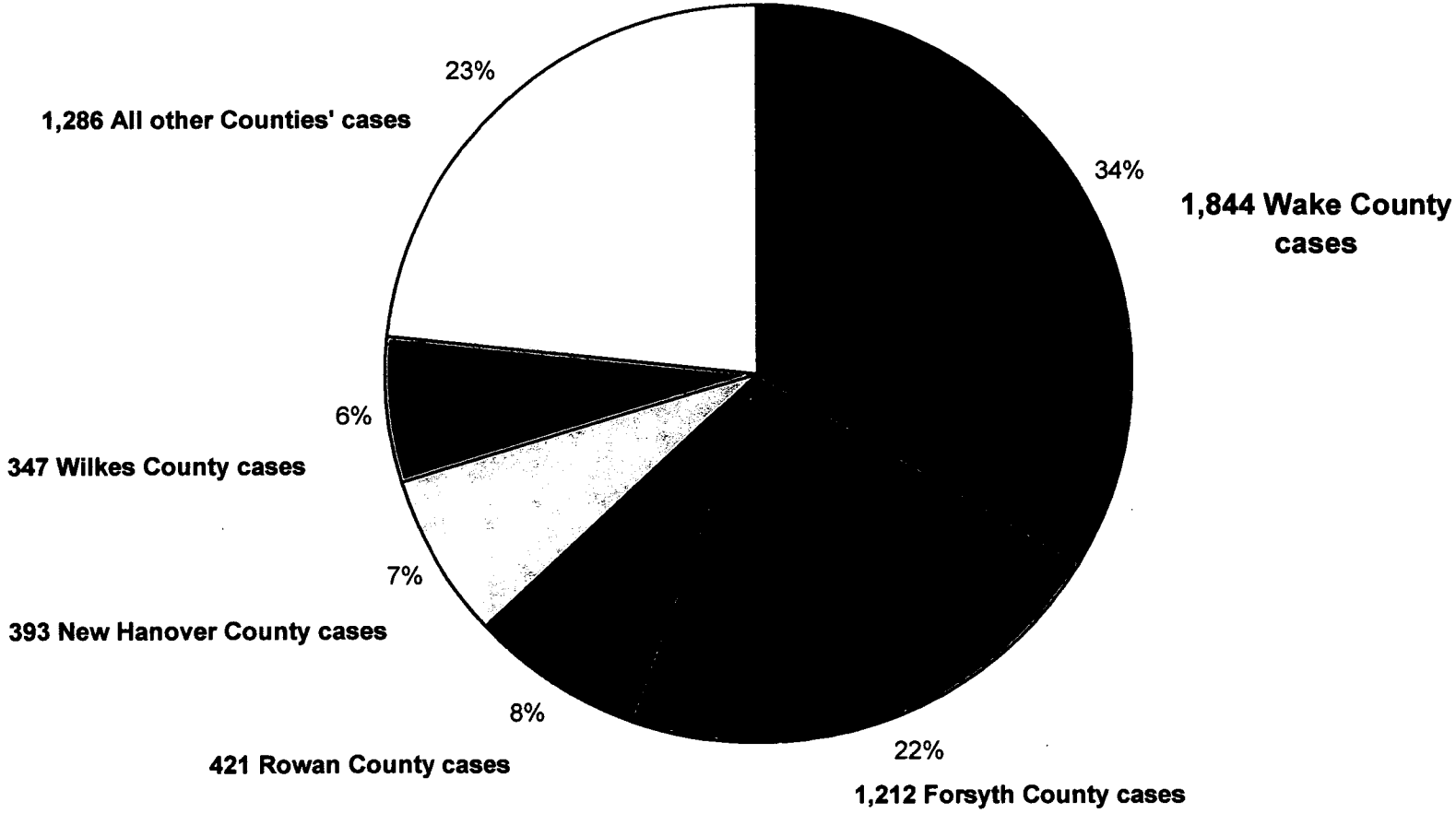
N.C. Felony Pleas in District Court FY 1999-2000



3/9/2001

North Carolina
Felony Pleas in District Court FY 1999-2000

(Divided by five counties with highest number of felony pleas taken in District Court)



Source: Administrative Office of the Courts

3/9/2001

Rankings of Judicial Districts on Population and Weighted Caseload per District Judge--FY97/8
(With New 1998 weights)

Judicial District	Number Judges	Population		Net Filings		Weighted Caseload per Judge	Ranks		
		District Total	Per Judge	District Total	Per Judge		Population	Weighted Caseload	Combined Rank
1	4	121,982	30,496	19,993	4,998	14,347	28	33	34
2	3	91,017	30,339	19,044	6,348	16,922	30	15	18
3A	5	123,155	24,631	27,304	5,461	12,727	36	36	36
3B	5	161,464	32,293	31,741	6,348	16,664	24	17	20
4	7	255,380	36,483	43,949	6,278	17,631	14	9	10
5	6	188,399	31,400	34,316	5,719	17,128	26	14	15
6A	2	55,182	27,591	9,861	4,931	15,035	34	29	32
6B	3	62,623	20,874	11,690	3,897	11,292	39	38	38
7	7	212,474	30,353	39,379	5,626	17,742	29	8	13
8	6	191,341	31,890	35,113	5,852	15,213	25	27	28
9/9B	5	147,682	29,536	27,433	5,487	14,986	32	31	29
9A	2	55,726	27,863	12,287	6,144	16,406	33	19	23
10	13	575,696	44,284	109,999	8,461	18,652	2	2	1
11	7	239,785	34,255	50,576	7,225	17,581	19	11	12
12	9	295,053	32,784	56,032	6,226	18,117	23	5	9
13	5	150,253	30,051	28,338	5,668	14,820	31	32	30
14	6	200,219	33,370	37,648	6,275	15,432	21	25	26
15A	3	121,937	40,646	19,950	6,650	17,236	4	13	8
15B	4	154,915	38,729	25,332	6,333	13,782	8	35	31
16A	3	64,820	21,607	13,263	4,421	12,127	38	37	37
16B	5	113,682	22,736	25,068	5,014	15,261	37	26	35
17A	2	89,510	44,755	14,220	7,110	18,184	1	4	2
17B	3	111,258	37,086	18,024	6,008	14,987	12	30	27
18	11	388,519	35,320	83,705	7,610	18,324	18	3	5
19A	3	119,494	39,831	21,659	7,220	18,014	6	6	4
19B	6	219,944	36,657	38,994	6,499	16,119	13	21	21
19C	4	124,687	31,172	22,109	5,527	16,000	27	22	24
20	7	235,432	33,633	41,788	5,970	16,582	20	18	17
21	8	290,790	36,349	51,608	6,451	17,594	15	10	11
22	8	317,557	39,695	56,410	7,051	17,774	7	7	6
23	4	133,100	33,275	19,935	4,984	14,267	22	34	33
24	4	106,537	26,634	14,548	3,637	9,639	35	39	39
25	8	290,530	36,316	41,156	5,145	16,203	16	20	19
26	15	624,464	41,631	93,900	6,260	17,440	3	12	7
27A	5	181,028	36,206	36,012	7,202	19,037	17	1	3
27B	4	150,531	37,633	21,385	5,346	15,792	10	24	22
28	5	192,459	38,492	24,091	4,818	16,765	9	16	14
29	6	225,475	37,579	31,177	5,196	15,156	11	28	25
30	4	160,260	40,065	21,216	5,304	15,866	5	23	16
Total	217	7,544,360	34,767	1,330,254	6,130	16,421			

Number of judges is the number authorized as of 1/5/1999. Population is a projection from the NC Office of State Planning on web page: http://www.ospl.state.nc.us/demog/cpb1998p.html (Last update July 9, 1998). Net filings are 3 year averages of total case filings less cases those disposed by clerk or magistrate, dismissed by plaintiff or district attorney, superseded by indictment, or in which probable cause hearing was waived. It also includes juvenile hearings and child support enforcement hearings for fiscal year 1997/98. Weighted caseload per judge compensates for variation in time needed to handle different cases by weighting different types of cases according to this formula.

Weighted caseload per judge in a district equals net traffic filings per judge times 1 plus
net non-traffic criminal filings per judge times 2.76 plus
net domestic relations filings per judge times 10.30 plus
net general civil filings times 15.88 plus
child support filings times 6.97 plus
juvenile hearings times 8.50 plus

Combined rank gives 25% weight to population per judge, and 75% weight to weighted caseload per judge, after normalizing by the interquartile range in weighted caseload per judge (the 75th percentile is 17,587 and the 25th percentile is 15,011), and the interquartile range in population per judge (a 75th percentile of 37,456 and a 25th percentile of 30,343).

Rankings of Judicial Districts on Population and Weighted Caseload per District Judge--FY98/9 (With 1998 weights)

Judicial District	Number Judges	Population: District Total	Population: Per Judge	Net Filings: District Total	Net Filings: Per Judge	Weighted Caseload per Judge	Ranks: Population	Ranks: Weighted Caseload	Ranks: Combined Rank
1	4	123,871	30,968	20,686	5,172	15,143	24	27	27
2	4	90,953	22,738	18,824	4,706	12,671	37	37	37
3A	5	129,071	25,814	27,734	5,547	13,530	34	34	34
3B	5	163,218	32,644	32,461	6,492	17,650	20	11	12
4	7	257,436	36,777	46,676	6,668	19,134	11	4	5
5	7	192,886	27,555	38,207	5,458	16,233	31	17	23
6A	2	55,091	27,546	10,508	5,254	15,774	32	24	26
6B	3	62,495	20,832	11,553	3,851	10,630	39	38	39
7	7	214,060	30,580	38,579	5,511	17,731	26	10	13
8	6	192,731	32,122	35,688	5,948	15,968	22	22	21
9/9B	5	149,660	29,932	28,872	5,774	16,006	29	21	22
9A	2	56,299	28,150	12,136	6,068	15,753	30	25	25
10	13	593,937	45,687	116,234	8,941	19,118	1	5	2
11	7	245,533	35,076	52,953	7,565	19,970	14	1	4
12	9	297,542	33,060	53,094	5,899	17,626	18	12	11
13	6	152,715	25,453	28,553	4,759	13,482	35	35	35
14	6	202,426	33,738	40,388	6,731	16,091	16	20	20
15A	4	123,500	30,875	21,980	5,495	15,103	25	28	28
15B	4	157,577	39,394	25,640	6,410	14,543	5	30	24
16A	3	65,840	21,947	13,658	4,553	12,983	38	36	36
16B	5	114,644	22,929	24,638	4,928	15,718	36	26	30
17A	2	89,998	44,999	14,267	7,133	19,256	2	3	1
17B	3	112,728	37,576	18,338	6,113	15,916	9	23	19
18	12	393,496	32,791	87,499	7,292	17,838	19	9	9
19A	4	121,801	30,450	22,358	5,590	13,626	27	33	33
19B	6	223,742	37,290	38,817	6,470	16,112	10	19	18
19C	4	126,455	31,614	22,351	5,588	14,927	23	29	29
20	7	239,109	34,158	43,448	6,207	16,859	15	14	14
21	8	294,026	36,753	58,919	7,365	18,817	12	6	6
22	8	322,402	40,300	59,454	7,432	19,540	3	2	3
23	4	134,339	33,585	20,596	5,149	14,404	17	31	31
24	4	107,381	26,845	14,589	3,647	9,994	33	39	38
25	8	293,707	36,713	43,094	5,387	17,913	13	8	8
26	16	638,570	39,911	96,071	6,004	16,807	4	15	10
27A	6	181,713	30,286	37,062	6,177	17,055	28	13	17
27B	4	152,331	38,083	21,435	5,359	16,247	7	16	15
28	5	194,516	38,903	25,189	5,038	18,341	6	7	7
29	6	228,172	38,029	32,493	5,415	16,170	8	18	16
30	5	162,174	32,435	23,604	4,721	14,334	21	32	32
Total	226	7,658,145	33,886	1,378,650	6,100	16,565			

Number of judges is the number authorized as of 1/12/2000. Population is a projection from the NC Office of State Planning on web page: http://www.osp.state.nc.us/demog/cpb1999p.html (Last update June 10, 1999). Net filings are 3 year averages of total case filings less cases those disposed by clerk or magistrate, dismissed by plaintiff or district attorney, superseded by indictment, or in which probable cause hearing was waived. It also includes juvenile hearings and child support enforcement hearings for fiscal year 1998/99. Weighted caseload per judge compensates for variation in time needed to handle different cases by weighting different types of cases according to this formula.

Weighted caseload per judge in a district equals net traffic filings per judge times 1 plus
net non-traffic criminal filings per judge times 2.92 plus
net domestic relations filings per judge times 10.71 plus
net general civil filings times 16.80 plus
child support filings times 6.14 plus
juvenile hearings times 9.30 plus

Combined rank gives 25% weight to population per judge, and 75% weight to weighted caseload per judge, after normalizing by the interquartile range in weighted caseload per judge (the 75th percentile is 17,690 and the 25th percentile is 14,735), and the interquartile range in population per judge (a 75th percentile of 37,162 and a 25th percentile of 28,595).

Rankings of Judicial Districts on Population and Weighted Caseload per District Judge--FY99/0

(With 1998 weights)

Judicial District	Number Judges	Population: District Total	Population: Per Judge	Net Filings: District Total	Net Filings: Per Judge	Weighted Caseload per Judge	Ranks: Population	Ranks: Weighted Caseload	Ranks: Combined Rank
1	5	122,834	24,567	20,052	4,010	11,545	35	37	37
2	4	92,352	23,088	19,008	4,752	13,034	36	36	36
3A	5	127,879	25,576	28,153	5,631	13,971	32	34	33
3B	5	161,452	32,290	31,451	6,290	17,330	18	11	11
4	8	256,248	32,031	46,228	5,778	16,489	19	19	20
5	7	187,793	26,828	42,620	6,089	17,334	30	10	18
6A	2	54,752	27,376	10,611	5,306	15,621	29	24	27
6B	3	62,039	20,680	11,452	3,817	11,068	39	38	38
7	7	212,870	30,410	37,105	5,301	17,310	25	12	14
8	6	189,460	31,577	35,599	5,933	16,648	20	18	19
9/9B	6	152,031	25,339	28,602	4,767	13,531	34	35	35
9A	2	56,104	28,052	11,694	5,847	15,552	28	27	26
10	14	592,218	42,301	119,595	8,542	18,156	1	4	2
11	8	246,706	30,838	53,761	6,720	18,062	24	6	7
12	9	291,897	32,433	51,134	5,682	17,145	15	15	13
13	6	152,977	25,496	28,268	4,711	14,248	33	30	32
14	6	203,357	33,893	42,294	7,049	16,769	12	16	15
15A	4	124,042	31,011	22,029	5,507	15,575	23	26	25
15B	4	157,010	39,253	24,910	6,228	14,150	2	31	28
16A	3	65,926	21,975	13,882	4,627	14,064	38	32	34
16B	5	115,333	23,067	26,493	5,299	17,900	37	8	17
17A	3	89,745	29,915	14,636	4,879	14,006	27	33	31
17B	3	112,543	37,514	18,066	6,022	16,663	6	17	12
18	12	393,423	32,785	84,585	7,049	18,196	14	3	5
19A	4	125,051	31,263	23,213	5,803	14,435	22	29	30
19B	6	223,612	37,269	38,912	6,485	16,216	7	21	16
19C	4	125,800	31,450	24,062	6,015	16,008	21	22	24
20	7	240,428	34,347	45,698	6,528	17,904	11	7	6
21	8	291,846	36,481	65,292	8,161	20,328	9	1	1
22	9	326,024	36,225	59,090	6,566	17,201	10	13	10
23	4	133,816	33,454	21,346	5,336	15,811	13	23	23
24	4	107,264	26,816	13,826	3,457	10,227	31	39	39
25	8	294,593	36,824	43,821	5,478	18,675	8	2	3
26	17	642,245	37,779	95,864	5,639	15,579	5	25	22
27A	5	181,362	30,227	38,486	6,414	18,107	26	5	9
27B	4	152,670	38,168	22,020	5,505	17,604	3	9	4
28	6	194,353	32,392	26,017	4,336	16,297	16	20	21
29	6	228,795	38,133	33,410	5,568	17,158	4	14	8
30	5	161,849	32,370	24,717	4,943	14,656	17	28	29
Total	235	7,650,699	32,556	1,398,002	5,949	16,403			

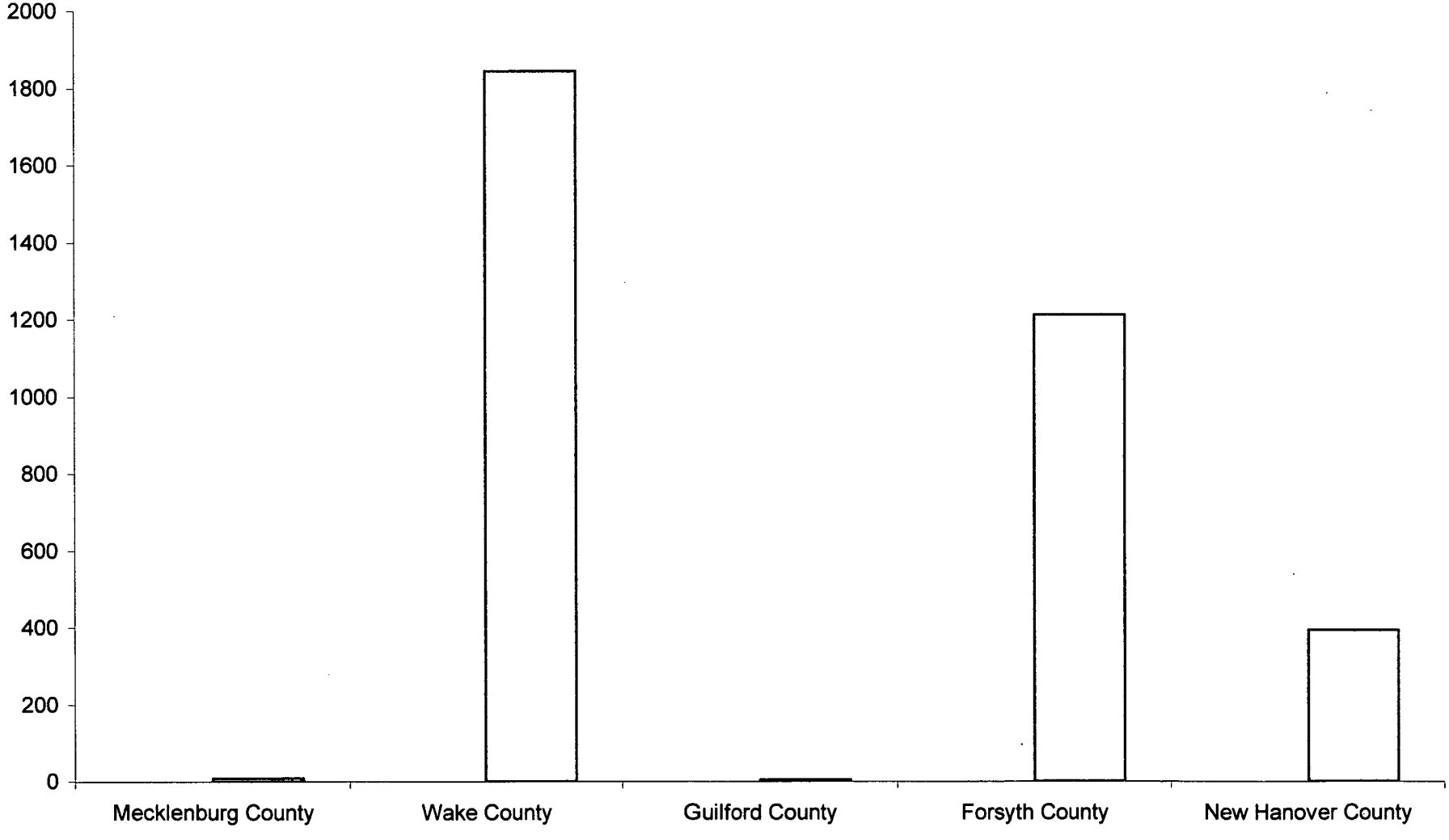
Number of judges is the number authorized as of 10/05/2000. Population is from the NC Office of State Planning on web page: http://www.ospl.state.nc.us/demog/cty99est.html (Last update August 16, 2000). Net filings are 3 year averages of total case filings less cases those disposed by clerk or magistrate, dismissed by plaintiff or district attorney, superseded by indictment, or in which probable cause hearing was waived. It also includes juvenile hearings and child support filings for fiscal year 1999-00. Weighted caseload per judge compensates for variation in time needed to handle different cases by weighting different types of cases according to this formula.

Weighted caseload per judge in a district equals net traffic filings per judge times 1 plus
net non-traffic criminal filings per judge times 3.12 plus
net domestic relations filings per judge times 10.72 plus
net general civil filings times 16.59 plus
child support filings times 6.24 plus
juvenile hearings times 9.56 plus

Combined rank gives 25% weight to population per judge, and 75% weight to weighted caseload per judge, after normalizing by the interquartile range in weighted caseload per judge (the 75th percentile is 17,332 and the 25th percentile is 14,342), and the interquartile range in population per judge (a 75th percentile of 35,755 and a 25th percentile of 26,965).

3/9/2001

FELONY PLEAS IN DISTRICT COURT
FIVE MOST POPULATED COUNTIES 1999-2000



Rep. Thompson

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 530

Short Title: Add'l Superior Court Judge/District 24/Funds. (Public)
Sponsors: Representatives Thompson; and Buchanan.
Referred to: Appropriations.

March 8, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH AN ADDITIONAL SUPERIOR COURT JUDGE IN DISTRICT 24.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-41(a) reads as rewritten:

"**§ 7A-41. Superior court divisions and districts; judges.**

(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court	District Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	2
Second	4A	Duplin, Jones, Sampson	1
Second	4B	Onslow	2
Second	5	New Hanover, Pender	3
First	6A	Halifax	1
First	6B	Bertie, Hertford, Northampton	1
First	7A	Nash	1
First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
First	7C	(part of Wilson, part of Edgecombe, see subsection (b))	1
Second	8A	Lenoir and Greene	1
Second	8B	Wayne	1

Third	9	Franklin, Granville, Vance, Warren	2
Third	9A	Person, Caswell	1
Third	10A	(part of Wake, see subsection (b))	2
Third	10B	(part of Wake, see subsection (b))	2
Third	10C	(part of Wake, see subsection (b))	1
Third	10D	(part of Wake, see subsection (b))	1
Fourth	11A	Harnett, Lee	1
Fourth	11B	Johnston	1
Fourth	12A	(part of Cumberland, see subsection (b))	1
Fourth	12B	(part of Cumberland, see subsection (b))	1
Fourth	12C	(part of Cumberland, see subsection (b))	2
Fourth	13	Bladen, Brunswick, Columbus	2
Third	14A	(part of Durham, see subsection (b))	1
Third	14B	(part of Durham, see subsection (b))	3
Third	15A	Alamance	2
Third	15B	Orange, Chatham	1
Fourth	16A	Scotland, Hoke	1
Fourth	16B	Robeson	2
Fifth	17A	Rockingham	2
Fifth	17B	Stokes, Surry	2
Fifth	18A	(part of Guilford, see subsection (b))	1
Fifth	18B	(part of Guilford, see subsection (b))	1
Fifth	18C	(part of Guilford, see subsection (b))	1
Fifth	18D	(part of Guilford, see subsection (b))	1
Fifth	18E	(part of Guilford, see subsection (b))	1
Sixth	19A	Cabarrus	1
Fifth	19B1	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Fifth	19B2	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Sixth	19C	Rowan	1
Sixth	20A	Anson, Richmond	1
Sixth	20B	Stanly, Union	2
Fifth	21A	(part of Forsyth, see subsection (b))	1
Fifth	21B	(part of Forsyth, see subsection (b))	1
Fifth	21C	(part of Forsyth,	1

		see subsection (b))	
Fifth	21D	(part of Forsyth, see subsection (b))	1
Sixth	22	Alexander, Davidson, Davie, Iredell	3
Fifth	23	Alleghany, Ashe, Wilkes, Yadkin	1
Eighth	24	Avery, Madison, Mitchell, Watauga, Yancey	~~1~~ 2
Seventh	25A	Burke, Caldwell	2
Seventh	25B	Catawba	2
Seventh	26A	(part of Mecklenburg, see subsection (b))	2
Seventh	26B	(part of Mecklenburg, see subsection (b))	2
Seventh	26C	(part of Mecklenburg, see subsection (b))	2
Seventh	27A	Gaston	2
Seventh	27B	Cleveland, Lincoln	2
Eighth	28	Buncombe	2
Eighth	29	Henderson, McDowell, Polk, Rutherford, Transylvania	2
Eighth	30A	Cherokee, Clay, Graham, Macon, Swain	1
Eighth	30B	Haywood, Jackson	1.

SECTION 2. The Governor shall appoint a superior court judge for the additional judgeship in Superior Court District 24 as authorized by Section 1 of this act. The successor to that judge shall be elected in the 2002 general election to serve an eight-year term.

SECTION 3. There is appropriated from the General Fund to the Judicial Department the sum of one hundred sixty-one thousand nine hundred forty-seven dollars ($161,947) for the 2001-2002 fiscal year and the sum of one hundred forty-seven thousand seven hundred one dollars ($147,701) for the 2002-2003 fiscal year to establish the additional superior court judge provided for in this act.

SECTION 4. This act becomes effective July 1, 2001.

Rep. Sexton

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

H 1

HOUSE BILL 1142

Short Title:	National Guard Tuition Assistance Funds.	(Public)
Sponsors:	Representatives Sexton, Baddour; Morris, Davis, Cox, and Mitchell.	
Referred to:	Appropriations.	

April 12, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA NATIONAL GUARD TUITION ASSISTANCE PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Department of Crime Control and Public Safety the sum of two hundred twenty-nine thousand one hundred seventy dollars ($229,170) for the 2001-2002 fiscal year for the North Carolina National Guard Tuition Assistance Program.

SECTION 2. This act becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

Rep. Culpepper

H 1

HOUSE BILL 1378

Short Title: Chowan Magistrate Funds. (Public)
Sponsors: Representative Culpepper.
Referred to: Appropriations.

April 25, 2001

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FOR AN ADDITIONAL MAGISTRATE IN CHOWAN COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. There is appropriated from the General Fund to the Judicial Department the sum of forty thousand nine hundred forty-two dollars ($40,942) for the 2001-2002 fiscal year and the sum of thirty-five thousand five hundred fifty-seven dollars ($35,557) for the 2002-2003 fiscal year to establish a magistrate position in Chowan County as authorized by G.S. 7A-133(c).

SECTION 2. This act becomes effective July 1, 2001.

Elisa Wolper

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H 1

HOUSE BILL 199

Short Title: No State Funds for Jury Consultants. (Public)
Sponsors: Representatives Eddins; and Davis.
Referred to: Rules, Calendar, and Operations of the House.

February 22, 2001

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE USE OF STATE FUNDS FOR JURY CONSULTANTS.

The General Assembly of North Carolina enacts:

SECTION 1. Funds appropriated to the Judicial Department may not be used to contract for the services of jury consultants in criminal cases in which the defendant has been assigned counsel by the court.

SECTION 2. This act becomes effective July 1, 2001.

HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The House Appropriations Subcommittee on Justice and Public Safety met on **Friday, June 22, 2001,** at 9:00 in Room 415 LOB. The following members of the House were present:

Rep. Bill Culpepper
Rep. Phil Haire
Rep. Wayne Goodwin
Rep. John Hall
Rep. Wayne Sexton

A Visitor Registration list is attached and made part of these minutes.

Rep. Bill Culpepper chaired the meeting and opened with an explanation of the rules which govern the conduct of the meeting in regard to the budget and any amendments, which might be offered.

Rep. Culpepper asked that the money report – Draft Budget **(Handout #1)** and pointed out that the items which are circled in the report are the ones which differ from the Senate. Elise Wolper, staff, began with the first section – Judicial giving item-by-item brief explanations.

Rep. Hall pointed out the #29 is called an increase in funding for indigent defense and the dollar amount was less. His question was – isn't that a reduction? Ms. Wolper said that this amount is slightly smaller than what is in the Senate Budget and the Governor's Budget. Rep. Hall then asked why it doesn't say decrease instead of increase? Ms. Wolper stated that it is still an increase over what is in the continuation budget. With total of $5,533,857 the total funding will be about $52.4 million. Rep. Culpepper added that there is already about $47 million in the continuation budget and this is increasing that by a little over $5 million. It's just that our figure differs just a little bit from what the Senate figure was.

Denise Thomas, staff, then picked up on page I6 of the report – Justice.

Rep. Hall asked a question about Item #35 – the Office of the Inspector General has been eliminated under the Senate's proposal. Can the House amend to put it back in? Rep. Hall stated that he would definitely not like to see the position eliminated. Rep. Culpepper suggested getting through the report and going back for any amendments.

Rep. Sexton asked for a further explanation of Item #36 and the cutting of 6 people. How will that affect the program and how many will be left? Ms. Thomas answered that there were currently 11 staff members – 9 state funded, and 2 federally funded from Dare America. They received the federal funds because they were the South Eastern Regional Training Center for the state and the southeastern part of the country. Dare America will

cease to provide funds effective August 31. NC Dare will seek to operate as the regional training coordinator. If you look at their workload and who they have been training, 60% of their workload has been the trainees under the regional coordinator function. Now the program has been redirected on training NC local law enforcement officers only which has been 40% of their caseload.

Rep. Sexton asked if that would affect the training of the local officers? Ms. Thomas replied that some of the training would be done through collaboration with the Criminal Justice Standards Division which operates the 2 Justice Academies using their resources and the training systems which are available in the Justice Academy.

Rep. Culpepper commented that with the federal funding, 650 people have been trained. 450 of whom are not NC residents. Since the workload is being reduced by 60%, the reduction can be taken to reflect the lesser workload and still keep the DARE program. Rep. Sexton asked if this would be for NC only and Ms. Thomas answered in the affirmative.

Ms. Thomas then moved on to Juvenile Justice and Delinquency Prevention.

Rep. Sexton asked if Sec. Sweat would comment on Item 46 – Eliminate G.R.A.S.P. Contact. Sec. Sweat said he felt that the program has definitely improved and many youths that they are now sending to the program will have that option eliminated and it will no doubt push them further into the system. Rep. Sexton said he knew that this program had not started well, but had saved $ down the road and hates to see it eliminated, just reduced in order to save the program.

Jim Mills, staff, picked up the review with Item #50 – Youth Development. There were no questions.

Kelly Little, staff, continued the review with Item #57.

Rep. Goodwin asked which counties do not participate? Ms. Little replied that there were 6 and, off the top of her head, recalled Lincoln, Bladen, Dare and Rutherford Counties. Rep. Goodwin asked if Richmond were one and Ms. Little said she would get back with him on that.

Jim Mills began with item #66 – Prisons

Rep. Goodwin asked a question regarding item #69, if the reason that Alamance was proposed for closing was that it couldn't expand or were not welcome to expand? Mr. Mills said issue was more of the cost. Rep. Goodwin recalled that something was welcomed in Alamance – was that a different facility or program? Mr. Mills didn't recall that discussion and said maybe the department could help with that. A Department of Corrections Staff Member stated that the only thing he could think of when they were doing expansion back in '87, that, at that time the City of Graham was opposed to it. Rep. Goodwin stated that the Senate proposed reverting it to a work release program there,

while they opened a new prison – is that correct? Mr. Mills answered yes, and that the Senate had a provision that if a new prison were operational in 2003, 2004, in Scotland, then this unit would be closed. It was more of a transition plan in the Senate. Rep. Goodwin asked if in the Senate's proposal was it planned that this center would remain open as a work release for a certain period of time, or was it something that was to remain open until we decided otherwise? Mr. Mills stated that the Senate Budget creates a new work release program by expanding the number of work release jobs. The provision did direct that in 2003, 2004, that the DOC recommended closing it. The implication was that the work release program in Scotland would end with the opening of the new prison. Rep. Goodwin had another question regarding #87 – the IMPACT Programs. When we discussed IMPACT West, I recall there being questions about the effectiveness pertaining to recidivism and how they didn't have a women's facility. Can you refresh my recollection about the two facilities? Ms. Wolper replied that there has been the programs overall, regardless of location. There is one female facility at Western, which was downsized from its original plan. This reduction would eliminate the female unit which has been under-utilized. The cost was driven up because rooms were reserved for female offenders and they remained vacant. Rep. Goodwin further stated that he had received a lot of calls regarding IMPACT East from local school superintendents and county commissioners that these reductions may prohibit probationers from working via IMPACT to help the schools. Does this affect that in any way? Ms. Wolper replied that it was hard to say, but this provision would give DOC some kind of latitude in designing a residential program except that both in the wording of this money item and in this special provision, the two things that they must do are to keep both locations open and maintain a significant work service aspect of it, so there is a very strong legislative intent that whatever kind of residential program for offenders is to be operated, community service is an important part of it. With the 25% reduction in funding, it's possible that the Dept. could maintain the same number of offenders, but that would be difficult and there would be some reduction in capacity, but that 25% that we designed is going to be in the hands of the Department. Rep. Goodwin asked if any rumors that the public service requirements and the abilities of schools relying on this service were about to end – were they correct? Ms. Wolper replied that with this item there still should be a significant amount of community service done in those counties. The exact amount will depend on how much this cut affects capacity. Rep. Goodwin asked of the 25% - how much does it come to for each facility in terms of dollars? Ms. Wolper replied that the facilities are roughly comparable in cost – IMPACT East is slightly more expensive – they provide their own food service instead of relying on the prison system,. but safe to say that is split 50-50. Rep. Goodwin asked in terms of dollars? Ms. Wolper said that it is a 1.46 million dollar reduction overall, so for each unit it would be about ¾ of a million. Budgeting by location is not an exact science, there's a budget for the IMPACT program and there's approximation of a budget by facility, but basically the entire program is funded and on very specific issues like the exact salaries determines the individual location budget.

Rep. Culpepper stated that the committee has some real concerns about the recidivism rate in both programs. The proposal gives the department wide latitude on how to handle

the reduction. He hopes that it will send the message for them to explore ways to adjust the program.

Rep. Sexton asked on Item #76, how the DOT responds to this particular request? Rep. Culpepper stated that this is our proposal – DOC says that the actual cost of this program is $10 million and we are sticking up for them. DOT has their own position and it will be up to the full chairs to balance it out.

Kelly Little began on page 18 with #93 – Crime Control and Public Safety.

Rep. Sexton asked if items # 95, 96, and 97 were in the Governor's Budget also? Ms. Little replied that all were just in the Senate budget. Rep. Sexton further asked what would happen to the 25 people in item #107. Ms. Little stated that the DOC has an excellent record of finding positions for displaced workers when they close prisons. Feel that are positions that can be filled by these people if they want them and qualify.

Rep. Hall wanted clarification that this would not eliminate the Dept. of Crime Control and Public Safety. Rep. Culpepper answered that it would absolutely not eliminate the program.

Rep. Haire took over the chair and called on Elise Wolper to go over the Special Provisions **(Handout #2)** – Judicial Department section.

Denise Thomas then discussed changes in the Department of Justice section as well as changes in the Dept. of Juvenile Justice and Delinquency Prevention.

Jim Mills explained changes in the Dept. of Correction section.

Rep. Goodwin followed up on questions regarding Impact East and West – Section B - could it be included by amendment reporting back to chairs of appropriate subcommittees on the community work component and the cost savings to local government and school systems. Didn't think it was particularly covered? Could this be put in as an amendment? After comments by Ms. Wolper, Rep. Goodwin asked if given the fact that the data is given retrospectively is there any need to have it provided prospectively. Rep. Goodwin and Ms. Wolper will work out something.

Kelly Little continued on pg. 57 with the Summit House provision.

Denise Thomas explained further provisions.

Rep. Goodwin asked if there was data all in one place that might indicate how much the state might lose in lawsuits. Ms. Thomas said that there was no central monitoring system in place that this could be done quickly and easily. The department did not have the capability to do this and that they were working on establishing a computer base so that all data would be in one place.

Rep. Haire called for any amendments.

Rep. John Hall read amendments to page 33 – line 2 of the report – Abolishing Office of Inspector General – and moved for adoption. The motion carried and was adopted.

Rep. Wayne Goodwin proposed an amendment on page 66 – line 16 of the report, and moved for adoption. The motion carried and was adopted.

Rep. Culpepper moved that the House Appropriations Sub-Committee on Justice and Public Safety report, as presented today, and, as amended, be approved. The motion carried and was adopted.

There being no further business, the meeting was adjourned.

Rep. Bill Culpepper, Presiding Chair

Sara Jane Lennard, House Committee Clerk

June 22, 01
#1

HOUSE APPROPRIATIONS SUB-COMMITTEE ON JUSTICE AND PUBLIC SAFETY

DRAFT BUDGET

JUNE 22, 2001

Judicial

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$308,769,898**		**$308,769,898**	

Legislative Changes

1 Reduce Funding for Jury Fees ($370,000) R ($370,000) R

Funding is reduced to reflect recent years' experience. This reduction was part of the Governor's recommended budget and leaves $3.8 Million available for 2001-2.

New item 2 **Reduction in Operating Expenses** ($189,254) R ($217,705) R

Operating expenses for the Judicial Branch are reduced as follows:

	2001-2	2002-3
Maintenance Agreements	$98,500	$107,250
Printing & Binding	$ 8,900	$ 9,900
Registration Fees	$34,700	$ 37,250
Other Expenses	$12,500	$ 14,750
Telephone/Telecomm	$ 2,000	$ 3,000
Equipment Lease	$ 5,000	$ 5,500
Supplies	$27,654	$ 40,055

3 Eliminate Funds for Unemployment/Workers Comp ($370,066) R ($370,066) R

Funding for unemployment and workers compensation payments is eliminated. Since payments are unpredictable most departments do not budget a specific amount. This reduction was included in the Governor's recommended budget.

Yes, cuts

4 Reduce Budgeted Funds for Temporary Services ($223,767) R ($223,767) R

Budgeted funds for temporary personnel are eliminated. This reduction was included in the Governor's recommended budget.

5 Reduce Budgeted Funds for Administrative Contracts ($1,752,652) R ($1,752,652) R

Budgeted funds for administrative contracts are reduced. This reduction was included in the Governor's recommended budget. This includes an $102,000 reduction in contractual funds for the Mecklenburg Speedy Drug Court as more of the operations of this program are now done with employees rather than by contract. Contractual funds are also reduced in administration, Superior Court, District Court, Clerks, District Attorneys, Custody Mediation, Arbitration, Sentencing Services and Drug Treatment Court.

6 Reduce Funding for Fringe Benefits ($880,751) R ($880,751) R

Budgeted funds for FICA and Retirement are reduced based on reductions in other personnel items and projections for 2001-2002.This reduction was included in the Governor's recommended budget.

	FY 2001-02		FY 2002-03	
7 Budgeted Overtime Funding for budgeted overtime is eliminated, since the amount is unpredictable and usually covered with available funds. The Governor recommended a reduction of $42,236 and the subcommittee eliminated the remaining $20,428.	($62,664)	R	($62,664)	R
8 Reduced Facility Lease Expense Because of delays in renovating existing state offices, the projected increase in lease expenses for the Judicial Branch in the Governor's budget can be reduced. An increase of $314,082 remains to cover projected increases in existing leases, the cost of rent for the Business Court, and the annualized cost of new office space leased for Court of Appeals staff.	($182,951)	R	($181,701)	R
9 Reduction in Superior Court Judge Travel Funding is reduced for lodging and meal expenses for Superior Court Judge travel to conferences. Judge's may use their subsistence allowance to cover these expenses.	($103,000)	R	($103,000)	R
10 Judicial Branch Travel Reduction in the total travel budget for the Judicial Branch based on actual expenditures in prior years.	($200,000)	R	($200,000)	R
11 Recalculated Longevity Funding is reduced for longevity payments to court officials and staff based on a recalculation in April 2001.	($500,000)	R	($500,000)	R
12 Eliminate Funding for Blood Borne Pathogens Funding for blood borne pathogens (immunizations) is no longer required.	($16,068)	R	($16,068)	R
13 Redirect Superior Court Judge Position The vacant Superior Court Judge position in District #4B (Onslow) shall be redirected to District #24 (Avery, Mitchell, Ashe, Watauga, Yancey, Madison), effective October 1, 2001.	$0 0.00	R	$0 0.00	R
14 New Magistrate Positions Funds are provided to add half-time magistrate positions in Brunswick and Columbus counties, effective July 1, 2001.	$38,694 $11,426 1.00	R NR	$38,694 1.00	R
15 Eliminate Vacant DA Investigator A vacant District Attorney Investigator position in District #29 is eliminated. Not all District Attorneys have investigators and this position has been vacant since March 2000.	($47,525) -1.00	R	($47,525) -1.00	R
16 Redirect Vacant Clerk Position A part-time Assistant Clerk position in Caswell County, vacant since August 1999, is redirected to upgrade two .75 fte positions to fulltime in Madison and Swain Counties.	$0 0.00	R	$0 0.00	R

	FY 2001-02		FY 2002-03	
17 Increase Budgeted Receipts for Dispute Resolution The General Fund contribution to the Mediated Settlement Conference in Superior Court and the District Court Mediated Settlement programs are reduced to reflect increased fee collections and operating expenses that have been less than originally anticipated. Receipts will increase in part due to HB 668 which passed the House in April, authorizing a fee for certification of mediators in the newer District Court program.	($70,251)	R	($70,251)	R
18 Budget Fees for Worthless Check Program Participants in the worthless check program pay a $50 fee which is collected in a non- reverting fund. These funds will be used to offset the expenses of the program, allowing a reduction in the General Fund contribution.	($500,000)	R	($500,000)	R
19 Reduce Funds for Court of Appeals Mediation This program, authorized in the 2000 budget, has not been implemented as of May 2001. Funding is reduced to reflect expectation of limited activity in the first years.	($20,000)	R	($20,000)	R
20 Reduction in Funding Sentencing Services Program Funding for the Sentencing Services program is reduced by $100,000 based on the amount left unspent in prior years. This reduction may be taken in the costs of the state-run or nonprofit programs.	($100,000)	R	($100,000)	R
21 Annualization of New Positions The recommended continuation budget did not cover the full-year costs of 42 new positions added during 2000-2001. This item provides funds to annualize all the personnel costs and half the operating costs.	$1,602,574	R	$1,902,574	R
22 New Courthouses' Telephone Systems/ Network Cable Funds are added to provide telephone systems and network cable for new courthouses expected to be completed during the biennium; five courthouses in 2001-2 and one in 2002-3. While county governments are responsible for the construction and furnishing of new courthouses and the installation of telecommunication lines in court facilities, the Judicial Branch is responsible for providing the cabling and phone systems.	$475,000	NR	$125,000	NR
23 Redirect Magistrate Positions A magistrate position assigned to Perquimans County will be redirected to Chowan County. The position was authorized in 2000-2001 but never filled. A vacant part-time magistrate position in Johnston County is redirected to Swain County. It has been vacant since January 2000.	$0 0.00	R	$0 0.00	R
24 Membership in National DA's Association Funding is continued to allow all 39 District Attorneys to join the National District Attorney's Association. Nonrecurring funding was provided for this purpose in 1999-2000.	$15,000	R	$15,000	R

	FY 2001-02		FY 2002-03	
Total Legislative Changes	**($3,932,681)**	**R**	**($3,659,882)**	**R**
	$486,426	**NR**	**$125,000**	**NR**
Total Position Changes	0.00		0.00	
Revised Budget	**$305,323,643**		**$305,235,016**	

Judicial - Indigent Defense

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$66,660,467**		**$66,660,467**	
Legislative Changes				
25 Increase Budgeted Receipts General Fund budget is reduced to reflect a substantial increase in the amount collected through counselor fee judgments and set-off debt collection .	($750,000)	R	($750,000)	R
26 Authorize New Assistant Public Defender Positions The Office of Indigent Defense Services may establish up to 6 assistant public defender positions in lieu of using assigned counsel in statewide programs or areas with established Public Defenders. OIDS may use up to $477,768 in 2001-2 and $446,820 in 2002-3 from the indigent fund to establish these positions, at no additional cost to the General Fund.	$0 6.00	R	$0 6.00	R
27 Authorize PD Support Staff Positions The Office of Indigent Defense Services may establish up to 5 support positions (legal assistants, investigators, administrative assistants) in statewide programs or areas with established Public Defenders. OIDS may use up to $283,575 in 2001-2 and $256,310 in 2002-3 from the indigent fund to establish these positions at no additional cost to the General Fund.	$0 5.00	R	$0 5.00	R
28 Annualization of New Positions The continuation budget did not cover the full-year costs of 5 new positions added during 2000-2001. This item provides funds to annualize the personnel costs and the operating costs.	$191,643	R	$191,643	R
29 Increase Funding for Indigent Defense Funding is increased to cover the growing costs of indigent defense and shortfalls in the current biennium. The Governor's Budget recommended increasing funding by $5,565,313.	$5,533,857	R	$5,533,857	R
Total Legislative Changes	**$4,975,500**	R	**$4,975,500**	R
Total Position Changes	11.00		11.00	
Revised Budget	**$71,635,967**		**$71,635,967**	

Justice

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$76,471,632**		**$76,471,632**	
Legislative Changes				
change **30 Decrease General Fund Appropriation** The general fund appropriation is decreased to offset increased revenue/receipts.	($1,500,000) from $500	R	($1,500,000)	R
31 Vehicle Replacement Reduce vehicle replacement funds by $922,018. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($922,018)	NR		
32 Annualization of Position Costs Annualization costs of 8 Tort Claims and SBI Laboratory positions established during FY00-01. These costs were omitted from the Governor's Recommended Budget.	$155,424	R	$155,424	R
33 Eliminate Vacant Positions The Governor's Budget recommends the elimination of 8 vacant positions. The Department of Justice submitted the following 9 positions: Media Technician I(3615-0000-0004-815) CJ Training Coordinator I (3615-0000-0004-603) Paralegal II (3612-0000-0000-185) Attorney I (3612-0000-0000-207) Attorney I (3612-0000-0000-254) Social Research Assoc II (3612-0000-0000-080) Office Asst IV (3613-0000-0003-115) Office Asst IV (3613-0000-0003-013) CJ Spec/Investigator III (3613-0000-0003-012)	($386,338) -9.00	R	($386,338) -9.00	R

	FY 2001-02		FY 2002-03	
34 Reduce Various Contracts and Expense Items	($529,925)	R	($529,925)	R

The Governor's budget recommends reduced funding for various administrative line items related to personal and purchased services:

53 1311: $38,044 (Temp Wages)
53 1351: $1,000 (Stu Temp Wages)
53 1411: $155,325 (Overtime)
53 1511: $15,611 (Soc Security)
53 1521: $18,343 (Reg Retirement)
53 1531: $24,588 (LEO Retirement)
53 1561: $10,054 (Med Insurance)
53 1572: $9,563 (Unemploy comp to ES)
53 1625: $41,329 (State Disability Payment)
53 1631: $20,123 (Work. Comp. Medical Payment)
53 1660: $17,580 (Taxable Emp. Expense Reim)
53 2110: $3,445 (Legal Services)
53 2120: $4,000 (Financial/audit Services)
53 2132: $1,292 (Other Provided Medical Services)
53 2140: $80,575 (Sys Imple/integ Services)
53 2170: $8,020 (Admin Services)
53 2192: $3,200 (Honorariums)
53 2199: $77,281 (Misc Contractual Services)

specifying specific line items

35 Eliminate the Office of the Inspector General	($375,000)	R	($500,000)	R
	-9.00		-9.00	

Effective October 1, 2001, eliminate the Office of the Inspector General. The functions performed by this office duplicates those responsibilities carried out by the Department of Health and Human Services and county social services offices.

new item

36 Redirect DARE Program	($231,000)	R	($325,000)	R
	-6.00		-6.00	

redirected to pos. elim.

Approximately 60 percent of the NC DARE workload is in support of its role as the U.S. Southeast Regional Training Center. As of August 31, 2001, NC DARE will no longer perform this SE regional training function and will stop receiving federal funds from DARE America. NC DARE uses all of the federal funds for SE regional training and none of these funds are passed through to local law enforcement agenices. With the termination of NC DARE as SE Regional Trainers, state funding and resources are redirected to provide training to NC local law enforcement officers only, 40% of the current workload. This redirection and changes in the methods of providing State training make it possible to reduce six state positions, effective October 1, 2001. The SBI would retain three positions and shall continue to administer the program, but shall provide the training in a more cost-efficient manner by collaborating with the Criminal Justice Standards Division so as to utilize the resources of the Justice Training Academies. In support of the DARE program, DARE America indicates that it will make available, at no cost, technical assistance and training resources to state and local law enforcement agencies.

House Subcommittee on Justice and Public Safety	FY 2001-02		FY 2002-03	
37 NC LEAF Provide funding to the NC Legal Education Assistance Foundation to assist with loan repayment for public service attorneys.	$75,000	R	$75,000	R
Criminal Justice Information Network (CJIN)				
38 CJIN Network Security Funds are provided to hire a Systems Programmer II, Pay Grade 79, to serve as CJIN Network Security Administrator. This position will maintain the CJIN security functions established and supported by a federal grant which expires June 30, 2001. In addition to the funds for salary and benefit costs, $5,200 NR is provided for one-time operating costs related to this position.	$67,807 $5,200 1.00	R NR	$67,807 1.00	R
Total Legislative Changes	**($2,724,032)** **($916,818)**	R NR	**($2,943,032)**	R
Total Position Changes	-23.00		-23.00	
Revised Budget	**$72,830,782**		**$73,528,600**	

Juvenile Justice & Delinquency Prevention

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$147,706,045**		**$149,456,045**	
Legislative Changes				
Administrative Services				
39 Management Information System Support Annualization of costs related to M.I.S. positions and recurring J-NET communications cost established during Fiscal Year 2000-01. These costs were omitted from the Governor's Recommended Budget.	$852,545	R	$852,545	R
40 Eliminate Vacant Position Effective July 1, 2001, eliminate vacant central office Program Coordinator position (#00119), which has been vacant since January 1, 2000.	($48,031) -1.00	R	($48,031) -1.00	R
41 Reduce Vehicle Replacement Funds Funding for vehicle replacement is reduced by $251,280. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($251,280)	NR		
Intervention/Prevention				
42 Juvenile Crime Prevention Council (JCPC) Funds Reduce the amount of JCPC discretionary funds by $1,300,000. The remaining $500,000 shall not be set aside for discretionary purposes. These funds shall be included in the formula grant allocation so as to increase the amount of formula grant funding available to county JCPCs.	($1,300,000)	R	($1,300,000)	R
43 Eliminate Vacant Positions Effective July 1, 2001, eliminate vacant administrative secretary and processing assistant positions.	($66,000) -2.00	R	($66,000) -2.00	R
Special Initiatives				
new item **44 Increase funding for Eckerd Contract** Funds are provided for a 4.2% inflationary adjustment to the Eckerd Camps contract. This will allow DJJDP to restore some of the beds for NC juveniles lost over time due to increases in the contractor's operating costs. Rising operating costs increase the daily rate Eckerd charges to DJJDP, which in turn decreases the number of slots DJJDP can purchase. The amount of funding provided will allow DJJDP to recoup approximately 12 of the 38 beds lost to DJJDP over time due to inflation.	$351,233	R	$351,233	R

	FY 2001-02		FY 2002-03	
45 Boys and Girls Clubs Reduce budget by the amount of funds targeted for the 3 eligible but non-participating counties originally specified for this initiative (Chowan, Columbus, & Martin).	($100,000)	R	($100,000)	R
46 Eliminate G.R.A.S.P. Contract Effective October 1, 2001, eliminate contract funds budgeted for the Guard Response Alternative Sentencing Program. Program referrals and enrollments are significantly below capacity.	($253,000)	R	($338,000)	R
47 Multipurpose Group Home Eliminate operating funds budgeted for the multipurpose group home which has not been constructed.	($500,000)	R	($500,000)	R
48 Teen Courts Provide $25,000 each to the teen court programs in Burke, Catawba, Caldwell, Haywood, and Perquimans Counties.	$125,000	R	$125,000	R
49 Camp Woodson East Reduce the operating funds for Camp Woodson East due to delayed opening date of October 1, 2001.	($155,000)	NR		
Youth Development				
50 Pilot Multifunctional Facility The Governor's Budget recommends elimination of funds to contract for a privately constructed and operated residential facility for juvenile offenders. Only one bid was received. The bid was over the amount budgeted and the proposed budget was not cost-effective according to DJJDP.	($2,500,000)	R	($2,500,000)	R
51 Increase Detention Center Receipts Reduce the General Fund appropriation to offset increased Detention Center receipts.	($350,000)	R	($350,000)	R
52 Eliminate Vacant Teaching Positions Effective July 1, 2001, eliminate 2 vacant teacher positions: one at Samarkand (vacant since Dec. 99) and one at Dillon (vacant since January 2000).	($88,467) -2.00	R	($88,467) -2.00	R
53 Reduce Cottage Parent Positions DJJDP shall eliminate 57 of 90 cottage parent positions -- 18 vacant and 39 filled - - in the Youth Development Centers (Training Schools). The 39 filled positions shall be eliminated October 1 and November 1, 2001. The cottage parent position is a low level custody position (Grade 60) that is difficult to recruit; further, the cottage parent can only be assigned to the night shift when juvenile offenders are locked in their rooms. DJJDP plans to allow qualified Cottage Parents to apply for vacant Counselor Tech. positions; vacancies for this Grade 62 custody position remain high so the reduction could improve staffing coverage in the Centers. DJJDP recommended this reduction in lieu of proposed reductions in Counselor Techs. and Behavioral Specialists.	($1,260,866) -57.00	R	($1,578,159) -57.00	R

	FY 2001-02		FY 2002-03	
54 Close Wilkes Detention Facility The Governor's Recommended Budget would close the Wilkes Detention Center because it is not cost- effective to operate. Staff and juveniles will be relocated to the new Alexander Detention Center.	($413,465) -18.00	R	($413,465) -18.00	R
55 Eliminate Vacant Counselor Technician Positions Eliminate 5.5 Counselor Technician positions and one Secretary position from the Youth Development Centers. The reduction is to take the place of a Governor's recommended budget reduction to eliminate the DJJDP portion of the police force at the Juvenile Evaluation Center. The DJJDP police force will remain in place to serve JEC; DJJDP will also transfer funds and positions to DHHS to provide security at two surrounding DHHS facilities rather than operate a joint police force.	($224,016) -6.50	R	($224,016) -6.50	R
56 Transfer Police Force Positions to DHHS DJJDP operates a joint police force serving the Juvenile Evaluation Center and two adjacent DHHS facilties. It is recommended that 6 police positions be transferred so that DHHS can operate a separate police force for the Black Mountain Center and the Alcohol and Drug Abuse Treatment Center. DJJDP will continue to operate a 5 person police force at JEC and the two forces will collaborate during emergencies	($248,435) -6.00	R	($248,435) -6.00	R
Total Legislative Changes	**($6,023,502)** **($406,280)**	R NR	**($6,425,795)**	R
Total Position Changes	-92.50		-92.50	
Revised Budget	**$141,276,263**		**$143,030,250**	

Correction

	GENERAL FUND			
	FY 2001-02		FY 2002-03	
Recommended Budget	**$931,350,075**		**$931,350,075**	
Legislative Changes				
Alcoholism and Chemical Dependency Programs				
57 Terminate Substance Abuse Contracts Eliminate State contracts with Cornell($1,185,700) and Right Turn ($1,820,477. These substance abuse services can be delivered using existing services and resources now available in the department. This is a Governor's recommendation.	($3,006,177)	R	($3,006,177)	R
58 Reduce Substance Abuse Aftercare The department provides in-house, substance abuse residential services to inmates. Aftercare services are provided through contracts with private providers to inmates who return to the general population. This would eliminate aftercare service contracts with private providers. This is a Governor's recommendation.	($105,000)	R	($105,000)	R
59 Reduce Personal Services Contract The department provides seed money to contract with community service providers of substance abuse services for DART-Cherry community aftercare. The State provides substance abuse services through 39 Area Mental Health Programs. To avoid duplication of services, this cut would eliminate personal services contracts. This is a Governor's recommendation.	($225,000)	R	($225,000)	R
Community Corrections				
60 Criminal Justice Partnership Program The Criminal Justice Partnership program awards grants to participating counties to fund local community correction programs. The Department of Correction will limit CJPP implementation funding to the counties currently participating in the program, allowing for a reduction of $270,000. As a non-reverting fund, the Department has been allowed to keep unexpended funds in the CJPP budget, which have exceeded $1 million each year since the program's inception. This item requires the Department to revert $1 million of the unexpended balance each year of the biennium. The Governor recommended a reduction of the CJPP budget of $1.27 million .	($270,000) ($1,000,000)	R NR	($270,000) ($1,000,000)	R NR
61 Transfer of CSWP The Community Service Work Program will be transferred into the Department of Correction, to be merged with the Division of Community Correction. This merger will take place by January 1, 2002.	$3,411,305 173.00	R	$6,268,513 173.00	R

	FY 2001-02		FY 2002-03	
62 Reduce Various DCC Budget Line Items Reduce Division of Community Corrections Administration travel budget by $6,000; Reduce office and data processing equipment by $60,000; reduce cell phone expenditures by $41,750.	($107,750)	R	($107,750)	R
63 Reduce Appropriation to Summit House Inc. The General Assembly will reduce the annual appropriation to Summit House Inc. by 10%.This reduction shall not result in a reduction to individual sites, but to the Summit House Inc. State Office.	($139,650)	R	($139,650)	R
64 Reduce Appropriation to John Hyman Foundation The John Hyman program has leased the former Warren County Correctional Facility for $1 per year and therefore will no longer have to pay for facility rental at its current location. It was determined that John Hyman's budget could be reduced by 10%, slightly less than the amount currently being spent on rent. The reduction should not result in a decrease in services but in the program's administration/operating budget.	($25,000)	R	($25,000)	R
Post Release Supervision and Parole Commission				
65 Abolish Vacant Parole Commission Positions With the passage of the Structured Sentencing Act, the number of parolees has declined. Therefore, the Parole Commission staff will be reduced by eliminating two vacant positions. This is a Governor's recommendation.	($78,000) -2.00	R	($78,000) -2.00	R
Prisons				
66 Medical Transportation Officers This reduction in the number of correctional officers that transport inmates is possible because DOC has reduced medical contracts and hired more in-house doctors, thus reducing travel for medical purposes.	($263,249) -11.00	R	($315,843) -11.00	R
67 Increase Work Release Transportation Fee Work release inmates pay a fee to DOC for transportation to their jobs. Increase this fee from $2 to $2.50 to allow for a General Fund reduction.	($33,500)	R	($33,500)	R
68 Increase Work Release Fee Increase the fee charged to inmates for work release by $1, from $15 a day to $16. This allows a reduction in the General Fund.	($307,000)	R	($307,000)	R
69 Close Scotland Correctional Center Scotland Correctional Center will be closed August 1, 2001. Scotland is a small GPAC unit with 48 minimum custody inmates and 24 segregation beds. The cost per day in 99-2000 was $102. The Governor also recommended closing Scotland. The reduction amount shown is higher than the Governor's recommendation by $74,844 since it includes a 50% reduction in the inmate budget.	($1,273,956) -41.00	R	($1,394,966) -41.00	R

	FY 2001-02		FY 2002-03	
70 Close Union Correctional Center Union Correctional Center will be closed September 1, 2001. Union is a small GPAC unit with 94 minimum custody beds; most inmates are in a work release program. Union can be closed because DOC has an excess of minimum custody beds. The average daily cost per day for Union is $56.78 dollars, slightly higher than the $52.52 a day for the average minimum custody prison (99-2000). The reduction amount includes 50% of the inmate budget.	($986,060) -32.00	R	($1,161,500) -32.00	R
71 Inmate Disciplinary Fees Adjust inmate disciplinary fees to reflect projected collections and reduce General Fund. The Governor's Budget recommended a $120,000 reduction in the General Fund. The reduction shall be $220,000, based on the latest collection figures.	($220,000)	R	($220,000)	R
72 Reduce Inmate Food Budget The Governor recommended a reduction of $2,197,549 each year based on the improved efficiency of inmate food service and a resulting decrease in expenditures. It is anticipated DOC will be able to decrease expenditures further compared to recommended budget for each year. The food budget shall be reduced by an additional $2,302,451 for a total of $4.5 million dollars	($4,500,000)	R	($4,500,000)	R
73 Reduce Program Staffing in Prisons The current program staffing ratio is one staff person for every 52 inmates. This reduction would increase the ratio to approximately one person for every 55 inmates by 2002-03. The reduction of 10 positions is to be carried out system wide from among the 606 program positions and is effective October 1, 2001. Positions to be eliminated are: Program Assistant Supervisors (3) Program Assistant II's (3) Program Assistant I's (4)	($214,260) -10.00	R	($285,681) -10.00	R
74 Reception and Diagnostic Centers Based on overstaffing compared to workload guidelines, six positions shall be eliminated, effective October 1, 2001. The positions are: Case Analyst (1) Processing Assts. (2) Admissions Tech. (1) Supervisor (1) Behavioral Specialist (1)	($127,900) -6.00	R	($156,026) -6.00	R

	FY 2001-02		FY 2002-03	
75 Prison Chaplain Program DOC obtains chaplain and religious services for inmates through a combination of permanent DOC chaplain positions, contract chaplains, and volunteer chaplains and religious groups. DOC's General Fund budget is over $2.9 million dollars for the DOC chaplain program; additional funding for contract chaplains is provided from the Inmate Canteen/Welfare Fund. It is recommended that seven of the 73 DOC chaplain positions be eliminated system wide. The reductions should be taken at prisons where there is more than one DOC chaplain position. DOC should increase efforts to obtain more community volunteers to provide religious services. The reduction is effective October 1, 2001	($186,244) -7.00	R	($212,848) -7.00	R
76 Inmate Road Squad Payments DOT reimburses DOC for the cost of operating inmate road squads. DOT shall transfer $10 million dollars each year of the biennium to DOC for the actual cost of DOC road squads. This transfer allows for a reduction in the General Fund. DOT shall also transfer a one-time payment in 2001-02 for road squad activity carried out in this fiscal year (2000-01). DOT has not reimbursed DOC for the full $7 million dollar amount directed for payment in HB 168 so it is directed that this payment be made in 2001-02.	($3,000,000) ($1,811,628)	R NR	($3,000,000)	R
77 Annualize Medical Positions The Governor's 1999 budget inadvertently left out annualization of DOC medical positions funded in 1997. This amount annualizes those positions, which are already established.	$949,977	R	$949,977	R
78 Open New Dorm and Kitchen at Women's Prison A new 208 bed dorm and kitchen are due to open September 1, 2001. The Governor's Recommended Budget did not provide funding to operate these buildings	$1,036,418 41.00	R	$1,381,252 41.00	R
79 Open New Central Prison Diagnostic Unit A new 192 bed prison diagnostic center is due to open August 1, 2001. The funding, which was not included in the Governor's Recommended Budget, is to operate the new building. The funding is reduced by $100,000 below the DOC request by reducing the non-salary operating budget.	$1,775,760 79.00	R	$2,685,545 79.00	R
80 Staffing Warrenton Segregation Building This unit was converted from medium custody to high level segregation but funds for additional staff were not recommended in the Governor's budget. This budget partially funds the amount requested by DOC.	$700,000 24.00	R	$700,000 24.00	R
81 Operating Funds for Fountain Correctional Center DOC constructed a new segregation unit at Fountain and a new Central Control room, both due to open in May, 2001. This item funds operating costs for these buildings, which were not included in the Governor's budget, effective July 1, 2001.	$477,631 16.00	R	$477,631 16.00	R

	FY 2001-02		FY 2002-03	
82 Contract with Prisoner Legal Services Funding is provided for an increase in the contract between DOC and PLS for PLS to provide legal services to inmates. The increase was previously negotiated and agreed upon by both parties.	$265,787	R	$265,787	R
83 Funding to Operate two Former Private Prisons DOC is now operating Pamlico and Mt. View as State Prisons. The prisons were formerly operated on contract by a private vendor. The amount funded is to cover increased DOC operating costs.	$2,750,000	R	$2,750,000	R
84 Convert Prison to Close Custody -- Mt. View Convert Mountain View Correctional Center, a single cell medium custody prison, to a close custody prison, effective April 1, 2002.	$421,429 $152,850 61.00	R NR	$1,929,569 61.00	R
85 Convert Prison to Close Custody - - Pamlico Convert Pamlico, a single cell medium custody prison, to a close custody prison, effective October 1, 2002			$1,363,413 $141,396 61.00	R NR
86 Increase Funding for Inmate Medical Costs The Governor's recommended budget did not sufficiently fund the inmate medical budget. Funding of $9 million dollars is provided to help fund the increased cost of medical services and fees and contract personnel. $2 million dollars in non-recurring funds are provided to help fund the increased cost of prescription drugs.	$9,000,000 $2,000,000	R NR	$9,000,000	R
Residential Programs				
87 Reduction in IMPACT programs Funding and staffing for the IMPACT boot camp programs located in Hoffman and Morganton is reduced by 25%, effective October 1, 2001. The department shall maintain programs for male probationers in both locations but at reduced capacity and with possible modifications to the program.	($1,097,414) -37.00	R	($1,463,218) -37.00	R
Systemwide				
88 Reduce Funding for Vehicle Replacement The Governor's Recommended Budget reduced this item by $396,000 on a recurring basis. The total non-recurring reduction shall be $1,430,062. This reduction basically limits vehicle replacement to only the highest priority purchases in FY 2001-02.	($396,000) ($1,430,062)	R NR	($396,000)	R
89 Reduce Travel Budget Reductions will be taken in the travel, meals and lodging line items for the Division of Prisons and the Division of Community Corrections, as recommended in the Governor's budget. The Subcommittee makes the cut recurring.	($260,000)	R	($260,000)	R

	FY 2001-02		FY 2002-03	
90 DOC Management Budget The non-salary line item budget for DOC management was reduced on a non-recurring basis in 1999-2000 and restored in the Governor's Recommended Budget. This budget makes the reduction recurring	($300,000)	R	($300,000)	R
91 Reduce funding for MIS contractual Services DOC has reorganized MIS staff to improve efficiency and re-prioritize projects to allow this reduction, as recommended in the Governor's Budget.	($200,000)	R	($200,000)	R
92 Reduce Office and Data Processing Equipment Reduce funding in the office equipment ($200,000) and data processing equipment ($200,000)line items as recommended in the Governor's Budget.	($400,000)	R	($400,000)	R
Total Legislative Changes	**$3,066,147**	R	**$9,208,528**	R
	($2,088,840)	NR	**($858,604)**	NR
Total Position Changes	248.00		309.00	
Revised Budget	**$932,327,382**		**$939,699,999**	

Crime Control and Public Safety

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$37,554,148**		**$37,554,148**	
Legislative Changes				
93 Reduce Travel Budget	($62,000)	R	($62,000)	R
Reduce travel budgets by the following amounts in the following divisions:				
Administration $ 6,000 National Guard $ 5,000 ALE $14,000 Emergency Management $11,000 V&J Services $20,000 GCC $ 6,000				
Administration				
94 Eliminate Vacant Positions in CCPS Administration	($111,038)	R	($111,038)	R
Eliminate two (2) vacant positions in Crime Control and Public Safety's Administration Division.	-2.00		-2.00	
Alcohol and Law Enforcement				
95 Eliminate Vacant ALE Positions	($78,210)	R	($78,210)	R
ALE's budget will be reduced by eliminating one vacant office assistant position and one district supervisor position.	-2.00		-2.00	
96 Reduce Vehicle Replacement Line Item	($433,188)	NR		
There will be a non-recurring cut to the vehicle replacement line item.				
97 Eliminate District Supervisor Positions			($266,928)	R
ALE shall eliminate 4 additional district supervisor positions by June 30, 2002.			-4.00	
Boxing Commission				
98 Boxing Commission to be Receipt Supported	($117,174)	R	($217,174)	R
The Boxing Commission will become an independent licensing board on January 1, 2002. At such time, the Commission will become totally receipt supported.	-3.00		-3.00	
Butner Public Safety				
99 Reduce Vehicle Replacement	($71,500)	NR		
There will be a one time reduction in the vehicle replacement line item for Butner Public Safety.				

	FY 2001-02		FY 2002-03	
Emergency Management				
100 Eliminate Vacant Emergency Management Positions	($169,283)	R	($169,283)	R
Eliminate five (5) vacant positions in Emergency Management.	-5.00		-5.00	
101 Reduce Matching Funds	($125,000)	R	($125,000)	R
Funds have been over budgeted for the State match for federal grants. This item reduced the funding to the actual required amount.				
102 Reduce Misc. Contractual Services	($105,000)	R	($105,000)	R
This item removes money from the Continuation Budget that was intended to fund a study on flood mapping. That study has been completed and the funds no longer need to be budgeted.				
Governor's Crime Commission				
103 Eliminate Vacant GCC Position	($25,897)	R	($25,897)	R
Vacant Processing Assistant III position will be eliminated in the Governor's Crime Commission.	-1.00		-1.00	
National Guard				
104 Increase State Match Tarheel Challenge	$140,000	R	$140,000	R
The federal match requirement for Tarheel Challenge Program, administered by the NC National Guard, will increase by 5% in FY 2002. The program will be funded on a 60% federal to 40% state match basis beginning FY 2002.				
105 Reduce National Guard Pension Fund Payments	($1,002,776)	R	($1,002,776)	R
The budget will be reduced by $1,002,776 to adjust pension payments to reflect actuarial recommendations. $470,635 of this total was in the Governor's recommendations.				
Victim & Justice Services				
106 Eliminate Vacant CSWP Supervisors	($82,776)	R	($82,776)	R
The Community Service Work Program budget will be reduced on by eliminating two vacant District Supervisor positions.	-2.00		-2.00	
107 Eliminate CSWP Positions	($554,098)	R	($1,108,196)	R
With the merger of CSWP with Division of Community Corrections, 25 supervisory positions, 1 administrative assistant position and the division director position will be eliminated by January 1, 2002.	-27.00		-27.00	

	FY 2001-02		FY 2002-03	
108 CSWP Transfer The Community Service Work Program will be transferred to the Department of Correction to be merged with the Division of Community Corrections. This transfer was included in the original GPAC Recommendation. The transfer will be complete by January 1, 2002. General Fund Budget $7,459,485 Eliminate 2 vacancies ($ 82,776) Eliminate 27 positions: Reduction FY 02 ($ 554,098) Reduction FY 03 ($1,108,196) Net Transfer to DOC FY02 ($3,411,305) Net Transfer to DOC FY03 ($6,268,513)	($3,411,305) -173.00	R	($6,268,513) -173.00	R
109 Increase Appropriation for Rape Victims Assistance In 1999, the General Assembly doubled the maximum award amount for Rape Victims Assistance but did not increase the appropriation. As a result, the fund has experienced shortfalls each year. This item increases the appropriation amount by $155,000.	$155,000	R	$155,000	R
110 Increase Appropriation for Crime Victims Due to a large unexpended balance, the General Assembly reduced the appropriation to the Crime Victims Compensation fund by $500,000 in 2000. With the implementation of several efficiency measures, the staff has increased the number of claims processed and awards made. This item restores the budget reduction of $500,000 in order to cover the increase in awards made.	$500,000	R	$500,000	R
Total Legislative Changes	**($5,049,557)** **($504,688)**	R NR	**($8,827,791)**	R
Total Position Changes	-215.00		-219.00	
Revised Budget	**$31,999,903**		**$28,726,357**	

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — 6/22/01

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
BRANDON THOMAS	SEAN C
Belinda Williams	SEANC
Osborne	AOC
John McMillan	MF+S PA.
Sharon Hogan	AOC-SDS
Doug Cassiter	
Bullard Barnett	DOC
Anne Wimsatt	CSPC
John Phelps	NCLM
Steve Lusk	AOC
Steve Woodson	NC Farm Bureau Federation

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

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Will Polk	Gov Office
Melissa Lovell	DOJ
Kristi Hayman	DOJ
Cam Cavel	BPMHL
George Sweat	DJJDP
Larry Dix	DJJDP
Dwayne Patterson	DJJDP
Mark Johnson	Charlotte Observer
Betty R Cano	CC-P-S
[illegible]	CCPS

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

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Ben Smith	Freedom Ventures
Kyle McAllister	Summit House Raleigh
Mary Catherine Hinds	Summit House
Scott Bass	Marc
EDDIE CALDWELL	NC Sheriffs Assn / NC Law Enf. Off Assn
JOHN GOODMAN	LINWOOD MERCER & ASSOC.

#2 June 22, 01

GENERAL ASSEMBLY OF NORTH CAROLINA

SPECIAL PROVISIONS
HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY REPORT

JUNE 21, 2001

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JUDICIAL DEPARTMENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-H1(S22.1)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TRANSFER OF EQUIPMENT AND SUPPLY FUNDS

SECTION 22.1. Funds appropriated to the Judicial Department in the 2001-2003 biennium for equipment and supplies shall be certified in a reserve account. The Administrative Office of the Courts may transfer these funds to the appropriate programs and between programs as the equipment priorities and supply consumptions occur during the operating year. These funds shall not be expended for any other purpose.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-H2(S22.2)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REPORT ON COMMUNITY MEDIATION CENTERS

SECTION 22.2. Article 5 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-38.6. Report on community mediation centers.**

(a) All community mediation centers currently receiving State funds shall report annually to the Mediation Network of North Carolina on the program's funding and activities, including:

(1) Types of dispute settlement services provided;

(2) Clients receiving each type of dispute settlement service;

(3) Number and type of referrals received, cases actually mediated, cases resolved in mediation, and total clients served in the cases mediated;

(4) Total program funding and funding sources;

(5) Itemization of the use of funds, including operating expenses and personnel;

(6) Itemization of the use of State funds appropriated to the center;

(7) Level of volunteer activity; and

(8) Identification of future service demands and budget requirements.

The Mediation Network of North Carolina shall compile and summarize the information provided pursuant to this subsection and shall provide the information to the Chairs of the House of Representatives and Senate Appropriations Committees and the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety by February 1 of each year.

(b) A community mediation center requesting State funds for the first time shall provide the General Assembly with the information enumerated in subsection (a) of this section, or projections where historical data are not available, as well as a detailed statement justifying the need for State funding.

(c) Each community mediation center receiving State funds for the first time shall document in the information provided pursuant to this section that, after the second year of receiving State funds, at least ten percent (10%) of total funding comes from non-State sources.

(d) Each community mediation center receiving State funds for the third, fourth, or fifth year shall document that at least twenty percent (20%) of total funding comes from non-State sources.

(e) Each community mediation center receiving State funds for six or more years shall document that at least fifty percent (50%) of total funding comes from non-State sources.

(f) Each community mediation center currently receiving State funds that has achieved a funding level from non-State sources greater than that provided for that center by subsection (c), (d), or (e) of this section shall make a good faith effort to maintain that level of funding.

(g) The percentage that State funds comprise of the total funding of each community mediation center shall be determined at the conclusion of each fiscal year with the information provided pursuant to this section and is intended as a funding ratio and not a matching funds requirement. Community mediation centers may include the market value of donated office space, utilities, and professional legal and accounting services in determining total funding.

(h) A community mediation center having difficulty meeting the funding ratio provided for that center by subsection (c), (d), or (e) of this section may request a waiver or special consideration through the Mediation Network of North Carolina for consideration by the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety.

(i) The provisions of G.S. 143-31.4 do not apply to community mediation centers receiving State funds."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-H3(S22.3)

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

SENTENCING SERVICES REPORT

SECTION 22.3. The Judicial Department shall report to the Chairs of the Senate and House of Representatives Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2002, on the effectiveness of the Sentencing Services Program under structured sentencing and the criminal case docketing system. The report shall include:

(1) Data on the number of plans prepared, the recommendations included in those plans, the actual sentences imposed in those cases, and an analysis of the extent to which judges impose sentences using recommendations from plans;

(2) Data on the number of plans initiated but not presented to the court, including the reason the plan was not completed or presented; and

(3) The results of a survey on the impact of sentencing plans on judicial decisions, to be conducted by the Research, Planning, and Budget Development Section of the Judicial Department or another entity separate from the Sentencing Services Program. The survey shall include superior court judges, district attorneys, public defenders, and defense attorneys.

Revised

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

REVISED

DRAFT
SPECIAL PROVISION

2001-AOC-H4(S22.4)

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire, Thompson

ELIMINATE VACANT SUPERIOR COURT JUDGESHIP IN DISTRICT 4B/ADD SUPERIOR COURT JUDGESHIP IN DISTRICT 24

SECTION 22.4.(a) G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	2
Second	4A	Duplin, Jones, Sampson	1
Second	4B	Onslow	~~2~~ 1
Second	5	New Hanover, Pender	3
First	6A	Halifax	1
First	6B	Bertie, Hertford, Northampton	1
First	7A	Nash	1
First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
First	7C	(part of Wilson,	1

			part of Edgecombe, see subsection (b))	
Second		8A	Lenoir and Greene	1
Second		8B	Wayne	1
Third		9	Franklin, Granville, Vance, Warren	2
Third		9A	Person, Caswell	1
Third		10A	(part of Wake, see subsection (b))	2
Third		10B	(part of Wake, see subsection (b))	2
Third		10C	(part of Wake, see subsection (b))	1
Third		10D	(part of Wake, see subsection (b))	1
Fourth		11A	Harnett, Lee	1
Fourth		11B	Johnston	1
Fourth		12A	(part of Cumberland, see subsection (b))	1
Fourth		12B	(part of Cumberland, see subsection (b))	1
Fourth		12C	(part of Cumberland, see subsection (b))	2
Fourth		13	Bladen, Brunswick, Columbus	2
Third		14A	(part of Durham, see subsection (b))	1
Third		14B	(part of Durham, see subsection (b))	3
Third		15A	Alamance	2
Third		15B	Orange, Chatham	1
Fourth		16A	Scotland, Hoke	1
Fourth		16B	Robeson	2
Fifth		17A	Rockingham	2
Fifth		17B	Stokes, Surry	2
Fifth		18A	(part of Guilford, see subsection (b))	1
Fifth		18B	(part of Guilford, see subsection (b))	1
Fifth		18C	(part of Guilford, see subsection (b))	1
Fifth		18D	(part of Guilford, see subsection (b))	1
Fifth		18E	(part of Guilford, see subsection (b))	1

Sixth	19A	Cabarrus	1
Fifth	19B1	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Fifth	19B2	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Sixth	19C	Rowan	1
Sixth	20A	Anson, Richmond	1
Sixth	20B	Stanly, Union	2
Fifth	21A	(part of Forsyth, see subsection (b))	1
Fifth	21B	(part of Forsyth, see subsection (b))	1
Fifth	21C	(part of Forsyth, see subsection (b))	1
Fifth	21D	(part of Forsyth, see subsection (b))	1
Sixth	22	Alexander, Davidson, Davie, Iredell	3
Fifth	23	Alleghany, Ashe, Wilkes, Yadkin	1
Eighth	24	Avery, Madison, Mitchell, Watauga, Yancey	~~1~~ 2
Seventh	25A	Burke, Caldwell	2
Seventh	25B	Catawba	2
Seventh	26A	(part of Mecklenburg, see subsection (b))	2
Seventh	26B	(part of Mecklenburg, see subsection (b))	2
Seventh	26C	(part of Mecklenburg, see subsection (b))	2
Seventh	27A	Gaston	2
Seventh	27B	Cleveland, Lincoln	2
Eighth	28	Buncombe	2
Eighth	29	Henderson, McDowell, Polk, Rutherford, Transylvania	2
Eighth	30A	Cherokee, Clay, Graham, Macon, Swain	1

Eighth	30B	Haywood, Jackson	1."

SECTION 22.4.(b) The Governor shall appoint a superior court judge for the additional judgeship in Superior Court District 24 as authorized by subsection (a) of this section to serve a term expiring December 31, 2002. The successor to that judge shall be elected in the 2002 general election to serve a term expiring December 31, 2010.

SECTION 22.4.(c) This section becomes effective October 1, 2001.

DRAFT
SPECIAL PROVISION

2001-AOC-H5(S22.5)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

BUSINESS COURT

SECTION 22.5. The Administrative Office of the Courts shall report to the Chairs of the Senate and House of Representatives Appropriations Committees and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety by April 1 of each year on the activities of the North Carolina Business Court, including the number of cases heard by the court and the number of court sessions held outside of Superior Court District 18.

DRAFT
SPECIAL PROVISION

2001-AOC-H6(S22.6)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ELIMINATE UNNECESSARY OR OBSOLETE REPORTS

SECTION 22.6.(a) G.S. 7A-348 reads as rewritten:

"**§ 7A-348. Training and supervision of assistants for administrative and victim and witness services.**

Pursuant to the provisions of G.S. 7A-413, the Conference of District Attorneys shall:

(1) Assist in establishing uniform statewide training for assistants for administrative and victim and witness services; and

(2) Assist in the implementation and supervision of this ~~program; and~~ program.

~~(3) With the Director of the Administrative Office of the Courts, report annually to the Joint Legislative Commission on Governmental Operations on the implementation and effectiveness of this act, beginning on or before February 1, 1987.~~"

SECTION 22.6.(b) G.S. 143-170.4 reads as rewritten:

"**§ 143-170.4. Administrative Office of the Courts; publications procedures manual; reports.**

Not later than June 1, 1990, the Administrative Office of the Courts, after review of the Department of Administration's state publications procedures guidelines and after consultation with the State Librarian and State Auditor, shall adopt (i) a publications procedures manual for public documents, other than the official reports of the North Carolina Supreme Court and the North Carolina Court of Appeals and official forms published by the Administrative Office of the Courts pursuant to G.S. 7A-343, that addresses the elements of publication production described in G.S. 143-170.2 and (ii) an administrative review and approval process to ensure appropriate review and approval of its public documents. The initial guidelines and the administrative review and approval process shall be reported to the Joint Legislative Commission on Governmental Operations by ~~January 1, 1991, and revisions thereto shall be reported to the Joint Legislative Commission on Governmental Operations within six months of adoption.~~ January 1, 1991."

SECTION 22.6.(c) G.S. 143-589 reads as rewritten:

"**§ 143-589. Legislative and judicial branch safety and health programs.**

The Legislative Services Commission and the Administrative Office of the Courts are authorized to separately establish safety and health programs for their employees. ~~The Administrative Office of the Courts shall report annually to the Joint Legislative~~

~~Commission on Governmental Operations on its safety and health activities with respect to its program.~~"

DRAFT
SPECIAL PROVISION

2001-AOC-H7(S22.7)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

COLLECTION OF WORTHLESS CHECKS FUND

SECTION 22.7. Notwithstanding the provisions of G.S. 7A-308(c), the Judicial Department may use any balance remaining in the Collection of Worthless Checks Fund on June 30, 2001, for the purchase or repair of office or information technology equipment during the 2001-2002 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the Joint Legislative Commission on Governmental Operations and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Information Technology on the equipment to be purchased or repaired and the reasons for the purchases.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-H9(S22.9)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TRANSFER OF FUNDS TO OFFICE OF INDIGENT DEFENSE SERVICES

SECTION 22.9. In the event that requirements for payments to assigned counsel exceed available funds in the Office of Indigent Defense Services during the 2001-2002 fiscal year, the Judicial Department shall transfer to the Office of Indigent Defense Services up to the sum of one million five hundred thousand dollars ($1,500,000) in funds available to pay those additional amounts. The Office of Indigent Defense Services and the Judicial Department shall report to the Joint Legislative Commission on Governmental Operations prior to any transfer of funds authorized by this section.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-H10(S22.10)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

NORTH CAROLINA STATE BAR FUNDS

SECTION 22.10. Of the funds appropriated in the continuation budget as a grant-in-aid to the North Carolina State Bar for the 2001-2003 biennium, the North Carolina State Bar may in its discretion use up to the sum of five hundred ninety thousand dollars ($590,000) for the 2001-2002 fiscal year and up to the sum of five hundred ninety thousand dollars ($590,000) for the 2002-2003 fiscal year to contract with the Center for Death Penalty Litigation to provide training, consultation, brief banking, and other assistance to attorneys representing indigent capital defendants.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

REVISED

DRAFT
SPECIAL PROVISION

2001-AOC-H11(S22.11)

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ASSISTANT PUBLIC DEFENDER LONGEVITY/OFFICE OF INDIGENT DEFENSE SERVICES CORRECTIONS

SECTION 22.11.(a) Section 49 of S.L. 2000-144 reads as rewritten:

"Section 49. Except as otherwise provided in this Part, this act becomes effective July 1, 2001. G.S. 7A-498, 7A-498.1, 7A-498.2, 7A-498.4, 7A-498.5, ~~and~~ 7A-498.6, and 7A-498.7(g), as enacted in Section 1 of this act, and Section 13 of this act are effective when they become law; however, except as otherwise provided in this Part, no rules, standards, or other regulations issued by the Commission on Indigent Defense Services, and no decisions regarding the actual delivery of services shall take effect prior to July 1, 2001, and all authority over the expenditure of funds shall remain with the Director of the Administrative Office of the Courts prior to that date. The Commission shall be responsible for the expenditure of funds for all cases pending on or after July 1, 2001."

SECTION 22.11.(b) Section 13 of S.L. 2000-144 reads as rewritten:

"Section 13. Effective when this act becomes law, G.S. 7A-467(d) is repealed. Effective July 1, 2001, G.S. 7A-459, 7A-465, 7A-466, ~~7A-467,~~ 7A-467(a), 7A-467(b), 7A-467(c), 7A-467(e), 7A-467(f), 7A-467(g), 7A-469, 7A-470, 7A-471, 7A-486, 7A-486.1, 7A-486.2, 7A-486.3, 7A-486.4, 7A-486.5, 7A-486.6, and 7A-486.7 are repealed."

SECTION 22.11.(c) G.S. 7A-498.7 is amended by adding three new subsections to read:

"(i) A public defender may apply to the Director of the Office of Indigent Defense Services to enter into contracts with local governments for the provision by the State of services of temporary assistant public defenders pursuant to G.S. 153A-212.1 or G.S. 160A-289.1.

(j) The Director of the Office of Indigent Defense Services may provide assistance requested pursuant to subsection (i) of this section only upon a showing by the requesting public defender, supported by facts, that the overwhelming public interest warrants the use of additional resources for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving a threat to public safety.

(k) The terms of any contract entered into with local governments pursuant to subsection (i) of this section shall be fixed by the Director of the Office of Indigent Defense Services in each case. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section or to obligate the Office of Indigent Defense Services to provide the

administrative costs of establishing or maintaining the positions or services provided for under this section. Further, nothing in this section shall be construed to obligate the Office of Indigent Defense Services to maintain positions or services initially provided for under this section."

SECTION 22.11.(d) G.S. 153A-212.1 reads as rewritten:

"§ 153A-212.1. Resources to protect the public.

Subject to the requirements of G.S. 7A-41, 7A-44.1, 7A-64, 7A-102, 7A-133, and ~~7A-467,~~ 7A-498.7, a county may appropriate funds under contract with the State for the provision of services for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving threats to public safety. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section. Further, nothing in this section shall be construed to obligate the Administrative Office of the Courts or the Office of Indigent Defense Services to maintain positions or services initially provided for under this section."

SECTION 22.11.(e) G.S. 160A-289.1 reads as rewritten:

"§ 160A-289.1. Resources to protect the public.

Subject to the requirements of G.S. 7A-41, 7A-44.1, 7A-64, 7A-102, 7A-133, and ~~7A-467,~~ 7A-498.7, a city may appropriate funds under contract with the State for the provision of services for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving threats to public safety. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section. Further, nothing in this section shall be construed to obligate the Administrative Office of the Courts or the Office of Indigent Defense Services to maintain positions or services initially provided for under this section."

SECTION 22.11.(f) Subsection (h) of Section 15.4 of S.L. 2000-67 reads as rewritten:

"Section 15.4.(h) The Administrative Office of the Courts and the Office of Indigent Defense Services shall report by March 1 of each year to the Chairs of the House of Representatives and Senate Appropriations Committees, to the Chairs of the House of Representatives Subcommittee on Justice and Public Safety, and to the Chairs of the Senate Appropriations Committee on Justice and Public Safety on contracts entered into with local governments for the provision of the services of assistant district attorneys, assistant public defenders, judicial secretaries, and employees in the office of the Clerk of Superior Court. The report shall include the number of applications made to the Administrative Office of the Courts or the Office of Indigent Defense Services for these contracts, the number of contracts entered for provision of these positions, and the dollar amounts of each contract."

REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-H12(S22.12)i

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

OFFICE OF INDIGENT DEFENSE SERVICES REPORT

SECTION 22.12. The Office of Indigent Defense Services shall report to the Chairs of the Senate and House of Representatives Appropriations Committees and the Chairs of the Senate and House Representatives Appropriations Subcommittees on Justice and Public Safety by March 1 of each year on:

(1) The volume and cost of cases handled in each district by assigned counsel or public defenders;

(2) Actions taken by the Office to improve the cost-effectiveness and quality of indigent defense, including the capital case program;

(3) Plans for changes in rules, standards, or regulations in the upcoming year; and

(4) Any recommended changes in law or funding procedures that would assist the Office in improving the management of funds expended for indigent defense services.

DRAFT
SPECIAL PROVISION

2001-AOC-H13(S22.13)

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ASSISTANT PUBLIC DEFENDERS/PUBLIC DEFENDER OFFICE PERSONNEL

SECTION 22.13.(a) From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 2001-2003 biennium, the Office of Indigent Defense Services may use up to the sum of four hundred seventy-seven thousand seven hundred sixty-eight dollars ($477,768) for the 2001-2002 fiscal year and up to the sum of four hundred forty-six thousand eight hundred twenty dollars ($446,820) for the 2002-2003 fiscal year for salaries, benefits, equipment, and related expenses to establish up to six new assistant public defender positions in statewide programs or districts with existing public defender programs.

SECTION 22.13.(b) From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 2001-2003 biennium, the Office of Indigent Defense Services may use up to the sum of two hundred eighty-three thousand five hundred seventy-five dollars ($283,575) for the 2001-2002 fiscal year and up to the sum of two hundred fifty-six thousand three hundred ten dollars ($256,310) for the 2002-2003 fiscal year for salaries, benefits, equipment, and related expenses to establish up to five new legal assistant, paralegal, investigator, or administrative assistant positions in statewide programs or districts with existing public defender programs.

SECTION 22.13.(c) Prior to establishing any new positions under this section, the Office of Indigent Defense Services shall report to the Joint Legislative Commission on Governmental Operations on the positions to be established and the locations of those positions.

REVISED

DRAFT
SPECIAL PROVISION

2001-AOC-H15

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

PISGAH LEGAL SERVICES FUNDS

SECTION #. Notwithstanding the provisions of G.S. 7A-474.4, the North Carolina State Bar shall allocate to Pisgah Legal Services that share of State funds that would otherwise have been provided through Legal Services of North Carolina, Inc., to Appalachian Legal Services to serve eligible clients in Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties.

NEW

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

NEW

DRAFT
SPECIAL PROVISION

2001-AOC-H16

Administrative Office of the Courts
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

AUTHORIZE ADDITIONAL MAGISTRATES

SECTION #. G.S. 7a-133(c) reads as rewritten:

"(c) Each county shall have the numbers of magistrates and additional seats of district court, as set forth in the following table:

County	Magistrates Min.	Magistrates Max.	Additional Seats of Court
Camden	1	3	
Chowan	2	3	
Currituck	1	4	
Dare	3	8	
Gates	2	3	
Pasquotank	3	5	
Perquimans	2	4	
Martin	5	8	
Beaufort	4	8	
Tyrrell	1	3	
Hyde	2	4	
Washington	3	4	
Pitt	10	12	Farmville Ayden
Craven	7	10	Havelock
Pamlico	2	4	
Carteret	5	8	
Sampson	6	8	
Duplin	9	11	
Jones	2	3	
Onslow	8	14	
New Hanover	6	11	
Pender	4	6	
Halifax	9	14	Roanoke Rapids, Scotland Neck

1	Northampton	5	7	
2	Bertie	4	6	
3	Hertford	5	7	
4	Nash	7	10	Rocky Mount
5	Edgecombe	4	7	Rocky Mount
6	Wilson	4	7	
7	Wayne	5	12	Mount Olive
8	Greene	2	4	
9	Lenoir	4	10	La Grange
10	Granville	3	7	
11	Vance	3	6	
12	Warren	3	5	
13	Franklin	3	7	
14	Person	3	4	
15	Caswell	2	5	
16	Wake	12	21	Apex,
17				Wendell,
18				Fuquay-
19				Varina,
20				Wake Forest
21	Harnett	7	11	Dunn
22	Johnston	10	12	Benson,
23				Clayton,
24				Selma
25	Lee	4	6	
26	Cumberland	10	19	
27	Bladen	4	6	
28	Brunswick	4	~~9~~ 10	
29	Columbus	6	~~9~~ 10	Tabor City
30	Durham	8	13	
31	Alamance	7	11	Burlington
32	Orange	4	11	Chapel Hill
33	Chatham	3	9	Siler City
34	Scotland	3	5	
35	Hoke	4	5	
36	Robeson	8	16	Fairmont,
37				Maxton,
38				Pembroke,
39				Red Springs,
40				Rowland,
41				St. Pauls
42	Rockingham	4	9	Reidsville,
43				Eden,
44				Madison
45	Stokes	2	5	
46	Surry	5	9	Mt. Airy

1	Guilford	20	27	High Point
2	Cabarrus	5	9	Kannapolis
3	Montgomery	2	4	
4	Randolph	5	10	Liberty
5	Rowan	5	10	
6	Stanly	5	6	
7	Union	4	7	
8	Anson	4	6	
9	Richmond	5	6	Hamlet
10	Moore	5	8	Southern
11				Pines
12	Forsyth	3	15	Kernersville
13	Alexander	2	4	
14	Davidson	7	10	Thomasville
15	Davie	2	3	
16	Iredell	4	9	Mooresville
17	Alleghany	1	2	
18	Ashe	3	4	
19	Wilkes	4	6	
20	Yadkin	3	5	
21	Avery	3	5	
22	Madison	4	5	
23	Mitchell	3	4	
24	Watauga	4	6	
25	Yancey	2	4	
26	Burke	4	7	
27	Caldwell	4	7	
28	Catawba	6	10	Hickory
29	Mecklenburg	15	28	
30	Gaston	11	22	
31	Cleveland	5	8	
32	Lincoln	4	7	
33	Buncombe	6	15	
34	Henderson	4	7	
35	McDowell	3	6	
36	Polk	3	4	
37	Rutherford	6	8	
38	Transylvania	2	4	
39	Cherokee	3	4	
40	Clay	1	2	
41	Graham	2	3	
42	Haywood	5	7	Canton
43	Jackson	3	5	
44	Macon	3	4	
45	Swain	2	3."	

DEPARTMENT OF JUSTICE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H1(S23.1)

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT

SECTION 23.1.(a) Assets transferred to the Department of Justice during the 2001-2003 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of the 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 2001-2003 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of the Department and shall result in an increase of law enforcement resources for the Department. The Departments of Justice, Correction, and Crime Control and Public Safety shall report to the Joint Legislative Commission on Governmental Operations upon receipt of the assets and, before using the assets, shall report on the intended use of the assets and the departmental priorities on which the assets may be expended.

SECTION 23.1.(b) The General Assembly finds that the use of assets transferred pursuant to 19 U.S.C. § 1616a for new personnel positions, new projects, the acquisition of real property, repair of buildings where the 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, the Department of Correction, 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.

SECTION 23.1.(c) Nothing in this section prohibits North Carolina law enforcement agencies from receiving funds from the United States Department of Justice pursuant to 19 U.S.C. § 1616a.

REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H2(S23.2)i

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

PRIVATE PROTECTIVE SERVICES AND ALARM SYSTEMS LICENSING BOARDS PAY FOR USE OF STATE FACILITIES AND SERVICES

SECTION 23.2. 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H3(S23.3)i

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

CERTAIN LITIGATION EXPENSES TO BE PAID BY CLIENTS

SECTION 23.3. Client departments, agencies, and boards shall reimburse the Department of Justice for reasonable court fees, attorney travel and subsistence costs, and other costs directly related to litigation in which the Department of Justice is representing the department, agency, or board.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H4(S23.4)i

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REIMBURSEMENT FOR UNC BOARD OF GOVERNORS LEGAL REPRESENTATION

SECTION 23.4. 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H5(S23.5)

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REPORT ON CRIMINAL RECORDS CHECKS CONDUCTED FOR CONCEALED HANDGUN PERMITS/STUDY FEE ADJUSTMENT FOR CRIMINAL RECORD CHECKS.

SECTION 23.5.(a) The Department of Justice shall report by January 15 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 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.

SECTION 23.5.(b) The Office of State Budget and Management, in consultation with the Department of Justice, shall study the feasibility of adjusting the fees charged for criminal records checks conducted by the Division of Criminal Information of the Department of Justice as a result of the increase in receipts from criminal records checks. The study shall include an assessment of the Division's operational, personnel, and overhead costs related to providing criminal records checks and how those costs have changed since the 1998-99 fiscal year. The Office of State Budget and Management shall report its findings and recommendations to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on or before March 1, 2002.

REVISED

DRAFT
SPECIAL PROVISION

2001-ATTY-H6(S23.6)

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

CRIMINAL JUSTICE INFORMATION NETWORK REPORT/ADD REPRESENTATIVE FROM THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO THE BOARD

SECTION 23.6.(a) The Criminal Justice Information Network Governing Board established pursuant to G.S. 143-661 shall report by April 1, 2002, to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on:

(1) The operating budget of the Board, the expenditures of the Board as of the date of the report, and the amount of funds in reserve for the operation of the Board; and

(2) A long-term strategic plan and cost analysis for statewide implementation of the Criminal Justice Information Network. For each component of the Network, the initial cost estimate of the component, the amount of funds spent to date on the component, the source of funds for expenditures to date, and a timetable for completion of that component, including additional resources needed at each point.

SECTION 23.6.(b) G.S. 143-661(b) reads as rewritten:

"(b) The Board shall consist of ~~19~~ 20 members, appointed as follows:

(1) ~~Three~~ Four 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.~~ June 30, 1999, and one member who is an employee of the Department of Juvenile Justice and Delinquency Prevention.

(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 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) Six members appointed by the Chief Justice of the North Carolina Supreme Court, as follows:

a. The Director of the Administrative Office of the Courts, or an employee of the Administrative Office of the Courts, for a term beginning July 1, 1997, and expiring June 30, 2001.

b. One member who is a district attorney or an assistant district attorney upon the recommendation of the Conference of District Attorneys of North Carolina, for a term beginning July 1, 1998, and expiring June 30, 1999.

c. Two members who are superior court or district court judges for terms beginning July 1, 1998, and expiring June 30, 2001.

d. One member who is a magistrate upon the recommendation of the North Carolina Magistrates' Association, for a term beginning July 1, 1998, and expiring June 30, 1999.

e. One member who is a clerk of superior court upon the recommendation of the North Carolina Association of Clerks of Superior Court, for a term beginning July 1, 1998, and expiring 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."

REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H13(S23.9)

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

DRUG EDUCATION PROGRAM TRAINING/REVIEW

SECTION 23.9.(a) The State Bureau of Investigation shall collaborate with the Criminal Justice Standards Division of the Department of Justice in administering of the Drug Abuse Resistance Education (DARE) program.

SECTION 23.9.(b) The Juvenile Justice Institute at North Carolina Central University shall review DARE and other drug education efforts in North Carolina to identify an effective model for drug education. The Juvenile Justice Institute shall report the results of its review to the Joint Legislative Education Oversight Committee, the Justice and Public Safety Subcommittee of the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division by April 1, 2002.

REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H10

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ABOLISH OFFICE OF INSPECTOR GENERAL

SECTION #. Article 6 of Chapter 114 of the General Statutes, G.S. 114-40 through G.S. 114-42, is repealed.

NEW

DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-DJJDP-H1(S24.1)

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

S.O.S. ADMINISTRATIVE COST LIMITS AND REPEAL CONFERENCE REQUIREMENT

SECTION 24.1.(a) Of the funds appropriated to the Department of Juvenile Justice and Delinquency Prevention in this act, not more than five hundred fifty thousand dollars ($550,000) for the 2001-2002 fiscal year and not more than five hundred fifty thousand dollars ($550,000) for the 2002-2003 fiscal year may be used to administer the S.O.S. Program, to provide technical assistance to applicants and to local S.O.S. programs, and to evaluate the local S.O.S. programs. The Department may contract with appropriate public or nonprofit agencies to provide the technical assistance, including training and related services.

SECTION 24.1.(b) G.S. 143B-152.3(1) is repealed.

REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

Revised

2001-DJJDP-H2(S24.2)

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

JUVENILE CRIME PREVENTION COUNCIL GRANT REPORTING, CERTIFICATION, AND FUNDING OF RESEARCH-BASED PROGRAMS

SECTION 24.2.(a) On or before May 1 each year, the Department of Juvenile Justice and Delinquency Prevention shall submit to the Joint Legislative Commission on Governmental Operations and the Appropriations Committees of the Senate and House of Representatives a list of the recipients of the grants awarded, or preapproved for award, from funds appropriated to the Department for local Juvenile Crime Prevention Council grants. The list shall include for each recipient the amount of the grant awarded, the membership of the local committee or council administering the award funds on the local level, and a short description of the local services, programs, or projects that will receive funds. The list shall also identify any programs that received grant funds at one time but for which funding has been eliminated by the Department of Juvenile Justice and Delinquency Prevention. A written copy of the list and other information regarding the projects shall also be sent to the Fiscal Research Division of the General Assembly.

SECTION 24.2.(b) Each county in which local programs receive Juvenile Crime Prevention Council grant funds from the Department of Juvenile Justice and Delinquency Prevention shall certify annually through its local council to the Department that funds received are not used to duplicate or supplant other programs within the county.

SECTION 24.2.(c) The General Assembly recognizes the importance of evaluation and outcome measurements of the programs serving adjudicated juvenile offenders in order to ensure the cost-effective use of Juvenile Crime Prevention Council grant funds. The Department of Juvenile Justice and Delinquency Prevention shall establish and implement a system to collect and report on information and data regarding the expenditures and impact of the Juvenile Crime Prevention Council formula grant funds used by the individual counties to serve juveniles who have been adjudicated delinquent or who have been diverted for delinquent offenses.

The Department of Juvenile Justice and Delinquency Prevention, in consultation with the North Carolina Sentencing Commission, the Governor's Crime Commission, and the Juvenile Justice Institute, shall develop standards for measuring the effectiveness of programs that receive Juvenile Crime Prevention Crime grant funds and that serve juveniles who have been adjudicated delinquent or who have been diverted for delinquent offenses. The standards shall include methods for measuring success factors following intervention, including those factors that:

(1) Reduce the use of alcohol or controlled substances.
(2) Reduce subsequent complaints.
(3) Reduce violations of terms of community supervision.
(4) Reduce convictions for subsequent offenses.
(5) Fulfill restitution to victims.
(6) Increase parental accountability.

The Department of Juvenile Justice and Delinquency Prevention shall report to the Chairs of the Appropriations Committees of the Senate and House of Representatives, the Chairs of the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, and the Fiscal Research Division no later than April 1, 2002 on the progress of the establishment of the system mandated by this section. The system shall be implemented no later than June 30, 2003.

After June 30, 2003, on or before April 1 each year, the Department of Juvenile Justice and Delinquency Prevention shall report to the Chairs of the Appropriations Committees of the Senate and House of Representatives and the Chairs of the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the following:

(1) The number of diverted and adjudicated juveniles served.
(2) The specific methods used by the Juvenile Crime Prevention Councils to determine services, programs, and intervention strategies most likely to change behaviors of juvenile offenders.
(3) The total cost for each funded program, including the cost per juvenile and the essential elements of the program.
(4) An assessment of the extent to which programs funded by Juvenile Crime Prevention Council grants:
    a. Are compatible with research that shows prevention and early intervention strategies that are effective with juvenile offenders.
    b. Are outcome-based in that the grantee describes what outcomes will be achieved or what outcomes have already been achieved.
    c. Include an evaluation component.
    d. Have a demonstrable impact on success factors.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-DJJDP-H3(S24.3)

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REPORTS ON CERTAIN PROGRAMS

SECTION 24.3.(a) Project Challenge North Carolina, Inc., shall report to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety by April 1 each year on the operation and the effectiveness of its program in providing alternative dispositions and services to juveniles who have been adjudicated delinquent or undisciplined. The report shall include information on the source of referrals for juveniles, the types of offenses committed by juveniles participating in the program, the amount of time those juveniles spend in the program, the number of juveniles who successfully complete the program, and the number of juveniles who commit additional offenses after completing the program.

SECTION 24.3.(b) The Department of Juvenile Justice and Delinquency Prevention shall report to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on the effectiveness of the Juvenile Assessment Center by April 1 each year. The report on the Juvenile Assessment Center shall include information on the number of juveniles served and an evaluation of the effectiveness of juvenile assessment plans and services provided as a result of these plans.

SECTION 24.3.(c) Communities in Schools shall report to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, and the Joint Legislative Education Oversight Committee by April 1 each year on the operation and the effectiveness of its program. The report shall include information on the number of children served, the number of volunteers used, the impact on the children who have received services from Communities in Schools, and the operating budget of Communities in Schools.

REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-DJJDP-H4(S24.4)i

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

SECTION 24.4. Funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the 2001-2002 fiscal year may be used as matching funds for the Juvenile Accountability Incentive Block Grants. If North Carolina receives Juvenile Accountability Incentive Block Grants, or a notice of funds to be awarded, the Office of State Budget and Management and the Governor's Crime Commission shall consult with the Department of Juvenile Justice and Delinquency Prevention regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Juvenile Justice and Delinquency Prevention shall report to the Appropriations Committees of the Senate and House of Representatives and the Joint Legislative Commission on Governmental Operations prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the 2001-2002 fiscal year, the amount of funds anticipated for the 2002-2003 fiscal year, and the allocation of funds by program and purpose.

DRAFT
SPECIAL PROVISION

2001-DJJDP-H5(S24.5)i

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ANNUAL EVALUATION OF COMMUNITY PROGRAMS

SECTION 24.5. The Department of Juvenile Justice and Delinquency Prevention shall conduct an evaluation of the Eckerd and Camp Woodson wilderness camp programs, the teen court programs, the program that grants funds to the local organizations of the Boys and Girls Clubs established pursuant to Section 21.10 of S.L. 1999-237, the Save Our Students program, the Governor's One-on-One Programs, and multipurpose group homes. The teen court report shall include statistical information on the number of juveniles served, the number and type of offenses considered by teen courts, referral sources for teen courts, and the number of juveniles that become court-involved after participation in teen courts. The report on the Boys and Girls Clubs program shall include information on:

(1) The expenditure of State appropriations on the program;

(2) The operations and the effectiveness of the program; and

(3) The number of juveniles served under the program.

In conducting the evaluation of each of these programs, the Department shall consider whether participation in each program results in a reduction of court involvement among juveniles. The Department shall also identify whether the programs are achieving the goals and objectives of the Juvenile Justice Act, S.L. 1998-202. The Department shall report the results of the evaluation to the Chairs of the House of Representatives and Senate Appropriations Committees and the Chairs of the Subcommittees of Justice and Public Safety of the House of Representatives and Senate Appropriations Committees by March 1 of each year.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

NEW

DRAFT
SPECIAL PROVISION

2001-DJJDP-H8

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

CONTINUE CUMBERLAND JUVENILE ASSESSMENT CENTER

SECTION #.(a) Section 18.21(b) of S.L. 1997-443, as amended by Section 16.6 of S.L. 1998-212, reads as rewritten:

"(b) The Administrative Office of the Courts, in collaboration with the Chief Court Counselor of District Court District 12, the Cumberland County Department of Social Services, and the appropriate local school administrative units, shall develop and implement a Juvenile Assessment Center Project in District Court District 12 to operate from the effective date of this ~~act to June 30, 1999.~~ act. The purpose of the Project is to facilitate efficient prevention and intervention service delivery to juveniles who are (i) alleged to be delinquent or undisciplined and have been taken into custody or (ii) at risk of becoming delinquent or undisciplined because they have behavioral problems and have committed delinquent acts even though they have not been taken into custody. The Project shall assist these juveniles by providing a centralized point of intake and assessment for the juveniles, by addressing the educational, emotional, and physical needs of the juveniles, and by providing juveniles with an atmosphere for learning personal responsibility, self-respect, and respect for others. The Administrative Office of the Courts shall consider the recommendations of the Juvenile Assessment Advisory Board in developing and implementing the Project."

SECTION #.(b) Section 18.21(d) of S.L. 1997-443, as amended by Section 16.6 of S.L. 1998-212, reads as rewritten:

"(d) There is established the Juvenile Assessment Advisory Board to make recommendations to the Administrative Office of the Courts regarding the development and operations of the Project. The Board shall consist of 13 members, including:

(1) The director of the Department of Social Services of Cumberland County, or the director's designee.
(2) A representative from the local mental health area authority of Cumberland County.
(3) A member of the Cumberland County Board of Education.
(4) The sheriff of Cumberland County, or the sheriff's designee.
(5) The chief of police of the Fayetteville Police Department, or the designee of the chief of police.
(6) A judge of District Court District 12.
(7) A juvenile court counselor from District Court District 12.
(8) The director of the Guardian Ad Litem program in Cumberland County, or the director's designee.

(9) The director of the Health Department of Cumberland County, or the director's designee.

(10) Two public members appointed by the Fayetteville City Council.

(11) Two public members appointed by the Board of County Commissioners of Cumberland County.

The members of the Board shall, within 30 days after the initial appointment is made, meet and elect one member as chair. The Board shall meet at least once a month at the call of the ~~chair, and a quorum of the Board shall consist of a majority of its members.~~ chair. The Board of County Commissioners of Cumberland County shall provide necessary clerical and professional assistance to the Board.

~~Initial appointments shall be made by October 1, 1997, and all terms shall expire June 30, 1999.~~"

SECTION #.(c) The Juvenile Assessment Center Project shall continue to do all of the following:

(1) Identify those juveniles who are alleged to be delinquent or undisciplined or who are at risk of becoming delinquent or undisciplined.

(2) Evaluate the educational, emotional, and physical needs of the juveniles identified and determine whether the juveniles have problems related to substance abuse, depression, or other emotional conditions.

(3) Develop a collaborative interagency information network that will speed appropriate law enforcement, juvenile court, and relevant intervention responses for referred youth and their families.

(4) Develop in-depth and comprehensive assessment plans for the juveniles identified that recommend appropriate treatment, counseling, and disposition of the juveniles.

(5) Provide services to juveniles identified and their families through collaboration with public and private resources, including local law enforcement, parents' organizations, the faith community, and county and community programs and organizations that provide substance abuse treatment and child and family counseling.

(6) Maintain individual case files and keep statistical information used to document services delivered and evaluate the progress of the program.

SECTION #.(d) The Department of Juvenile Justice and Delinquency Prevention shall evaluate the Project and report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division of the General Assembly by October 1, 2002, on the operations of the Project. The report shall include recommendations on whether the Project should be continued and, if so, the extent to which it should be continued, why it should be continued, and the costs associated with continuing the Project. If the Department recommends the Project should not be continued, it shall provide the reasons for that recommendation.

SECTION #.(e) Subsections (a), (b), and (e) of this section become effective June 29, 1999. The remainder of this section becomes effective July 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA New

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-DJJDP-H9

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TEEN COURT GUIDELINES CODIFIED

SECTION #. Article 12 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-520. Teen court programs.**

(a) All teen court programs administered by the Department of Juvenile Justice and Delinquency Prevention shall operate as community resources for the diversion of juveniles pursuant to G.S. 7B-1706(c). A juvenile diverted to a teen court program shall be tried by a jury of other juveniles and, if the jury finds the juvenile has committed the delinquent act, the jury may assign the juvenile to a rehabilitative measure or sanction, including counseling, restitution, curfews, and community service.

Teen court programs may also operate as resources to the local school administrative units to handle problems that develop at school but that have not been turned over to the juvenile authorities.

(b) Teen court programs shall provide the Department of Juvenile Justice and Delinquency Prevention with annual reports on the expenditure of funds of each year and other relevant statistical data."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

NEW

DRAFT
SPECIAL PROVISION

2001-DJJDP-H10

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

YOUTH DEVELOPMENT CENTER PLANS

SECTION #. Prior to closing any Youth Development Center or permanently closing individual housing units at any Center, the Department of Juvenile Justice and Delinquency Prevention shall develop a long-range plan for the operation of Youth Development Centers. The plan shall be presented to the Chairs of the Appropriations Subcommittees on Justice and Public Safety of the Senate and House of Representatives and the Chairs of the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee no later than March 1, 2002. The plan shall include:

(1) Information and data on the current operations of the Centers

(2) Proposed or anticipated changes system-wide and at each Center in:
   a. Characteristics of the juvenile offender population.
   b. Education and other treatment programs.
   c. Custody and security.
   d. Staffing and management.

(3) Any long-range capital plans for the construction of new or replacement Centers, including the estimated cost and information on the type of housing proposed, whether dormitory, group rooms, or individual rooms.

(4) Any plans for the closing, renovation, expansion, or demolition of housing units at the current Centers as well as any proposed new housing units at these Centers.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

New

DRAFT
SPECIAL PROVISION

2001-DJJDP-H11

Department of Juvenile Justice and Delinquency Prevention
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TRANSFER FUNDS AND POSITIONS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

SECTION #.(a) Of the funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the 2001-2003 biennium, the sum of two hundred forty-eight thousand four hundred thirty-five dollars ($248,435) is transferred to the Department of Health and Human Services. Six police officer positions are transferred from the Department of Juvenile Justice and Delinquency Prevention to the Department of Health and Human Services. The funds and positions transferred pursuant to this section shall be used to provide security at the Black Mountain Center and at the Julian F. Keith Alcohol and Drug Abuse Treatment Center.

SECTION #.(b) Section 37 of Chapter 24 of the Session Laws, 1994 Extra Session is repealed.

DEPARTMENT OF CORRECTION

DRAFT
SPECIAL PROVISION

2001-CORR-H2(S25.2)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

FEDERAL GRANT REPORTING

SECTION 25.2. The Department of Correction, the Department of Justice, the Department of Crime Control and Public Safety, the Judicial Department, and the Department of Juvenile Justice and Delinquency Prevention shall report by May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Chairs of the Senate and House of Representatives Appropriations Committees, and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on federal grant funds received or preapproved for receipt by those departments. The report shall include information on the amount of grant funds received or preapproved for receipt by each department, the use of the funds, the State match expended to receive the funds, and the period to be covered by each grant. If the department intends to continue the program beyond the end of the grant period, the department shall report on the proposed method for continuing the funding of the program at the end of the grant period. Each department shall also report on any information it may have indicating that the State will be requested to provide future funding for a program presently supported by a local grant.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-H1(S25.1)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: **Representatives Culpepper, Haire**

EARNED TIME CREDIT FOR MEDICALLY AND PHYSICALLY UNFIT INMATES

SECTION 25.1.(a) G.S. 15A-1355 is amended by adding a new subsection to read:

"(d) Earned Time Credit for Medically and Physically Unfit Inmates. – Inmates in the custody of the Department of Correction who suffer from medical conditions or physical disabilities that prevent their assignment to work release or other rehabilitative activities may, consistent with rules of the Department of Correction, earn credit based upon good behavior or other criteria determined by the Department that may be used to reduce their maximum term of imprisonment as provided in G.S. 15A-1340.13(d) for felony sentences and in G.S. 15A-1340.20(d) for misdemeanor sentences."

SECTION 25.1.(b) This section is effective when it becomes law and applies to inmates serving sentences on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-H3(S25.3)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

LIMIT USE OF OPERATIONAL FUNDS

SECTION 25.3. 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 shall not be expended for any other purpose, except as provided for in this act, and shall not be expended for additional prison personnel positions until the new facilities are within 120 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-H4(S25.4)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM

SECTION 25.4. The Department of Correction may use funds appropriated to the Department for the 2001-2002 fiscal year to pay the sum of forty dollars ($40.00) per day as reimbursement to counties for the cost of housing convicted inmates, parolees, and post-release supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The Department shall report by December 1 and May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, the Chairs of the Senate and House of Representatives Appropriations Committees, and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on the expenditure of funds to reimburse counties for prisoners awaiting transfer and on its progress in reducing the jail backlog.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-H5(S25.5)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

USE OF CLOSED PRISON FACILITIES

SECTION 25.5. In conjunction with the closing of prison facilities, including 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, with the elected State and local officials, and with State agencies about the possibility of converting that unit to other use. The Department may also consult with any private for-profit or nonprofit firm about the possibility of converting the unit to other use. In developing a proposal for future use of each unit, the Department shall give priority to converting the unit to other criminal justice use. Consistent with existing law and the future needs of the Department of Correction, the State may provide for the transfer or the lease of any of these units to counties, municipalities, State agencies, 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. A prison unit under lease to a county pursuant to the provisions of this section for use as a jail is exempt for the period of the lease from any of the minimum standards adopted by the Secretary of Health and Human Services pursuant to G.S. 153A-221 for the housing of adult prisoners that would subject the unit to greater standards than those required of a unit of the State prison system.

Prior to any transfer or lease of these units, the Department of Correction shall report on the terms of the proposed transfer or lease to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee. The Department of Correction shall also provide annual summary reports to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the conversion of these units to other use and on all leases or transfers entered into pursuant to this section.

REVISED

DRAFT
SPECIAL PROVISION

2001-CORR-H6(S25.6)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

INMATE COSTS/MEDICAL BUDGET FOR PRESCRIPTION DRUGS

SECTION 25.6.(a) If the cost of providing food and health care to inmates housed in the Division of Prisons is anticipated to exceed the continuation budget amounts provided for that purpose in this act, the Department of Correction shall report the reasons for the anticipated cost increase and the source of funds the Department intends to use to cover those additional needs to the Joint Legislative Commission on Governmental Operations, the Chairs of the House of Representatives and Senate Appropriations Committees, and the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety.

SECTION 25.6.(b) Notwithstanding the provisions of G.S. 143-23(a2), the Department of Correction may use funds available during the 2001-2002 fiscal year for the purchase of prescription drugs for inmates if expenditures are projected to exceed the Department's inmate medical continuation budget for prescription drugs. The Department shall consult with the Joint Legislative Commission on Governmental Operations prior to exceeding the continuation budget amount.

The Department of Administration, Purchase and Contract Division, and the Department of Correction shall review the current statewide contract for purchase of prescription drugs as it applies to the Department of Correction's purchases for inmates to determine if the Department is receiving the lowest rate available and to determine whether the Department should be authorized to issue a request for proposals for a separate vendor or purchasing consortium for the provision of prescription drugs for inmates. The Departments shall report on their findings to the Joint Legislative Commission on Governmental Operations by February 1, 2002.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-H7(S25.7)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

FEDERAL GRANT MATCHING FUNDS

SECTION 25.7. Notwithstanding the provisions of G.S. 148-2, the Department of Correction may use up to the sum of nine hundred thousand dollars ($900,000) from funds available to the Department to provide the State match needed in order to receive federal grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Commission on Governmental Operations on the grants to be matched using these funds.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-H8(S25.8)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

STRUCTURED SENTENCING STUDY

SECTION 25.8.(a) In exercising its statutory responsibility under Article 4 of Chapter 164 of the General Statutes to monitor and review the criminal justice and corrections system, the North Carolina Sentencing and Policy Advisory Commission shall study and review the State's sentencing laws. Areas of review may include the classification of offenses and offenders, the relationship of the sentence and the sentence length to the offense, and the sentence dispositions available to judges. The Commission shall also analyze the parole-eligible population in terms of offense committed, sentence, and time served in comparison to structured sentencing inmates. The Commission's recommendations should balance the need to ensure that sentencing laws appropriately penalize offenders for the nature and degree of harm caused by the offense with the need to consider the potential impact on correctional resources of the growth in the prison population. These recommendations shall be consistent with the purposes of sentencing as stated in G.S. 15A-1340.12

SECTION 25.8.(b) The North Carolina Sentencing and Policy Advisory Commission shall report its findings to the 2001 General Assembly no later than the convening of the 2002 Regular Session of the 2001 General Assembly.

Revised

DRAFT
SPECIAL PROVISION

2001-CORR-H10(S25.10)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ENERGY FOR COMMITTED OFFENDERS/CONTRACT AND REPORT

SECTION 25.10. The Department of Correction may continue to contract with Energy for Committed Offenders, Inc., for the purchase of prison beds for minimum security female inmates during the 2001-2003 biennium. Energy for Committed Offenders, Inc., shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the annual cost per inmate and the average daily inmate population compared to bed capacity using the same methodology as that used by the Department of Correction. Energy for Committed Offenders, Inc., shall also provide information on the rearrest rate and the return-to-prison rate for inmates participating in the program who are paroled or released from prison.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-H11(S25.11)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

MEDIUM CUSTODY ROAD CREW COMPENSATION

SECTION 25.11.(a) Of funds appropriated to the Department of Transportation by this act, the sum of ten million dollars ($10,000,000) per year shall be transferred by the Department to the Department of Correction during the 2001-2003 biennium for the actual costs of highway-related labor performed by medium-custody prisoners, as authorized by G.S. 148-26.5. This transfer shall be made quarterly in the amount of two million five hundred thousand dollars ($2,500,000). The Department of Transportation may use funds appropriated by this act to pay an additional amount exceeding the ten million dollars ($10,000,000), but those payments shall be subject to negotiations among the Department of Transportation, the Department of Correction, and the Office of State Budget and Management prior to payment by the Department of Transportation.

SECTION 25.11.(b) The Department of Transportation shall transfer to the Department of Correction the sum of one million eight hundred eleven thousand six hundred twenty-eight dollars ($1,811,628) between July 1 and August 31, 2001, in order to fully comply with subsection (a) of Section 27.21 of S.L. 1999-237, which directed the Department of Transportation to provide reimbursement during the 1999-2001 biennium for highway-related labor performed by medium-custody prisoners.

SECTION 25.11.(c) Subsection (b) of Section 27.21 of S.L. 1999-237 is repealed.

SECTION 25.11.(d) The Department of Transportation and the Department of Correction shall report to the Joint Legislative Corrections and Juvenile Justice Oversight Committee and the Joint Legislative Transportation Oversight Committee by March 1, 2002, on road squad activity and the implementation of the provisions of this section.

REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001 Revised

DRAFT
SPECIAL PROVISION

2001-CORR-H14(S25.14)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REDUCE SUMMIT HOUSE APPROPRIATION

SECTION 25.14.(a) The General Fund appropriation to the Department of Correction for Summit House, Inc., is reduced by the sum of one hundred thirty-nine thousand six hundred fifty dollars ($139,650) for each year of the 2001-2003 biennium. This ten percent (10%) reduction in funding shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites.

SECTION 25.14.(b) The Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee and the Fiscal Research Division shall review the organizational structure and expenditures of Summit House, Inc., prior to the convening of the 2002 Regular Session of the 2001 General Assembly to identify potential modifications that would provide for more efficient operation of the program in future fiscal years.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001 Revised

DRAFT
SPECIAL PROVISION

2001-CORR-H16(S25.16)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

MODIFICATION OF FUNDING FORMULA FOR THE NORTH CAROLINA STATE-COUNTY CRIMINAL JUSTICE PARTNERSHIP FORMULA/UNEXPENDED BALANCE REVERSION

SECTION 25.16.(a) G.S. 143B-273.15 reads as rewritten:

"**§ 143B-273.15. Funding formula.**

To determine the grant amount for which a county or counties may apply, the granting authority shall apply the following formula:

~~(1) Twenty percent (20%) of the total fiscal year appropriation plus any unspent or unclaimed funds in the Account shall be distributed in the discretion of the Secretary to encourage innovative efforts to develop multicounty projects; to encourage cooperation and collaboration among existing services and avoid duplication of efforts; to provide for technical assistance to the counties in the development of county plans and in the evaluation of programs funded under this Article; to encourage the renovation of existing facilities; and to encourage innovative substance abuse programs.~~

~~(2) Of the remaining eighty percent (80%) of the fiscal year appropriation, a total funding amount will be set for each county based upon the following variables:~~

~~a.~~ (1) Twenty percent (20%) based on a fixed equal dollar amount for each county;

~~b.~~ (2) Sixty percent (60%) based on the county share of the State population; and

~~c.~~ (3) Twenty percent (20%) based on the supervised probation admissions rate for the county.

The sum of the amounts in ~~sub-subdivisions a., b., and c.~~ subdivisions (1), (2), and (3) is the total amount of the funding that a county may apply for under this subsection.

Grants to participating counties are for a period of one fiscal year with unobligated funds being returned to the Account at the end of the grant period. Funds are provided to participating counties on a reimbursement basis unless a county documents a need for an advance of grant funds. "

SECTION 25.16.(b) Notwithstanding the provisions of G.S. 143B-273.5, the sum of one million dollars ($1,000,000) of the unexpended cash balance of the State-County Criminal Justice Partnership Account shall revert to the General Fund on June 30, 2002, and the sum of one million dollars ($1,000,000) of the unexpended cash

balance of the State-County Criminal Justice Partnership Account shall revert to the General Fund on June 30, 2003.

SECTION 25.16.(c) The Department of Correction may not deny funds to a county to support both a residential program and a day reporting center if the Department of Correction determines that the county has a demonstrated need and a fully developed plan for each type of sanction.

SECTION 25.16.(d) The Department of Correction shall report by February 1 of each year to the Chairs of the Senate and House of Representatives Appropriations Committees, the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the status of the Criminal Justice Partnership Program. The report shall include the following information:

(1) The amount of funds carried over from the prior fiscal year;

(2) The dollar amount and purpose of grants awarded to counties as discretionary grants for current fiscal year;

(3) Any counties the Department anticipates will submit requests for new implementation grants;

(4) An update on efforts to ensure that all counties make use of the electronic reporting system, including the number of counties submitting offender participation data via the system;

(5) An analysis of offender participation data received, including data on each program's utilization and capacity; and

(6) An analysis of comparable programs, prepared by the Research and Planning Division of the Department of Correction, and a summary of the reports prepared by county Criminal Justice Partnerships Advisory Boards.

DRAFT
SPECIAL PROVISION

2001-CORR-H17(S25.17)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

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

SECTION 25.17. The Post-Release Supervision and Parole Commission shall report by March 1 of each year to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on an updated transition plan for implementing staff reductions through the 2002-2003 fiscal year, including a minimum ten percent (10%) reduction in staff positions in the 2002-2003 fiscal year over the 2001-2002 fiscal year.

DRAFT
SPECIAL PROVISION

2001-CORR-H18(S25.18)i

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REPORTS ON NONPROFIT PROGRAMS

SECTION 25.18.(a) Funds appropriated in this act to the Department of Correction to support the programs of Harriet's House may be used for program operating costs, the purchase of equipment, and the rental of real property. Harriet's House shall report by February 1 of each year 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.

SECTION 25.18.(b) Summit House shall report by February 1 of each year 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, the number of clients who have their probation revoked, and the number of clients who successfully complete the program while housed at Summit House, Inc.

SECTION 25.18.(c) Women at Risk shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the expenditure of State funds and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program.

SECTION 25.18.(d) The John Hyman Foundation shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the expenditure of State funds and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001 Revised

DRAFT
SPECIAL PROVISION

2001-CORR-H19(S25.19)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

EXEMPTION FROM LICENSURE AND CERTIFICATE OF NEED

SECTION 25.19.(a) Article 1 of Chapter 148 of the General Statutes is amended by adding a new section to read:

"**§ 148-19.1. Exemption from licensure and certificate of need.**

(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 Health and Human Services 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.

(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 Health and Human Services 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."

SECTION 25.19.(b) G.S. 122C-22(a) reads as rewritten:

"(a) The following are excluded from the provisions of this Article and are not required to obtain licensure under this Article:

(1) Physicians and psychologists engaged in private office practice;

(2) General hospitals licensed under Article 5 of Chapter 131E of the General Statutes, that operate special units for the mentally ill, developmentally disabled, or substance abusers;

(3) State and federally operated facilities;

(4) Adult care homes licensed under Chapter 131D of the General Statutes;

(5) Developmental child care centers licensed under Article 7 of Chapter 110 of the General Statutes;

(6) Persons subject to licensure under rules of the Social Services Commission;

(7) Persons subject to rules and regulations of the Division of Vocational Rehabilitation Services; ~~and~~

(8) Facilities that provide occasional respite care for not more than two individuals at a time; provided that the primary purpose of the facility is other than as defined in ~~G.S. 122C-3(14).~~ G.S. 122C-3(14);

(9) Twenty-four-hour nonprofit facilities established for the purposes of shelter care and recovery from alcohol or other drug addiction through a 12-step, self-help, peer role modeling, and self-governance ~~approach.~~ approach; and

(10) Inpatient chemical dependency or substance abuse facilities that provide services exclusively to inmates of the Department of Correction, as described in G.S. 148-19.1."

SECTION 25.19.(c) G.S. 131E-184 is amended by adding a new section to read:

"(d) The Department shall exempt from certificate of need persons contracting to provide inpatient chemical dependency or substance abuse services to inmates of the Department of Correction, as described in G.S. 148-19.1."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

Revised

DRAFT
SPECIAL PROVISION

2001-CORR-H20(S25.20)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REPORT ON PROBATION AND PAROLE CASELOADS

SECTION 25.20. The Department of Correction shall report by March 1 of each year to the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on caseload averages for probation and parole officers. The report shall include:

(1) Data on current caseload averages for Probation Parole Officer I, Probation Parole Officer II, and Probation Parole Officer III positions;

(2) An analysis of the optimal caseloads for these officer classifications; and

(3) An assessment of the role of surveillance officers.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

Revised

DRAFT
SPECIAL PROVISION

2001-CORR-H21(S25.21)

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REPORT ON INMATES ELIGIBLE FOR PAROLE

SECTION 25.21. The Post-Release Supervision and Parole Commission shall provide quarterly reports to the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on inmates eligible for parole. These reports shall include at least the following:

(1) The total number of Fair Sentencing and Pre-Fair Sentencing inmates that were parole-eligible during the previous quarter and the total number of those inmates that were paroled. The report should group these inmates by offense type and custody classification;

(2) A list of all those inmates paroled or released by category of parole or release, including each inmate's offense and custody classification at the time of the parole or release;

(3) The average time served, by offense class, of Fair Sentencing and Pre-Fair Sentencing inmates compared to inmates sentenced under Structured Sentencing;

(4) The projected number of parole-eligible inmates to be paroled or released by the end of the 2001-2002 fiscal year and by the end of the 2002-2003 fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001 Revised

DRAFT
SPECIAL PROVISION

2001-CORR-H24

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire, Thompson

IMPACT PROGRAM

SECTION #.(a) Of the funds appropriated to the Department of Correction for the 2001-2003 biennium, the sum of four million eight hundred sixty-six thousand seven hundred fifty-nine dollars ($4,866,759) for the 2001-2002 fiscal year and the sum of four million five hundred thousand nine hundred fifty-five dollars ($4,500,955) for the 2002 –2003 fiscal year shall be used for residential programs for probationers, including the IMPACT boot camp program. The Department of Correction shall maintain a residential program with a community work component for male offenders in both Hoffman and Morganton.

SECTION #.(b) The Department of Correction shall report to the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety and to the Joint Legislative Corrections, Crime Control and Juvenile Justice Oversight Committee by October 1, 2001 on plans to implement the reduction in funding for the IMPACT program and any proposed modifications in the program capacity or content. The report shall include revised capacity, positions to be eliminated, revised staffing allocation, uses of any vacated space and proposed changes in the program for 2001-3. The Department may also include any recommendations for additional residential programs for offenders on probation that could be implemented within current funding.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

New

DRAFT
SPECIAL PROVISION

2001-CORR-H23

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

CHARGES FOR INMATE HEALTH CARE

SECTION #.(a) Hospital facilities operated by constituent institutions of The University of North Carolina providing health care services to inmates in the custody of the Department of Correction shall charge the Department for those services during the 2001-2002 fiscal year no more than:

(1) The rate of $1,633 per day per inmate for treatment other than for burns, trauma, and transplants; and

(2) The rates at which the Department was charged during the 2000-2001 fiscal year for treatment of burns, trauma, and transplants.

SECTION #.(b) The Department of Correction, in consultation with the Fiscal Research Division, shall study the rates charged by State and county hospitals for providing health care to inmates in the custody of the Department and determine methods of controlling the rate at which the Department is charged for those services in the future. The Department shall report its findings and recommendations to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee by April 1, 2002.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

New

DRAFT
SPECIAL PROVISION

2001-CORR-H22

Department of Correction
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire, Thompson

SITES FOR CLOSE SECURITY PRISONS

SECTION #. The Council of State has approved the recommendation of the Department of Administration and the Department of Correction for the construction of two new close custody correctional facilities to be lease-purchased by the State. In response to that approval, the Department of Administration shall select Alexander and Scotland Counties as the sites for those correctional facilities.

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CCPS-H3(S26.2)i

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ANNUAL EVALUATION OF THE TARHEEL CHALLENGE PROGRAM

SECTION 26.2. The Department of Crime Control and Public Safety shall report to the Chairs of the House of Representatives and Senate Appropriations Committees and the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety by April 1 of each year on the operations and effectiveness of the National Guard Tarheel Challenge Program. The report should evaluate the program's effectiveness as an intervention method for preventing juveniles from becoming undisciplined or delinquent. The report shall also evaluate the Program's role in improving individual skills and employment potential for participants and shall include:

(1) The source of referrals for individuals participating in the Program;

(2) The summary of types of actions or offenses committed by the participants of the Program;

(3) An analysis outlining the cost of providing services for each participant, including a breakdown of all expenditures related to the administration and operation of the Program and the education and treatment of the Program participants;

(4) The number of individuals who successfully complete the Program; and

(5) The number of participants who commit offenses after completing the Program.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CCPS-H4(S26.3)i

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

LEGISLATIVE REVIEW OF DRUG LAW ENFORCEMENT AND OTHER GRANTS

SECTION 26.3.(a) Section 1303(4) of the Omnibus Crime Control and Safe Streets Act of 1968 provides that the State application for Drug Law Enforcement Grants is subject to review by the State legislature or its designated body. Therefore, the Governor's Crime Commission of the Department of Crime Control and Public Safety shall report on the State application 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, to the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety when the General Assembly is in session. When the General Assembly is not in session, the Governor's Crime Commission shall report on the State application to the Joint Legislative Commission on Governmental Operations.

SECTION 26.3.(b) Unless a State statute provides a different forum for review, when a federal law or regulation provides that an individual State application for a grant shall 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CCPS-H5(S26.4)i

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

VICTIMS ASSISTANCE NETWORK REPORT

SECTION 26.4. The Department of Crime Control and Public Safety shall report on the expenditure of funds allocated pursuant to this section for the Victims Assistance Network. The Department shall also report on the Network's efforts to gather data on crime victims and their needs, act as a clearinghouse for crime victims' services, provide an automated crime victims' bulletin board for subscribers, coordinate and support activities of other crime victims' advocacy groups, identify the training needs of crime victims' services providers and criminal justice personnel, and coordinate training for these personnel. The Department shall submit its report to the Chairs of the Appropriations Subcommittees on Justice and Public Safety of the Senate and House of Representatives by December 1 of each year of the biennium.

DRAFT
SPECIAL PROVISION

2001-CCPS-H6(S26.5)i

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REVISE REPORT ON CRIME VICTIMS COMPENSATION FUND

SECTION 26.5. G.S. 15B-21 reads as rewritten:

"**§ 15B-21. Annual report.**

The Commission shall, by March 15 each year, prepare and transmit to the Governor and the General Assembly a report of its activities in the prior fiscal year and the current fiscal year to date. The report shall include:

(1) The number of claims filed;

(2) The number of awards made;

(2a) The number of pending cases by year received;

(3) The amount of each award;

(4) A statistical summary of claims denied and awards made;

(5) The administrative costs of the Commission, including the compensation of commissioners;

(6) The current unencumbered balance of the North Carolina Crime Victims Compensation Fund;

(7) The amount of funds carried over from the prior fiscal year;

(8) The amount of funds received in the prior fiscal year from the Department of Correction and from the compensation fund established pursuant to the Victims Crime Act of 1984, 42 U.S.C. § 10601, et seq.; and

(9) The amount of funds expected to be received in the current fiscal year, as well as the amount actually received in the current fiscal year on the date of the report, from the Department of Correction and from the compensation fund established pursuant to the Victims Crime Act of 1984, 42 U.S.C. § 10601, et seq.

The Attorney General and State Auditor shall assist the Commission in the preparation of the report required by this section."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CCPS-H8(S26.7)i

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TRANSPORT OF PERSONS TO AND FROM BUTNER FACILITIES

SECTION 26.7.(a) G.S. 122C-408(b) reads as rewritten:

"(b) After taking the oath of office required for law-enforcement officers, the special police officers authorized by this section shall have the authority of deputy sheriffs of Durham and Granville Counties in those counties respectively. Within the territorial jurisdiction stated in subsection (a) of this section, the special police officers have the primary responsibility to enforce the laws of North Carolina and any rule applicable to that territory adopted under authority of this Part or under G.S. 143-116.6 or G.S. 143-116.7 or under the authority granted any other agency of the State and also have the powers set forth for firemen in Articles 80, 82 and 83 of Chapter 58 of the General Statutes. Any civil or criminal process to be served on any individual confined at any State facility within the territorial jurisdiction described in subsection (a) of this section shall be forwarded by the sheriff of the county in which the process originated to the Director of the Butner Public Safety Division. ~~Special police officers authorized by this section shall be assigned to transport any individual transferred to or from any State facility within the territorial jurisdiction described in subsection (a) of this section to or from the psychiatric service of the University of North Carolina Hospitals at Chapel Hill.~~"

SECTION 26.7.(b) No State funds appropriated for Butner Public Safety for the 2001-2003 biennium shall be used to transport any individual transferred to or from any State facility within the territorial jurisdiction of the Butner Public Safety Division to or from the psychiatric service of the University of North Carolina Hospitals at Chapel Hill.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

New

DRAFT
SPECIAL PROVISION

2001-CCPS-H1B

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

BOXING COMMISSION REPORTS/FUNDS DO NOT REVERT

SECTION #.(a) Chapter 85D of the General Statutes is amended by adding a new section to read:

"**§ 85D-12. Commission report.**

The North Carolina State Boxing Commission shall report by April 1 of each year to Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the operations and budget of the Commission. The report shall include information and data on the number of events regulated that year, the number of persons licensed by the Commission, any civil or criminal sanctions or injunctions issued, and the revenues and expenditures of the Commission."

SECTION #.(b) All receipts collected by the North Carolina State Boxing Commission during the 2000-2001 fiscal year shall not revert, but shall remain available to the Commission.

SECTION #.(c) Subsection (a) of this section becomes effective January 1, 2002. The remainder of this section becomes effective June 30, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

Revised

DRAFT
SPECIAL PROVISION

2001-CCPS-H10

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TRANSFER COMMUNITY SERVICE WORK PROGRAM AND TERMINATE VACANT POSITIONS.

SECTION #. The Secretary of the Department of Crime Control and Public Safety and the Secretary of the Department of Correction shall collaborate to develop a plan of reorganization in which the Community Service Work Program of the Division of Victims and Justice Services of the Department of Crime Control and Public Safety is merged with the Division of Community Corrections of the Department of Correction. The merger of the Community Service Work Program with the Department of Crime Control and Public Safety and the Department of Correction shall be effective January 1, 2002 and shall have all the elements of a Type I transfer, as defined in G.S. 143A-6. All (i) statutory authority, powers, duties, and functions, including rule making, budgeting, and purchasing, (ii) records, (iii) personnel, personnel positions, and salaries, (iv) property, and (v) unexpended balances of appropriations, allocations, reserves, support costs, and other funds of the Community Service Work Program of the Division of Victims and Justice Services of the Department of Crime Control and Public Safety shall be transferred to and vested in the Department of Correction.

As part of the plan of reorganization, the Secretary of Crime Control and Public Safety and the Secretary of Correction shall identify 25 vacant positions to terminate no later than January 1, 2002. The positions shall be identified from the four regional managers and the 21 district managers in the area of community service work and the judicial district managers and judicial division managers in the area of probation and parole. In addition to the 25 vacant positions to terminate no later than January 1, 2002, the positions of Director of Victim and Justice Services and administrative assistant shall cease to exist after January 1, 2002.

On or before October 1, 2001, the Secretary of Crime Control and Public Safety and the Secretary of Correction shall report the plan of reorganization, including the specific vacant positions to terminate, to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

Revised

DRAFT
SPECIAL PROVISION

2001-CCPS-H11

Department of Crime Control and Public Safety
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TERMINATION OF CERTAIN ALE POSITIONS.

SECTION #. Of the ten remaining supervisor positions and the twelve assistant supervisor positions in the district offices of the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety, four positions shall terminate no later than June 30, 2002. The Department of Crime Control and Public Safety shall identify the positions that will terminate pursuant to this section and shall report to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly by May 1, 2002 on the positions identified by the Department pursuant to this section.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-H12(S6.13)

Attorney General's Office
House Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ATTORNEY GENERAL REPORTING OF PENDING LAWSUITS

SECTION 6.13.(a) Article 1 of Chapter 114 is amended by adding a new section to read:

"**§ 114-2.6. Attorney General to report on pending lawsuits in which State is a party.**

By April 1 and October 1 of each year, the Attorney General shall submit a written report to the Chairs of the Joint Legislative Commission on Governmental Operations, the Chairs of the Appropriations Committees of the Senate and House of Representatives, the Chairs of the Finance Committees of the Senate and House of Representatives, and the Fiscal Research Division of the Legislative Services Office on all pending lawsuits against the State and the status of those lawsuits. In addition, the Attorney General shall submit a written report to the Joint Legislative Commission on Governmental Operations, the Chairs of the Appropriations Committees of the Senate and House of Representatives, the Chairs of the Finance Committees of the Senate and House of Representatives, and the Fiscal Research Division of the Legislative Services Office within 30 days of a final judgment that orders the State to pay the sum of one million dollars ($1,000,000) or more."

SECTION 6.13.(b) This section becomes effective April 1, 2002.

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT

#2

(Please type or use ballpoint pen)

EDITION No. _____

H. B. No. JPS Subcommittee Report DATE June 22, 01

S. B. No. _____ Amendment No. _____
(to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

(Rep.) Goodwin
Sen.)

special provisions

moves to amend ~~the bill~~ on page 66, line 16

( ) WHICH CHANGES THE TITLE

by inserting after the word "allocation;" the words "intended level of community service work;".

SIGNED Wayne Goodwin

ADOPTED ✓ FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

NORTH CAROLINA GENERAL ASSEMBLY AMENDMENT #1

(Please type or use ballpoint pen)

EDITION No. _____

~~H. B. No.~~ _____ DATE June 22, 2001

~~S. B. No.~~ Justice & Public Safety Subcommittee Report Amendment No. _____ (to be filled in by Principal Clerk)

COMMITTEE SUBSTITUTE _____

Rep.)
) Hall
~~Sen.~~)

1 moves to amend the ~~bill~~ report on page 33, line 2
2 ( ) WHICH CHANGES THE TITLE
3 by rewriting the line to read:
4
5 " Section #. Effective January 1, 2002,
6 Article 6 of Chapter 114 of the
7 General Statutes, G.S. 114-40"; and
8
9 on page 17, item 35, by deleting
10 "October 1, 2001" and substituting
11 "January 1, 2002"; and by deleting
12 "($ 375,000)" and substituting "($250,000)";
13
14 and on page 114, item 72, by deleting
15 "($4,500,000)" and substituting "($4,625,000);
16
17 and by adjusting the appropriate totals accordingly.
18
19

SIGNED John D. Hall

ADOPTED ✓ FAILED _____ TABLED _____

GA-33-A

PRINCIPAL CLERK'S OFFICE (FOR ENGROSSMENT)

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Thursday May 24, 2001
1:00 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Luther Jordan, Presiding
Senator Frank Ballance, Jr (Vice Chair)

II. PRESENTATIONS

Proposed Senate Justice and Public Safety Budget for FY 2001-2003

- Opening Remarks/Discussion by Chair and Vice Chair

- Presentation of Proposed Senate Budget

  Fiscal Research Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
May 24, 2001

The Senate Appropriations Subcommittee on Justice and Public Safety met on May 24, 2001 in room 415 LOB at 1PM. All Senate members were present. The following House members also attended: Rep. Philip Haire Rep. Wayne Goodwin
Rep. Larry Justus

Senator Luther Jordan chaired the meeting. The first item on the agenda was a presentation by Elyssa Wolper who spoke from a handout regarding the recommended Judicial budget. Handout attached titled *Judicial*. Ms. Wolper went through the 29 items under the judicial budget. Item 24 changed to reflect the $6 million to be collected. The court fees in item 25 will be paid to legal services directly. Senator Ballance noted that in item 27, a greater savings is recognized by establishing support positions rather than hiring attorneys.

Ms. Denise Thomas was next on the agenda. She spoke from the Justice portion of the same handout. Noted was item 32 which transfers ALE to the Department of Justice. Also noted is item 39, the elimination of the DARE program. Ms. Thomas continued her presentation through item 49 regarding juvenile justice programs. She noted that the intensive home visiting programs cost will be carried by the Dept. of Health and Human Services.

Mr. Jim Mills, staff continued through the Correction portion of the handout. Ms. Kelly Little, staff completed the Crime Control and Public Safety portion of the handout. Eliminating Crime Control and Public Safety will save $1.7 million the first year and $3.4 million in the 2nd year. Senator Ballance moved that the budget be adopted with item 102 (crime control and public safety) being an alternative. The motion carried unanimously.

Ms. Wolper distributed a handout titled *Special Provisions*. Ms. Wolper, Ms. Thomas and Mr. Mills, and Ms. Little went through the special provisions. Pages 5, 13, 44, 52, 66, 67 are new provisions. Line 30, sect b is new. Lines 10 – 15 on page 63 are new as are lines 16-23. Senator Rand suggests language to flow better on page 68 regarding the terminally ill and he suggests an addition of "who no longer poses a threat". There are currently 3500 prisoners eligible for parole under fair sentencing. Pages 69 and 70 are new provisions. Page 72 is also a new provision, it was suggested that it is reworded so that instead of "pecuniary loss" wrongful imprisonment is used (lines 16 and 33). Page 87 is a new provision.

Senator Ballance distributed a Draft Special Provision, also attached, titled Juvenile Justice Reserve Fund Established. Senator Ballance would like to see this fund directed towards C and D students to send them to school. Senator Jordan said provision should

be written to make sure that money goes directly to these at risk children. Sen. Bingham said he would like to participate in developing a program specifically for these youth.

Senator Ballance moved to accept the Special Provisions. The motion carried unanimously.

Senator Jordan adjourned the meeting at 3PM.

Senator Luther Jordan
Senate Chair

Gloria Haywood
Senate Committee Assistant

Senate Subcommittee on Justice and Public Safety

May 24, 2001
1 PM

Judicial

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$308,769,898**		**$308,769,898**	

Legislative Changes

1 Reduce Funding for Jury Fees Funding is reduced to reflect recent years' experience. This reduction was part of the Governor's recommended budget and leaves $3.8 Million available for 2001-2.	($370,000)	R	($370,000)	R
2 Eliminate Funds for Unemployment/Workers Comp Funding for unemployment and workers compensation payments is eliminated. Since payments are unpredictable most departments do not budget a specific amount. This reduction was included in the Governor's recommended budget.	($370,066)	R	($370,066)	R
3 Reduce Budgeted Funds for Temporary Services Budgeted funds for temporary personnel are eliminated. This reduction was included in the Governor's recommended budget.	($223,767)	R	($223,767)	R
4 Reduce Budgeted Funds for Administrative Contracts Budgeted funds for administrative contracts are reduced. This reduction was included in the Governor's recommended budget. This includes an $102,000 reduction in contractual funds for the Mecklenburg Speedy Drug Court as more of the operations of this program are now done with employees rather than by contract. Contractual funds are also reduced in administration, Superior Court, District Court, Clerks, District Attorneys, Custody Mediation, Arbitration, Sentencing Services and Drug Treatment Court.	($1,752,652)	R	($1,752,652)	R
5 Reduce Funding for Fringe Benefits Budgeted funds for FICA and Retirement are reduced based on reductions in other personnel items and projections for 2001-2002.This reduction was included in the Governor's recommended budget.	($880,751)	R	($880,751)	R
6 Budgeted Overtime Funding for budgeted overtime is eliminated, since the amount is unpredictable and usually covered with available funds. The Governor recommended a reduction of $42,236 and the subcommittee eliminated the remaining $20,428.	($62,664)	R	($62,664)	R

	FY 2001-02		FY 2002-03	
7 Reduced Facility Lease Expense Because of delays in renovating existing state offices, the projected increase in lease expenses for the Judicial Branch in the Governor's budget can be reduced. An increase of $314,082 remains to cover projected increases in existing leases, the cost of rent for the Business Court, and the annualized cost of new office space leased for Court of Appeals staff.	($182,951)	R	($181,701)	R
8 Reduction in Superior Court Judge Travel Funding is reduced for lodging and meal expenses for Superior Court Judge travel to conferences. Judge's may use their subsistence allowance to cover these expenses.	($103,000)	R	($103,000)	R
9 Judicial Branch Travel Reduction in the total travel budget for the Judicial Branch based on actual expenditures in prior years.	($200,000)	R	($200,000)	R
10 Recalculated Longevity Funding is reduced for longevity payments to court officials and staff based on a recalculation in April 2001.	($500,000)	R	($500,000)	R
11 Eliminate Funding for Blood Borne Pathogens Funding for blood borne pathogens (immunizations) is no longer required.	($16,068)	R	($16,068)	R
12 Eliminate Vacant Superior Court Judgeship Funding is eliminated for a Superior Court Judgeship in District #4B (Onslow County) that was authorized as of December 2000 but never filled.	($152,794) -1.00	R	($152,794) -1.00	
13 Eliminate Vacant DA Investigator A vacant District Attorney Investigator position in District #29 is eliminated. Not all District Attorneys have investigators and this position has been vacant since March 2000.	($47,525) -1.00	R	($47,525) -1.00	R
14 Eliminate Longstanding Vacancies A part-time Assistant Clerk position (Caswell) and a part-time Magistrate position (Johnston) are eliminated. They have been vacant since August 1999 and January 2000 respectively.	($28,152) -0.75	R	($28,152) -0.75	R
15 Eliminate Senior Deputy Director Position The vacant Senior Deputy Director Position at the Administrative Office of the Courts is eliminated. This leaves 6 Deputy Directors and 1 Assistant Director.	($103,900) -1.00	R	($103,900) -1.00	R
16 Increase Budgeted Receipts for Dispute Resolution The General Fund contribution to the Mediated Settlement Conference in Superior Court and the District Court Mediated Settlement programs are reduced to reflect increased fee collections and operating expenses that have been less than originally anticipated.	($70,251)	R	($70,251)	R

	FY 2001-02		FY 2002-03	
17 Budget Fees for Worthless Check Program Participants in the worthless check program pay a $50 fee which is collected in a non- reverting fund. These funds will be used to offset the expenses of the program, allowing a reduction in the General Fund contribution.	($500,000)	R	($500,000)	R
18 Reduce Funds for Court of Appeals Mediation This program, authorized in the 2000 budget, has not been implemented as of May 2001. Funding is reduced to reflect expectation of limited activity in the first years.	($20,000)	R	($20,000)	R
19 Staff Consolidation in Sentencing Services Two staff positions in central administration are eliminated in the Sentencing Services program. Reductions are effective October 1, 2001.	($85,354) -2.00	R	($113,805) -2.00	R
20 Reduction in Funding for Sentencing Services Funding for Sentencing Services grants/contracts with nonprofit providers are reduced by $100,000 based on the amount left unspent in prior years. $4,189,410 in funding for local programs remains.	($100,000)	R	($100,000)	R
21 Annualization of New Positions The recommended continuation budget did not cover the full-year costs of 42 new positions added during 2000-2001. This item provides funds to annualize all the personnel costs and half the operating costs.	$1,602,574	R	$1,902,574	R
22 Telephone and Data Lines for New Courthouses Funds are added to provide telephone and data lines to new courthouses expected to be completed during the biennium; five courthouses in 2001-2 and one in 2002-3. While county governments are responsible for the construction of court facilities, the Judicial Branch is responsible for providing these lines.	$475,000	NR	$125,000	NR
23 Membership in National DA's Association Funding is continued to allow all 39 District Attorneys to join the National District Attorney's Association. Nonrecurring funding was provided for this purpose in 1999-2000.	$15,000	R	$15,000	R
Total Legislative Changes	**($4,152,321)** **$475,000**	R NR	**($3,879,522)** **$125,000**	R NR
Total Position Changes	-5.75		-5.75	
Revised Budget	**$305,092,577**		**$305,015,376**	

Judicial - Indigent Defense

	GENERAL FUND			
	FY 2001-02		FY 2002-03	
Recommended Budget	$66,660,467		$66,660,467	
Legislative Changes				
24 Increase Budgeted Receipts General Fund budget is reduced to reflect a substantial increase in the amount collected through counselor fee judgments and set-off debt collection .	($750,000)	R	($750,000)	R
25 Reduce Funding to NC State Bar Funding to the NC State Bar is reduced by $1.66 Million. This is the portion that has gone to Legal Services of North Carolina. As of July 1, 2001, Legal Services will receive a portion of court fee collections instead (Special Provision AOC-S2).	($1,660,000)	R	($1,660,000)	R
26 Authorize Assistant Public Defender Positions The Office of Indigent Defense Services may establish up to 3 assistant public defender positions in lieu of using assigned counsel in statewide programs or areas with established Public Defenders. OIDS may use up to $238,884 in 2001-2 and $224,316 in 2002-3 from the indigent fund to establish these positions, at no additional cost to the General Fund.	$0 3.00	R	$0 3.00	R
27 Authorize PD Support Staff Positions The Office of Indigent Defense Services may establish up to 3 support positions (legal assistants, investigators, administrative assistants) in statewide programs or areas with established Public Defenders. OIDS may use up to $170,145 in 2001-2 and $154,923 in 2002-3 from the indigent fund to establish these positions, at no additional cost to the General Fund.	$0 3.00	R	$0 3.00	R
28 Annualization of New Positions The continuation budget did not cover the full-year costs of 5 new positions added during 2000-2001. This item provides funds to annualize the personnel costs and the operating costs.	$191,643	R	$191,643	R
29 Increase Funding for Indigent Defense The Governor's Budget recommends this funding increase to cover growing costs of indigent defense. This brings the total General Fund contribution to $46.2 Million. Projected expenses for 2001-2 are about $54 Million.	$5,565,313	R	$5,565,313	R

	FY 2001-02		FY 2002-03	
Total Legislative Changes	**$3,346,956**	R	**$3,346,956**	R
Total Position Changes	6.00		6.00	
Revised Budget	**$70,007,423**		**$70,007,423**	

Justice

	GENERAL FUND			
	FY 2001-02		FY 2002-03	
Recommended Budget	$76,471,632		$76,471,632	
Legislative Changes				
30 Decrease General Fund Appropriation The general fund appropriation is decreased to offset increased revenue/receipts.	($1,000,000)	R	($1,000,000)	R
31 Vehicle Replacement Reduce vehicle replacement funds by $922,018. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($922,018)	NR		
32 ALE Transfer With the elimination of the Department of Crime Control and Public Safety, Alcohol and Law Enforcement is transferred to the Department of Justice.			$7,839,632 132.00	R
33 LESS Transfer to Justice With the elimination of the Department of Crime Control and Public Safety, the Law Enforcement Support Services Program will be transferred to the Department of Justice.			$196,860 3.00	
34 Annualization of Position Costs Annualization costs of 8 Tort Claims and SBI Laboratory positions established during FY00-01. These costs were omitted from the Governor's Recommended Budget.	$155,424	R	$155,424	R
35 Funding for Traffic Law Enforcement Funds to implement SB 147 which requires the Department of Justice to collect and analyze race, ethnicity, and other data about traffic stops made by county and certain municipality local law enforcement officers.	$260,000	R	$260,000	R
36 Eliminate Vacant Positions The Governor's Budget recommends the elimination of 8 vacant positions. The Department of Justice submitted the following 9 positions: Media Technician I(3615-0000-0004-815) CJ Training Coordinator I (3615-0000-0004-603) Paralegal II (3612-0000-0000-185) Attorney I (3612-0000-0000-207) Attorney I (3612-0000-0000-254) Social Research Assoc II (3612-0000-0000-080) Office Asst IV (3613-0000-0003-115) Office Asst IV (3613-0000-0003-013) CJ Spec/Investigator III (3613-0000-0003-012)	($386,338) -9.00	R	($386,338) -9.00	R

	FY 2001-02		FY 2002-03	
37 Reduce Various Contracts and Expense Items The Governor's budget recommends reduced funding for various administrative line items related to personal and purchased services.	($529,925)	R	($529,925)	R
38 Eliminate the Office of the Inspector General Effective October 1, 2001, eliminate the Office of the Inspector General. The functions performed by this office duplicates those responsibilities carried out by the Department of Health and Human Services and county social services offices.	($375,000) -9.00	R	($500,000) -9.00	R
39 Eliminate D.A.R.E. Effective October 1, 2001, eliminate the Drug Abuse Resistance Education Program. National study results indicate that the D.A.R.E. Program is not effective.	($396,402) -11.00	R	($528,536) -11.00	R
Total Legislative Changes	**($2,272,241)** **($922,018)**	R NR	**$5,507,117**	R
Total Position Changes	-29.00		106.00	
Revised Budget	**$73,277,373**		**$81,978,749**	

Juvenile Justice & Delinquency Prevention

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$147,706,045**		**$149,456,045**	
Legislative Changes				
40 Management Information System Support Annualization of costs related to M.I.S. positions and recurring J-NET communications cost established during Fiscal Year 2000-01. These costs were omitted from the Governor's Recommended Budget.	$1,352,545	R	$1,352,545	R
Administrative Services				
41 Eliminate Vacant Position Effective July 1, 2001, eliminate vacant central office Program Coordinator position (#00119), which has been vacant since January 1, 2000.	($48,031) -1.00	R	($48,031) -1.00	R
42 Reduce Vehicle Replacement Funds Funding for vehicle replacement is reduced by $251,280. This is the net amount after adjusting for decreased receipts from the sale/trade-in value of existing vehicles.	($251,280)	NR		
Intervention/Prevention				
43 JCPC Discretionary Funds Eliminate discretionary JCPC funds. This will not reduce the amount of formula grant funding provided to counties.	($1,800,000)	R	($1,800,000)	R
44 Eliminate Vacant Positions Effective July 1, 2001, eliminate vacant administrative secretary and processing assistant positions.	($66,000) -2.00	R	($66,000) -2.00	R
Special Initiatives				
45 Teen Courts Reduce FY2001-02 funds appropriated to DJJDP for Teen Court Programs by half. In FY2002-03, eliminate all appropriations to DJJDP for Teen Court Programs. Currently 18 specified county teen court programs receive these funds. Should these programs wish to continue operating at their current budgeted level, they should seek replacement funds from their county JCPCs or other sources.	($244,330)	R	($488,660)	R
46 Multipurpose Group Home Eliminate operating funds budgeted for the multipurpose group home which has not been constructed.	($500,000)	R	($500,000)	R

	FY 2001-02		FY 2002-03	
47 Boys and Girls Clubs Reduce budget by the amount of funds targeted for the 3 eligible but non-participating counties originally specified for this initiative (Chowan, Columbus, & Martin).	($100,000)	R	($100,000)	R
48 Camp Woodson East Reduce the operating funds for Camp Woodson East due to delayed opening date of October 1, 2001.	($155,000)	NR		
49 Eliminate G.R.A.S.P. Contract Effective October 1, 2001, eliminate contract funds budgeted for the Guard Response Alternative Sentencing Program. Program referrals and enrollments are significantly below capacity.	($253,000)	R	($338,000)	R
Youth Development				
50 Reduce Behavioral Specialists Positions As recommended by the Training School Staffing Study, eliminate 30 Behavioral Specialists positions by the following dates: Eliminate 11 positions effective July 1, 2001 Eliminate 9 positions effective October 1, 2001 Eliminate 10 positions effective April 1, 2002	($679,951) -30.00	R	($1,058,688) -30.00	R
51 Close Wilkes Detention Facility The Governor's Recommended Budget would close the Wilkes Detention Center because it is not cost- effective to operate. Staff and juveniles will be relocated to the new Alexander Detention Center.	($413,465) -18.00	R	($413,465) -18.00	R
52 Pilot Multifunctional Facility The Governor's Budget recommends elimination of funds to contract for a privately constructed and operated residential facility for juvenile offenders. Only one bid was received. The bid was over the amount budgeted and the proposed budget was not cost-effective according to DJJDP.	($2,500,000)	R	($2,500,000)	R
53 Eliminate Vacant Positions at Training Schools Effective July 1, 2001, eliminate 19 vacant positions at various training schools (youth development centers): 14 Counselor Technicians 4 Cottage Parents 1 Cottage Parent Supervisor These classifications maintain a high vacancy rate and the 19 positions are unlikely to be filled.	($560,160) -19.00	R	($560,160) -19.00	R
54 Increase Detention Center Receipts Reduce the General Fund appropriation to offset increased Detention Center receipts.	($350,000)	R	($350,000)	R
55 Eliminate Vacant Teaching Positions Effective July 1, 2001, eliminate 2 vacant teacher positions: one at Samarkand (vacant since Dec. 99) and one at Dillon (vacant since January 2000).	($88,467) -2.00	R	($88,467) -2.00	R

	FY 2001-02		FY 2002-03	
56 Police Department - JEC	($417,411)	R	($417,411)	R
DJJDP operates a police unit for the Juvenile Evaluation Center Training School and for surrounding DHHS facilities. The Governor's Recommended Budget eliminates the portion of the police force that serves the JEC, thus reducing the budget by $224,157 and 6.0 positions. The premise for this reduction is that with the installation of a high security fence and reallocation of current staff, a police force is no longer needed at JEC. The Governor's Budget also recommends that the remaining budget and positions be transferred to the Department of Health and Human Services. However, the remaining budget and positions shall be eliminated for a total reduction of $417,411 and 11.0 positions.	-11.00		-11.00	
Total Legislative Changes	**($6,668,270)**	**R**	**($7,376,337)**	**R**
	($406,280)	**NR**		
Total Position Changes	-83.00		-83.00	
Revised Budget	**$140,631,495**		**$142,079,708**	

Correction

	GENERAL FUND			
	FY 2001-02		FY 2002-03	
Recommended Budget	$931,350,075		$931,350,075	

Legislative Changes

57 Convert Scotland Correctional Center The Governor recommended closing Scotland Correctional Center. Instead, Scotland shall be converted to an inmate work release unit effective October 1, 2001. The reduction shown in the first year is the net amount after subtracting the cost of purchasing two vans to transport up to 30 work release inmates and adding two transportation officers and a work release coordinator. The reduction is possible because fewer staff are needed to supervise Level III minimum custody inmates.	($28,612) -3.00	R	($90,192) -3.00	R
58 Close IMPACT-West The IMPACT (Boot Camp) program for probationers located in Morganton will be closed September 1, 2001. The program has not been effective in reducing recidivism and probation revocation and the program for women has had few participants. This leaves an 180 bed program for men at Hoffman.	($2,380,133) -71.00	R	($2,843,995) -71.00	R
59 Close Blue Ridge Correctional Center Blue Ridge Correctional Center is a minimum custody facility for young adult inmates (ages 18 to 24). The unit was established primarily as one of two operating centers for the BRIDGE program. BRIDGE is a cooperative effort with DOC and DENR to train youthful offenders in wildfire fighting and conservation projects. The BRIDGE program also exists at Western Youth Center. The BRIDGE inmates and staff will be transferred to Western and the remaining positions will be reduced, effective August 1. Cost to operate the facility was $91 a day in 1999-2000.	($1,046,577) -30.00	R	($1,125,022) -30.00	R
60 Medical Transportation Officers This reduction in the number of correctional officers that transport inmates is possible because DOC has reduced medical contracts and hired more in-house doctors, thus reducing travel for medical purposes.	($263,249) -11.00	R	($315,843) -11.00	R
61 Reduce funding for MIS contractual Services DOC has reorganized MIS staff to improve efficiency and re-prioritize projects to allow this reduction, as recommended in the Governor's Budget.	($200,000)	R	($200,000)	R

	FY 2001-02		FY 2002-03	
62 Close Alamance Correctional Center	($879,887)	R	($952,882)	R
Alamance currently operates as a minimum custody work release unit. The Governor recommended closing this prison consistent with the GPAC recommendations. Cost per day and the declining need for minimum custody beds was also considered. Alamance's cost per day in 1999-2000 was $66.89 compared to $52.52 for the average minimum custody unit. The Subcommittee also reduced the remaining funds in the Alamance inmate budget by 50 per cent. The prison would close August 1, 2001.	-27.00		-27.00	
63 Reduce Office and Data Processing Equipment	($400,000)	R	($400,000)	R
Reduce funding in the office equipment ($200,000) and data processing equipment ($200,000) line items as recommended in the Governor's Budget.				
64 Reduce Inmate Food Budget	($4,197,549)	R	($4,197,549)	R
The Governor recommended a reduction of $2,197,549 each year based on the improved efficiency of inmate food service and a resulting decrease in expenditures. It is anticipated that DOC will be able to decrease expenditures further compared to the recommended budget for each year. The food budget shall be reduced by an additional $2 million for a total of $4,197,549.				
65 Reduce Funding for Vehicle Replacement	($396,000)	R	($396,000)	
The Governor's Recommended Budget reduced this item by $396,000 on a recurring basis. The total non-recurring reduction shall be $1,430,062. This reduction basically limits vehicle replacement to only the highest priority purchases in FY 2001-02.	($1,430,062)	NR		
66 Inmate Disciplinary Fees	($220,000)	R	($220,000)	R
Adjust inmate disciplinary fees to reflect projected collections and reduce General Fund. The Governor's Budget recommended a $120,000 reduction in the General Fund. The reduction shall be $220,000, based on the latest collection figures.				
67 Reduce Program Staffing in Prisons	($308,381)	R	($411,174)	R
The current program staffing ratio is one staff person for every 52 inmates. This reduction would increase the ratio to approximately one person for 56 inmates by 2002-03. The reduction of 14 positions is to be carried out system-wide from among the 606 program positions. Positions to be eliminated are:	-14.00		-14.00	
Program Director (1) Program Assistant Supervisors (5) Program Assistant II's (4) Program Assistant I's (4)				

	FY 2001-02		FY 2002-03	
68 DOC Management Budget The non-salary line item budget for DOC management was reduced on a non-recurring basis in 1999-2000 and restored in the Governor's Recommended Budget. This budget makes the reduction recurring	($300,000)	R	($300,000)	R
69 Reduce Travel Budget Reductions will be taken in the travel, meals and lodging line items for the Division of Prisons and the Division of Community Corrections, as recommended in the Governor's budget. The Subcommittee makes the cut recurring.	($260,000)	R	($260,000)	R
70 Inmate Road Squad Payments DOT reimburses DOC for the cost of operating inmate road squads. DOT shall reimburse DOC for the same amount directed in HB 168, Section 27.21, for the last biennium - - $7 million. An increase of $1.5 million over the amount DOC has budgeted for 2001-02 and 2002-03 will equal $7 million and allow a reduction in the General Fund. DOT shall also transfer a one-time payment in 2001-02 for road squad activity carried out in this fiscal year (2000-01). DOT has not reimbursed DOC for the full $7 million amount directed in HB 168 so it is directed that this payment be made in 2001-02.	($1,500,000) ($1,811,628)	R NR	($1,500,000)	R
71 Increase Work Release Fee Increase the fee charged to inmates for work release by $1, from $15 a day to $16. This allows a reduction in the General Fund.	($307,000)	R	($307,000)	R
72 Increase Work Release Transportation Fee Work release inmates pay a fee to DOC for transportation to their jobs. Increase this fee from $2 to $2.50 to allow for a General Fund reduction.	($33,500)	R	($33,500)	R
73 Reception and Diagnostic Centers Based on overstaffing compared to workload guidelines, eight positions shall be eliminated. Positions to be eliminated are: 2 Case Analysts 3 Processing Assts. 1 Admissions Tech 1 Supervisor 1 Behavioral Specialist	($170,651) -8.00	R	($213,314) -8.00	R
74 Annualize Medical Positions The Governor's 1999 budget inadvertently left out annualization of DOC medical positions funded in 1997. This amount annualizes those positions, which are already established.	$949,977	R	$949,977	R
75 Open New Dorm and Kitchen at Women's Prison A new 208 bed dorm and kitchen are due to open September 1, 2001. The Governor's Recommended Budget did not provide funding to operate these buildings	$1,036,418 41.00	R	$1,381,252 41.00	R

	FY 2001-02		FY 2002-03	
76 Open New Central Prison Diagnostic Unit	$1,875,760	R	$2,785,545	R
A new 192 bed prison and diagnostic center building is due to open August 1, 2001. The funding, which was not included in the Governor's Recommended Budget, is to operate the new building.	79.00		79.00	
77 Staffing Warrenton Segregation Building	$700,000	R	$700,000	R
This unit was converted from medium custody to high level segregation but funds for additional staff were not recommended in the Governor's budget. This budget partially funds the amount requested by DOC.	24.00		24.00	
78 Operating Funds for Fountain Correctional Center	$477,631	R	$477,631	R
DOC constructed a new segregation unit at Fountain and a new Central Control room, both due to open in May, 2001. This item funds operating costs for these buildings, which were not included in the Governor's budget, effective July 1, 2001.	16.00		16.00	
79 Contract with Prisoner Legal Services	$265,787	R	$265,787	R
Funding is provided for an increase in the contract between DOC and PLS for PLS to provide legal services to inmates. The increase was previously negotiated and agreed upon by both parties.				
80 Funding to Operate two Former Private Prisons	$3,000,000	R	$3,000,000	R
DOC is now operating Pamlico and Mt. View as State prisons. The prisons were formerly run by a private contractor for DOC. The amount funded is to cover increased DOC operating costs. DOC is already operating these prisons.				
81 Convert Prison to Close Custody – Mt View	$894,676	R	$1,929,569	R
Convert Mountain View Prison, a single cell medium custody prison to a close custody prison, effective January 1, 2002	$152,850	NR		
	61.00		61.00	
82 Convert Prison to Close Custody - - Pamlico	$0	R	$1,734,339	R
Convert Pamlico, a single cell medium custody prison, to a close custody prison, effective August 2002.			$141,396	NR
			61.00	
83 Reentry Program				
Continue funding for one more year for program designed to provide inmates with skills needed to function in the community upon release. Training is part of program operated by UNC Chapel Hill.	$130,000	NR		
84 ECO Family Counseling Program				
Continue funding for program funded in 2000-01 to provide counseling and services for families of inmates. Program is operated by a non-profit organization, Energy for Committed Offenders, Inc.	$60,000	NR		

	FY 2001-02		FY 2002-03	
Alcoholism and Chemical Dependency Programs				
85 Reduce Personal Services Contract The department provides seed money to contract with community service providers of substance abuse services for DART-Cherry community aftercare. The State provides substance abuse services through 39 Area Mental Health Programs. To avoid duplication of services, this cut would eliminate personal services contracts. This is a Governor's recommendation.	($225,000)	R	($225,000)	R
86 Reduce Substance Abuse Aftercare The department provides in-house, substance abuse residential services to inmates. Aftercare services are provided through contracts with private providers to inmates who return to the general population. This would eliminate aftercare service contracts with private providers. This is a Governor's recommendation.	($105,000)	R	($105,000)	R
87 Community Substance Abuse The General Assembly appropriated $100,000 NR for FY 2001 to fund a community program in Northhampton County that works with substance abuse offenders. This item is to continue that funding on a non-recurring basis.	$100,000	NR		
88 Terminate Substance Abuse Contracts Eliminate State contracts with Cornell($1,185,700) and Right Turn ($1,820,477. These substance abuse services can be delivered using existing services and resources now available in the department. This is a Governor's recommendation.	($3,006,177)	R	($3,006,177)	R
Division of Community Corrections				
89 CSWP Budget Reduction and Program Transfer With the elimination of the Department of Crime Control and Public Safety, the Community Service Work Program will be transferred to the Department of Correction, to be merged with Division of Community Corrections. The merger will be complete by June 30, 2002.			$6,268,513 173.00	R
90 Reduce Various DCC Budget Line Items Reduce Division of Community Corrections Administration travel budget by $6,000; Reduce office and data processing equipment by $60,000; reduce cell phone expenditures by $41,750.	($107,750)	R	($107,750)	R
91 Reduce Appropriation to Summit House Inc. The General Assembly will reduce the annual appropriation to Summit House Inc. by 10%.This reduction shall not result in a reduction to individual sites, but to the Summit House Inc. State Office.	($139,650)	R	($139,650)	R

	FY 2001-02		FY 2002-03	
92 Criminal Justice Partnership Program The Criminal Justice Partnership Program awards grants to participating counties to fund local community corrections programs. The Department of Correction will limit CJPP implementation funding to the counties currently participating in the program, allowing for a reduction of $270,000. An additional $1 million will be eliminated to reduce budget to reflect current spending trends. This is a Governor's recommendation.	($1,270,000)	R	($1,270,000)	R
Post Release Supervision and Parole Commission				
93 Abolish Vacant Parole Commission Positions With the passage of the Structured Sentencing Act, the number of parolees has declined. Therefore, the Parole Commission staff will be reduced by eliminating two vacant positions. This is a Governor's recommendation.	($78,000) -2.00	R	($78,000) -2.00	R
Total Legislative Changes	**($8,622,867)** **($2,798,840)**	R NR	**$794,565** **$141,396**	R NR
Total Position Changes	55.00		289.00	
Revised Budget	**$919,928,368**		**$932,286,036**	

Crime Control and Public Safety

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$37,554,148**		**$37,554,148**	

Legislative Changes

94 Reduce Travel Budget ($62,000) NR

The Department will reduce the travel budget department wide by 10%.

Administration

95 Eliminate CCPS Administration ($2,214,076) R

-41.00

Eliminate 33 positions in Administration by eliminating the Department of Crime Control and Public Safety. Three vacant positions will be eliminated June 30, 2001; thirty (30) additional positions will be eliminated by June 30, 2002.Reduction includes salaries and operating funds.

Transfer remaining eleven positions to the Department of Administration on July 1, 2002.

General Fund Budget $2,369,291
Budget Reductions ($1,976,313)
Net Transfer $ 392,978

96 Eliminate Vacant Positions in CCPS Administration ($155,215) R ($155,215) R

-3.00 -3.00

Three vacant positions in the Administration Division will be eliminated June 30, 2001.

97 Eliminate Boxing Commission ($217,174) R ($217,174) R

-3.00 -3.00

The Boxing Commission shall cease to exist June 30, ~~2002~~ 2001.

98 Law Enforcement Support Services Program Transfer ($220,631) R

-4.00

With the elimination of the Department of Crime Control and Public Safety, the Law Enforcement Support Services program will be transferred to the Department of Justice on July 1, 2002.One clerical support position will be eliminated by June 30, 2002.

Alcohol and Law Enforcement

99 Eliminate District Supervisor Positions ($266,928) R

-4.00

ALE shall eliminate 4 additional district supervisor positions by June 30, 2002.

	FY 2001-02		FY 2002-03	
100 Reduce Vehicle Replacement Line Item				
There will be a non-recurring cut to the vehicle replacement line item.	($433,188)	NR		
101 Eliminate Vacant ALE Positions	($78,210)	R	($78,210)	R
ALE's budget will be reduced by eliminating one vacant office assistant position and one district supervisor position.	-2.00		-2.00	
102 ALE Budget Reductions and Program Transfer			($7,805,212)	R
With the elimination of the Department of Crime Control and Public Safety, Alcohol and Law Enforcement will be transferred to the Department of Justice. ALE's budget will be reduced by eliminating two vacant positions on July 1, 2001 and by eliminating four district supervisors by June 30, 2002.			-132.00	

General Fund Budget	$8,150,350
Budget Reduction FY 02	($ 78,210)
Budget Reduction FY 03	($ 266,928)
Net Transfer	$7,805,212

Butner Public Safety

103 Reduce Vehicle Replacement Line Item				
There will be a one time reduction in the vehicle replacement line item for Butner Public Safety.	($101,500)	NR		
104 BPS Budget Program Transfer			($2,683,264)	R
With the elimination of the Department of Crime Control and Public Safety, Butner Public Safety will be transferred to the Department of Health and Human Services on July 1, 2002.			-49.00	

Civil Air Patrol

105 Civil Air Patrol Program Transfer			($157,349)	R
With the elimination of the Department of Crime Control and Public Safety, the Civil Air Patrol would transfer to the Department of Administration. This transfer is effective July 1, 2002.			-2.00	

Emergency Management

106 Transfer Mapping Division to Emerg. Mgt.	$93,941	R	$93,941	R
The Administrator for Surveying and Mapping will transfer to the Division of Emergency Management. The responsibilities and staff of the Flood Plan Mapping Unit within Surveying and Mapping will also transfer to Emergency Management. The receipt supported budget is $18,473,555 and the General Fund Budget, which pays the administrator's salary, is $93,941.	9.00		9.00	
107 Eliminate Vacant Emergency Management Positions	($125,106)	R	($125,106)	R
Eliminate three (3) vacant positions in Emergency Management on June 30, 2001.	-3.00		-3.00	

	FY 2001-02		FY 2002-03	
108 Reduce Misc. Contractual Services This item removes money from the Continuation Budget that was intended to fund a study on flood mapping. That study has been completed and the funds no longer need to be budgeted.	($105,000)	R	($105,000)	R
109 Reduce Matching Funds Funds have been over budgeted for the State match for federal grants. This item reduced the funding to the actual required amount.	($125,000)	R	($125,000)	R
110 Emergency Management Program Transfer With the elimination of the Department of Crime Control and Public Safety, the Division of Emergency Management will transfer to the Department of Administration on July 1, 2002.			($2,941,497) -150.00	R

General Fund Budget $3,202,662
Transfer from OSBM $ 93,941
Budget Reductions ($ 355,106)
Net Transfer $2,941,497

Governor's Crime Commission

111 Transfer Governor's Crime Commission With the elimination of the Department of Crime Control and Public Safety, the Governor's Crime Commission will be transferred to the Department of Administration and one clerical position will be eliminated. The transfer will be effective July 1,2002.			($1,383,829) -41.50	R

National Guard

112 Increase State Match Tarheel Challenge The federal match requirement for Tarheel Challenge Program, administered by the NC National Guard, will increase by 5% in FY 2002. The program will be funded on a 60% federal to 40% state match basis beginning FY 2002.	$140,000	R	$140,000	R
113 Reduce National Guard Pension Fund Payments The budget will be reduced by $1,002,776 to adjust pension payments to reflect actuarial recommendations. $470,635 of this total was in the Governor's recommendations.	($1,002,776)	R	($1,002,776)	R
114 National Guard Program Transfer As the Department of Crime Control and Public Safety will be eliminated, the North Carolina National Guard will be transferred to the Department of Administration, effective July 1, 2002.			($8,718,726) -106.00	R

General Fund Budget $9,581,502
Program Expansion $ 140,000
Budget Reduction ($1,002,776)
Net Transfer $8,250,867

	FY 2001-02		FY 2002-03	
State Highway Patrol				
115 Transfer State Highway Patrol			$0	R
With the elimination of the Department of Crime Control and Public Safety, the Division of State Highway Patrol will be transferred to the Department of Transportation. This transfer will take place July 1,2002. As the SHP budget is completely funded by the Highway Fund, which is administered by the Department of Transportation, the item shows here as $0 because it does not affect the General Fund.			0.00	
Budget FY 2002- Highway Fund $138,661,719 Budget FY 2003- Highway Fund $140,977,007 1860 positions will transfer				
Victims and Justice Services				
116 Eliminate Vacant CSWP Supervisors	($82,776)	R	($82,776)	R
The Community Service Work Program budget will be reduced on July 1, 2001 by eliminating two vacant District Supervisor positions.	-2.00		-2.00	
117 CSWP Budget Reduction and Program Transfer			($7,376,709)	R
With the elimination of the Department of Crime Control and Public Safety, the Community Service Work Program will be transferred to the Department of Corrections to be merged with the Division of Community Corrections. The merger will be complete by July 1, 2002. The CSWP budget will be reduced on July 1, 2001 by eliminating two vacant District Supervisor positions. Twenty-seven additional positions will be eliminated by June 30, 2002.			-200.00	
General Fund Budget $7,459,485 Budget Reduction FY 02 ($ 82,776) Budget Reduction FY 03 ($1,108,196) Net Transfer $6,268,513				
118 Transfer CVCF and RVAF			($2,128,611)	R
With the elimination of the Department of Crime Control and Public Safety, the Crime Victims Compensation Fund and the Rape Victims Assistance Fund programs will be transferred to the Department of Administration on July 1, 2002.			-10.00	
Total Legislative Changes	**($1,657,316)**	R	**($37,554,148)**	R
	($596,688)	NR		
Total Position Changes	-4.00		-743.50	
Revised Budget	**$35,300,144**		**$0**	

Total Legislative Changes	**($95,479,458)**	**R**	**($91,025,591)**	**R**
	$64,784,108	**NR**	**$0**	**NR**
Total Position Changes	585.50		645.50	
Revised Budget	**$5,893,107,574**		**$5,930,005,558**	

UNC System

GENERAL FUND

	FY 2001-02		FY 2002-03	
Recommended Budget	**$1,804,923,800**		**$1,812,208,855**	
Legislative Changes				
Campus Reductions				
43 Temporary Wages and Membership Dues Reduce the funding for temporary wages and membership dues at the 16 UNC constituent institutions.	($2,500,000)	R	($2,500,000)	R
44 Community Services/General Academic Support Reduce amount appropriated for Community Services/General Academic Support for the 16 constituent institutions.	($1,500,000)	R	($1,500,000)	R
45 Reduction in SPA Positions A 2% reduction in SPA positions at the 16 constituent institutions, with the exception of NC A&T's and NCSU's Cooperative Extension programs.	($9,218,866) -256.00	R	($9,218,866) -256.00	R
46 Reductions in EPA Non-Teaching Staff Positions A 2% reduction is made in EPA Non-Teaching staff positions for the 16 constituent institutions, except for NC A&T's and NCSU's Cooperative Extension programs.	($4,473,710) -68.00	R	($4,473,710) -68.00	R
47 Reductions in Various Modified Zero Based Budget Items An average 5% reduction is made in the budgets of the 16 constituent institutions for the following modified zero based budget items: Miscellaneous Contractual Services, Rental/Lease of equipment, Travel, Cellular phones, Furniture and Equipment, and Other aids and grants.	($5,726,311)	R	($5,726,311)	R
UNC General Administration				
48 Reduce EDP Equipment Reduce Electronic Data Processing equipment infrastructure replacement efforts at UNC-GA	($80,000)	R	($80,000)	R
49 Miscellaneous contractual service and other aids and grants reduction Reduce these line items in UNC-GA by 10%.	($535,732)	R	($535,732)	R
50 Rental/Lease of Equipment Reduction Reduce line item for UNC-GA by 10%	($13,363)	R	($13,363)	R
51 Travel Reduction Reduce travel line item in UNC-GA by 10%.	($91,957)	R	($91,957)	R

GENERAL ASSEMBLY OF NORTH CAROLINA

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JUDICIAL DEPARTMENT

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-S1

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

TRANSFER OF EQUIPMENT AND SUPPLY FUNDS.

SECTION #. Funds appropriated to the Judicial Department in the 2001-2003 biennium for equipment and supplies shall be certified in a reserve account. The Administrative Office of the Court may transfer these funds to the appropriate programs and between programs as the equipment priorities and supply consumptions occur during the operating year. These funds shall not be expended for any other purpose.

DRAFT
SPECIAL PROVISION

2001-AOC-S4

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REPORT ON COMMUNITY MEDIATION CENTERS

SECTION #. Article 5 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-38.6. Report on community mediation centers.**

(a) All community mediation centers currently receiving State funds shall report annually to the Mediation Network of North Carolina on the program's funding and activities, including:

(1) Types of dispute settlement services provided;

(2) Clients receiving each type of dispute settlement service;

(3) Number and type of referrals received, cases actually mediated, cases resolved in mediation, and total clients served in the cases mediated;

(4) Total program funding and funding sources;

(5) Itemization of the use of funds, including operating expenses and personnel;

(6) Itemization of the use of State funds appropriated to the center;

(7) Level of volunteer activity; and

(8) Identification of future service demands and budget requirements.

The Mediation Network of North Carolina shall compile and summarize the information provided pursuant to this subsection and shall provide the information 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 by February 1 of each year.

(b) A community mediation center requesting State funds for the first time shall provide the General Assembly with the information enumerated in subsection (a) of this section, or projections where historical data are not available, as well as a detailed statement justifying the need for State funding.

(c) Each community mediation center receiving State funds for the first time shall document in the information provided pursuant to this section that, after the second year of receiving State funds, at least ten percent (10%) of total funding comes from non-State sources.

(d) Each community mediation center receiving State funds for the third, fourth, or fifth year shall document that at least twenty percent (20%) of total funding comes from non-State sources.

(e) Each community mediation center receiving State funds for six or more years shall document that at least fifty percent (50%) of total funding comes from non-State sources.

(f) Each community mediation center currently receiving State funds that has achieved a funding level from non-State sources greater than that provided for that center by subsection (c), (d), or (e) of this section shall make a good faith effort to maintain that level of funding.

(g) The percentage that State funds comprise of the total funding of each community mediation center shall be determined at the conclusion of each fiscal year with the information provided pursuant to this section and is intended as a funding ratio and not a matching funds requirement. Community mediation centers may include the market value of donated office space, utilities, and professional legal and accounting services in determining total funding.

(h) A community mediation center having difficulty meeting the funding ratio provided for that center by subsection (c), (d), or (e) of this section may request a waiver or special consideration through the Mediation Network of North Carolina for consideration by the Senate and House Appropriations Subcommittees on Justice and Public Safety.

(i) The provisions of G.S. 143-31.4 do not apply to community mediation centers receiving State funds."

DRAFT
SPECIAL PROVISION

2001-AOC-S11

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

SENTENCING SERVICES REPORT.

SECTION #. The Judicial Department shall report 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 by April 1, 2002 on the effectiveness of the Sentencing Services Program under structured sentencing and the criminal case docketing system. The report shall include:

(1) Data on the number of plans prepared, the recommendations included in those plans, the actual sentences imposed in those cases, and an analysis of the extent to which plans are accepted or rejected by judges;

(2) Data on the number of plans initiated but not presented to the court, including the reason the plan was not completed or presented; and

(3) The results of a survey on the impact of sentencing plans on judicial decisions, to be conducted by the Research, Planning, and Budget Development Section of the Judicial Department or another entity separate from the Sentencing Services program. The survey shall include superior court judges, district attorneys, public defenders, and defense attorneys.

DRAFT
SPECIAL PROVISION

2001-AOC-S13

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

ELIMINATE VACANT SUPERIOR COURT JUDGESHIP IN DISTRICT 4B.

The General Assembly of North Carolina enacts:

SECTION #. G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	2
Second	4A	Duplin, Jones, Sampson	1
Second	4B	Onslow	~~2~~ 1
Second	5	New Hanover, Pender	3
First	6A	Halifax	1
First	6B	Bertie, Hertford, Northampton	1
First	7A	Nash	1
First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
First	7C	(part of Wilson,	1

			part of Edgecombe,	
			see subsection (b))	
	Second	8A	Lenoir and Greene	1
	Second	8B	Wayne	1
	Third	9	Franklin, Granville,	2
			Vance, Warren	
	Third	9A	Person, Caswell	1
	Third	10A	(part of Wake,	2
			see subsection (b))	
	Third	10B	(part of Wake,	2
			see subsection (b))	
	Third	10C	(part of Wake,	1
			see subsection (b))	
	Third	10D	(part of Wake,	1
			see subsection (b))	
	Fourth	11A	Harnett,	1
			Lee	
	Fourth	11B	Johnston	1
	Fourth	12A	(part of Cumberland,	1
			see subsection (b))	
	Fourth	12B	(part of Cumberland,	1
			see subsection (b))	
	Fourth	12C	(part of Cumberland,	2
			see subsection (b))	
	Fourth	13	Bladen, Brunswick,	2
			Columbus	
	Third	14A	(part of Durham,	1
			see subsection (b))	
	Third	14B	(part of Durham,	3
			see subsection (b))	
	Third	15A	Alamance	2
	Third	15B	Orange, Chatham	1
	Fourth	16A	Scotland, Hoke	1
	Fourth	16B	Robeson	2
	Fifth	17A	Rockingham	2
	Fifth	17B	Stokes, Surry	2
	Fifth	18A	(part of Guilford,	1
			see subsection (b))	
	Fifth	18B	(part of Guilford,	1
			see subsection (b))	
	Fifth	18C	(part of Guilford,	1
			see subsection (b))	
	Fifth	18D	(part of Guilford,	1
			see subsection (b))	
	Fifth	18E	(part of Guilford,	1
			see subsection (b))	

Sixth	19A	Cabarrus	1	
Fifth	19B1	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1	
Fifth	19B2	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1	
Sixth	19C	Rowan	1	
Sixth	20A	Anson, Richmond	1	
Sixth	20B	Stanly, Union	2	
Fifth	21A	(part of Forsyth, see subsection (b))	1	
Fifth	21B	(part of Forsyth, see subsection (b))	1	
Fifth	21C	(part of Forsyth, see subsection (b))	1	
Fifth	21D	(part of Forsyth, see subsection (b))	1	
Sixth	22	Alexander, Davidson, Davie, Iredell	3	
Fifth	23	Alleghany, Ashe, Wilkes, Yadkin	1	
Eighth	24	Avery, Madison, Mitchell, Watauga, Yancey	1	
Seventh	25A	Burke, Caldwell	2	
Seventh	25B	Catawba	2	
Seventh	26A	(part of Mecklenburg, see subsection (b))	2	
Seventh	26B	(part of Mecklenburg, see subsection (b))	2	
Seventh	26C	(part of Mecklenburg, see subsection (b))	2	
Seventh	27A	Gaston	2	
Seventh	27B	Cleveland, Lincoln	2	
Eighth	28	Buncombe	2	
Eighth	29	Henderson, McDowell, Polk, Rutherford, Transylvania	2	
Eighth	30A	Cherokee, Clay, Graham, Macon, Swain	1	

1	Eighth	30B	Haywood, Jackson	1."

DRAFT
SPECIAL PROVISION

2001-AOC-S17

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

BUSINESS COURT.

SECTION The Administrative Office of the Courts shall report 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 by April 1 of each year on the activities of the North Carolina Business Court, including the number of cases heard by the court and the number of court sessions held outside of Superior Court District 18.

DRAFT
SPECIAL PROVISION

2001-AOC-S18

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

ELIMINATE UNNECESSARY OR OBSOLETE REPORTS.

SECTION #.(a) G.S. 7A-348 reads as rewritten:

"§ 7A-348. Training and supervision of assistants for administrative and victim and witness services.

Pursuant to the provisions of G.S. 7A-413, the Conference of District Attorneys shall:

(1) Assist in establishing uniform statewide training for assistants for administrative and victim and witness services; and

(2) Assist in the implementation and supervision of this ~~program; and~~ program.

~~(3) With the Director of the Administrative Office of the Courts, report annually to the Joint Legislative Commission on Governmental Operations on the implementation and effectiveness of this act, beginning on or before February 1, 1987.~~"

SECTION #.(b) G.S. 143-170.4 reads as rewritten:

"§ 143-170.4. Administrative Office of the Courts; publications procedures manual; reports.

Not later than June 1, 1990, the Administrative Office of the Courts, after review of the Department of Administration's state publications procedures guidelines and after consultation with the State Librarian and State Auditor, shall adopt (i) a publications procedures manual for public documents, other than the official reports of the North Carolina Supreme Court and the North Carolina Court of Appeals and official forms published by the Administrative Office of the Courts pursuant to G.S. 7A-343, that addresses the elements of publication production described in G.S. 143-170.2 and (ii) an administrative review and approval process to ensure appropriate review and approval of its public documents. The initial guidelines and the administrative review and approval process shall be reported to the Joint Legislative Commission on Governmental Operations by ~~January 1, 1991, and revisions thereto shall be reported to the Joint Legislative Commission on Governmental Operations within six months of adoption.~~ January 1, 1991."

SECTION #.(c) G.S. 143-589 reads as rewritten:

"§ 143-589. Legislative and judicial branch safety and health programs.

The Legislative Services Commission and the Administrative Office of the Courts are authorized to separately establish safety and health programs for their employees. ~~The Administrative Office of the Courts shall report annually to the Joint Legislative~~

~~Commission on Governmental Operations on its safety and health activities with respect to its program.~~"

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-S19

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

COLLECTION OF WORTHLESS CHECKS FUND.

SECTION #. Notwithstanding the provisions of G.S. 7A-308(c), the Judicial Department may use any balance remaining in the Collection of Worthless Checks Fund on June 30, 2001 for the purchase of office or information technology equipment during the 2001-2002 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the Joint Legislative Commission on Governmental Operations and the Chairs of the Senate and House Appropriations Subcommittees on Information Technology on the equipment to be purchased and the reasons for the purchases.

DRAFT
SPECIAL PROVISION

2001-AOC-S22

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

AUTHORIZE FAMILY DRUG TREATMENT COURT TO SERVE ADDICTED PARENTS OF ABUSED AND NEGLECTED CHILDREN AND TO SERVE SUBSTANCE-ABUSING JUVENILE OFFENDERS WHO COME UNDER THE COURTS JURISDICTION

The General Assembly of North Carolina enacts:

SECTION #.(a) G.S. 7A-791 reads as rewritten:

"**§ 7A-791. Purpose.**

The General Assembly recognizes that a critical need exists in this State for ~~criminal justice system~~ judicial programs that will reduce the incidence of ~~drug use and~~ alcohol and other drug abuse or dependence ~~drug addiction~~ and ~~crimes~~ crimes, delinquent acts, and child abuse and neglect committed as a result of ~~drug use~~ alcohol and other drug abuse or dependence, ~~and drug addiction.~~ and child abuse and neglect where alcohol and other drug abuse or dependence are significant factors in the child abuse and neglect. It is the intent of the General Assembly by this Article to create a program to facilitate the creation of local drug treatment court programs."

SECTION #.(b) G.S. 7A-792 reads as rewritten:

"**§ 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;~~ adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or both;

(2) To reduce criminal and delinquent ~~recidivism;~~ recidivism and the incidence of child abuse and neglect;

(3) To reduce the alcohol- and other drug-related court workload;

(4) To increase the personal, familial, and societal accountability of ~~offenders;~~ adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect, or both; and

(5) To promote effective interaction and use of resources among criminal and juvenile justice ~~personnel~~ personnel, child protective services personnel, and community agencies."

SECTION #.(c) G.S. 7A-793 reads as rewritten:

"**§ 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 and funding of local drug

treatment court programs. The Director of the Administrative Office of the Courts shall provide any necessary staff for planning, organizing, and administering the program. Local drug treatment court programs funded pursuant to this Article shall be operated consistently with the guidelines adopted pursuant to G.S. 7A-795. Local drug treatment court programs established and funded pursuant to this Article may consist of adult drug treatment court programs, juvenile drug treatment court programs, family drug treatment court programs, or any combination of these programs."

• **SECTION #.(d)** G.S. 7A-795 reads as rewritten:

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

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

SECTION #.(e) G.S. 7A-796 reads as rewritten:

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

Each judicial district choosing to establish a drug treatment court shall form a local drug treatment court management committee, which shall be comprised to assure representation appropriate to the type or types of drug treatment court operations to be conducted in the district and shall consist of persons ~~consisting of the following persons,~~ appointed by the senior resident superior court judge with the concurrence of the chief district court judge and the district attorney for that ~~district:~~ district, chosen from the following list:

(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) An attorney representing a county department of social services within the district;
(6) A representative of the guardian ad litem program;
~~(5)~~ (7) A member of the private criminal defense bar;
(8) A member of the private bar who represents respondents in department of social services juvenile matters;
~~(6)~~ (9) A clerk of superior court;
~~(7)~~ (10) The trial court administrator in judicial districts served by a trial court administrator;
(11) The director or member of the child welfare services division of a county department of social services within the district;
(12) The chief juvenile court counselor for the district;
~~(8)~~ (13) A probation officer;

~~(9)~~ (14) A local law enforcement officer;
(15) A representative of the local school administrative unit;
~~(10)~~ (16) A representative of the local community college;
~~(11)~~ (17) A representative of the treatment providers;
(18) A representative of the area mental health program;
~~(12)~~ (19) The local program director provided for in G.S. 7A-798; and
~~(13)~~ (20) 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."

SECTION #.(f) G.S. 7A-799 reads as rewritten:

"**§ 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 or juvenile justice ~~system.~~ system or a respondent in a juvenile petition for abuse, neglect, or both."

SECTION #.(g) G.S. 7A-800 reads as rewritten:

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

Each ~~defendant or~~ defendant, ~~offender~~ offender, or respondent in a juvenile petition for abuse, neglect, or both, who receives treatment under a local drug treatment court program shall contribute to the cost of the ~~substance~~ alcohol and other drug abuse or dependency treatment received in the drug treatment court program, based upon guidelines developed by the local drug treatment court management committee."

SECTION #.(h) This section shall not be construed to obligate the General Assembly to appropriate funds to implement the provisions of this section.

SECTION #.(i) This section becomes effective October 1, 2001.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-AOC-S10

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

TRANSFER OF FUNDS TO OFFICE OF INDIGENT DEFENSE SERVICES.

SECTION #. In the event that requirements for payments to assigned counsel exceed available funds in the Office of Indigent Defense Services during the 2001-2002 fiscal year, the Judicial Department shall transfer to the Office of Indigent Defense Services up to the sum of one million five hundred thousand dollars ($1,500,000) in funds available to pay those additional amounts. The Office of Indigent Defense Services and the Judicial Department shall report to the Joint Legislative Commission on Governmental Operations prior to any transfer of funds authorized by this section.

DRAFT
SPECIAL PROVISION

2001-AOC-S2

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

N.C. STATE BAR FUNDS

SECTION #. Of the funds appropriated in the continuation budget as a grant-in-aid to the North Carolina State Bar for the 2001-2003 biennium, the North Carolina State Bar may in its discretion use up to the sum of five hundred ninety thousand dollars ($590,000) for the 2001-2002 fiscal year and up to the sum of five hundred ninety thousand dollars ($590,000) for the 2002-2003 fiscal year to contract with the Center for Death Penalty Litigation to provide training, consultation, brief banking, and other assistance to attorneys representing indigent capital defendants.

DRAFT
SPECIAL PROVISION

2001-AOC-S5

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

PISGAH LEGAL SERVICES FUNDS

SECTION #. Notwithstanding the provisions of G.S. 7A-474.4, the North Carolina State Bar shall allocate to Pisgah Legal Services that share of State funds that would otherwise have been provided through Legal Services of North Carolina, Inc., to Appalachian Legal Services to serve eligible clients in Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties.

DRAFT
SPECIAL PROVISION

2001-AOC-S6

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

ASSISTANT PUBLIC DEFENDER LONGEVITY/OFFICE OF INDIGENT DEFENSE SERVICES CORRECTIONS.

SECTION #.(a) Section 49 of S.L. 2000-144 reads as rewritten:

"Section 49. Except as otherwise provided in this Part, this act becomes effective July 1, 2001. G.S. 7A-498, 7A-498.1, 7A-498.2, 7A-498.4, 7A-498.5, ~~and~~ 7A-498.6, and 7A-498.7(g), as enacted in Section 1 of this act, are effective when they become law; however, except as otherwise provided in this Part, no rules, standards, or other regulations issued by the Commission on Indigent Defense Services, and no decisions regarding the actual delivery of services shall take effect prior to July 1, 2001, and all authority over the expenditure of funds shall remain with the Director of the Administrative Office of the Courts prior to that date. The Commission shall be responsible for the expenditure of funds for all cases pending on or after July 1, 2001."

SECTION #.(b) Section 13 of S.L. 2000-144 reads as rewritten:

"Section 13. Effective July 1, 2000, G.S. 7A-467(d) is repealed. Effective July 1, 2001, G.S. 7A-459, 7A-465, 7A-466, ~~7A-467,~~ 7A-467(a), 7A-467(b), 7A-467(c), 7A-467(e), 7A-467(f), 7A-467(g), 7A-469, 7A-470, 7A-471, 7A-486, 7A-486.1, 7A-486.2, 7A-486.3, 7A-486.4, 7A-486.5, 7A-486.6, and 7A-486.7 are repealed."

SECTION #.(c) G.S. 7A-498.7 is amended by adding three new subsections to read:

"(i) A public defender may apply to the Director of the Administrative Office of the Courts to enter into contracts with local governments for the provision by the State of services of temporary assistant public defenders pursuant to G.S. 153A-212.1 or G.S. 160A-289.1.

(j) The Director of the Administrative Office of the Courts may provide assistance requested pursuant to subsection (i) of this section only upon a showing by the requesting public defender, supported by facts, that the overwhelming public interest warrants the use of additional resources for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving a threat to public safety.

(k) The terms of any contract entered into with local governments pursuant to subsection (i) of this section shall be fixed by the Director of the Administrative Office of the Courts in each case. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section or to obligate the Administrative Office of the Courts to provide the administrative costs of establishing or maintaining the positions or services provided for under this section. Further, nothing in this section shall be construed to obligate the

Administrative Office of the Courts to maintain positions or services initially provided for under this section."

DRAFT
SPECIAL PROVISION

2001-AOC-S9

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

OFFICE OF INDIGENT DEFENSE SERVICES REPORT.

SECTION #. The Office of Indigent Defense Services shall report 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 by March 1 of each year on

(1) The volume and cost of cases handled in each district by assigned counsel or public defenders;

(2) Actions taken by the Office to improve the cost-effectiveness and quality of indigent defense, including the capital case program;

(3) Plans for changes in rules, standards or regulations in the upcoming year; and

(4) Any recommended changes in law or funding procedures that would assist the Office in improving the management of funds expended for indigent defense services.

DRAFT
SPECIAL PROVISION

2001-AOC-S16

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

ASSISTANT PUBLIC DEFENDERS/PUBLIC DEFENDER OFFICE PERSONNEL.

SECTION #.(a) From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 2001-2003 biennium, the Office of Indigent Defense Services may use up to the sum of two hundred thirty-eight thousand eight hundred eighty-four dollars ($238,884) for the 2001-2002 fiscal year and up to the sum of two hundred twenty-four thousand three hundred sixteen dollars ($224,316) for the 2002-2003 fiscal year for salaries, benefits, equipment, and related expenses to establish up to three new assistant public defender positions in districts with existing public defender programs.

SECTION #.(b) From funds appropriated to the Indigent Persons' Attorney Fee Fund for the 2001-2003 biennium, the Office of Indigent Defense Services may use up to the sum of one hundred seventy thousand one hundred forty-five dollars ($170,145) for the 2001-2002 fiscal year and up to the sum of one hundred fifty-four thousand nine hundred twenty-three dollars ($154,923) for the 2002-2003 fiscal year for salaries, benefits, equipment, and related expenses to establish up to three new legal assistant, paralegal, investigator, or administrative assistant positions in districts with existing public defender programs.

SECTION #.(c) Prior to establishing any new positions under this section, the Office of Indigent Defense Services shall report to the Joint Legislative Commission on Governmental Operations on the positions to be established and the locations of those positions.

Administrative Office of the Courts
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

DEDICATE A PORTION OF COURT COSTS TO PROVIDE ACCESS TO CIVIL JUSTICE

SECTION #.(a) G.S. 7A-304(a)(4) reads as rewritten:

"(4) For support of the General Court of Justice, the sum of sixty-five dollars ($65.00) in the district court, including cases before a magistrate, and the sum of seventy-two dollars ($72.00) in the superior court, to be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION #.(b) G.S. 7A-305(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice, the sum of fifty-nine dollars ($59.00) in the superior court, and the sum of forty-four dollars ($44.00) in the district court except that if the case is assigned to a magistrate the sum shall be thirty-three dollars ($33.00). Sums collected under this ~~subsection~~ subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION #.(c) G.S. 7A-306(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice the sum of thirty dollars ($30.00). In addition, in proceedings involving land, except boundary disputes, if the fair market value of the land involved is over one hundred dollars ($100.00), there shall be an additional sum of thirty cents (30¢) per one hundred dollars ($100.00) of value, or major fraction thereof, not to exceed a maximum additional sum of two hundred dollars ($200.00). Fair market value is determined by the sale price if there is a sale, the appraiser's valuation if there is no sale, or the appraised value from the property tax records if there is neither a sale nor an appraiser's valuation. Sums collected under this ~~subsection~~ subdivision shall be remitted to the State Treasurer. The State

Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION #.(d) G.S. 7A-307(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice, the sum of thirty dollars ($30.00), plus an additional forty cents (40¢) per one hundred dollars ($100.00), or major fraction thereof, of the gross estate, not to exceed three thousand dollars ($3,000). Gross estate shall include the fair market value of all personalty when received, and all proceeds from the sale of realty coming into the hands of the fiduciary, but shall not include the value of realty. In collections of personal property by affidavit, the fee based on the gross estate shall be computed from the information in the final affidavit of collection made pursuant to G.S. 28A-25-3 and shall be paid when that affidavit is filed. In all other cases, this fee shall be computed from the information reported in the inventory and shall be paid when the inventory is filed with the clerk. If additional gross estate, including income, comes into the hands of the fiduciary after the filing of the inventory, the fee for such additional value shall be assessed and paid upon the filing of any account or report disclosing such additional value. For each filing the minimum fee shall be fifteen dollars ($15.00). Sums collected under this ~~subsection~~ subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and fifteen cents ($1.15) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION #.(f) G.S. 7A-474.1 reads as rewritten:

"**§ 7A-474.1. Legislative findings and purpose.**

The General Assembly of North Carolina declares it to be its purpose to provide access to legal representation for indigent persons in certain kinds of civil matters. The General Assembly finds that such representation can best be provided in an efficient, effective, and economic manner through ~~Legal Services of North Carolina, Inc., and the~~ five geographically based field programs in this ~~State receiving funds under the Legal Services Corporation Act (42 U.S.C. § 2996 et seq.).~~ State."

SECTION #.(g) G.S. 7A-474.2 reads as rewritten:

"**§ 7A-474.2. Definitions.**

The following definitions shall apply throughout this Article, unless the context otherwise requires:

(1) "Eligible client" means a resident of North Carolina financially eligible for representation under the Legal Services Corporation Act, regulations, and interpretations adopted thereunder (45 CFR § 1611, and subsequent revisions).

(2) "Legal assistance" means the provision of any legal services, as defined by Chapter 84 of the General Statutes, consistent with this Article. Provided, that all legal services provided hereunder shall be performed consistently with the Rules of Professional Conduct promulgated by the North Carolina State Bar. Provided, further, that no funds appropriated under this Article shall be used for lobbying to influence the passage or defeat of any legislation before any municipal, county, state, or national legislative body.

~~(3) "Legal Services of North Carolina, Inc.," means the not-for-profit corporation established by the North Carolina Bar Association to administer the system of local legal services programs primarily funded under the Legal Services Corporation Act (42 U.S.C. § 2996 et seq.) and the interest on Lawyer's Trust Accounts program of the North Carolina State Bar.~~

(4) "Geographically based field programs" means the ~~15 local~~ following not-for-profit corporations ~~supported by funds from Legal Services of North Carolina, Inc., and the Legal Services Corporation and which provide civil legal services to low-income residents of geographic service areas comprising all 100 counties in North Carolina.~~ using State funds to serve the counties listed: Legal Services of the Southern Piedmont, serving Cabarrus, Gaston, Mecklenburg, Stanly, and Union Counties; Legal Aid Society of Northwest North Carolina, serving Davie, Forsyth, Iredell, Stokes, Surry, and Yadkin Counties; North Central Legal Assistance Program, serving Durham, Franklin, Granville, Person, Vance, and Warren Counties; Pisgah Legal Services, serving Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties; and Legal Services of North Carolina, serving 83 counties in North Carolina; or any successor entity or entities of the named organizations, or, should any of the named organizations dissolve, the entity or entities providing substantially the same services in substantially the same service area."

SECTION #.(h) G.S. 7A-474.4 reads as rewritten:

"**§ 7A-474.4. Funds.**

Funds to provide representation pursuant to this Article shall be provided to ~~Legal Services of North Carolina, Inc.,~~ the North Carolina State Bar for provision of direct services by and support of the geographically based ~~programs based upon the eligible client population in each program's geographic coverage area. Funds authorized by law shall be provided by the North Carolina State Bar to Legal Services of North Carolina, Inc., by a contract between those entities.~~ field programs. The North Carolina State Bar shall allocate these funds directly to each of the five geographically based field programs based upon the eligible client population in each area programs, with Pisgah Legal Services receiving the allocation for Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties, based upon the eligible client population in each area program. The North Carolina State Bar shall not use any of these funds for its administrative costs."

SECTION #.(i) G.S. 7A-474.5 reads as rewritten:

"**§ 7A-474.5. Records and reports.**

~~Legal Services of North Carolina, Inc.,~~ The geographically based field programs shall keep appropriate records and make periodic reports, as requested, to the North Carolina State Bar."

DRAFT
SPECIAL PROVISION

2001-ATTY-S3A

Attorney General's Office
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT.

SECTION #..(a) Assets transferred to the Department of Justice during the 2001-2003 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of the 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 2001-2003 biennium pursuant to 19 U.S.C. § 1616a shall be credited to the budget of the Department and shall result in an increase of law enforcement resources for the Department. The Departments of Justice and Correction shall report to the Joint Legislative Commission on Governmental Operations upon receipt of the assets and, before using the assets, shall report on the intended use of the assets and the departmental priorities on which the assets may be expended.

SECTION #.(b) The General Assembly finds that the use of assets transferred pursuant to 19 U.S.C. § 1616a for new personnel positions, new projects, the acquisition of real property, repair of buildings where the 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 Correction are prohibited from using these assets for such purposes without the prior approval of the General Assembly.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-S4

Attorney General's Office
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

PRIVATE PROTECTIVE SERVICES AND ALARM SYSTEMS LICENSING BOARDS PAY FOR USE OF STATE FACILITIES AND SERVICES.

SECTION #. . 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-S5

Attorney General's Office
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

CERTAIN LITIGATION EXPENSES TO BE PAID BY CLIENTS.

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

DRAFT
SPECIAL PROVISION

2001-ATTY-S6

Attorney General's Office
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REIMBURSEMENT FOR UNC BOARD OF GOVERNORS LEGAL REPRESENTATION.

SECTION #. 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-ATTY-S7

Attorney General's Office
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

STUDY FEE ADJUSTMENT FOR CRIMINAL RECORD CHECKS.

SECTION #. The Office of State Budget and Management, in consultation with the Department of Justice, shall study the feasibility of adjusting the fees charged for criminal records checks conducted by the Division of Criminal Information of the Department of Justice as a result of the increase in receipts from criminal records checks. The study shall include an assessment of the Division's operational, personnel, and overhead costs related to providing criminal records checks and how those costs have changed since the 1998-99 fiscal year. The Office of State Budget and Management shall report its findings and recommendations to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on or before March 1, 2002.

DRAFT
SPECIAL PROVISION

2001-ATTY-S8A

Attorney General's Office
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

CRIMINAL JUSTICE INFORMATION NETWORK REPORT/ADD REPRESENTATIVE FROM THE DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION TO THE BOARD

SECTION #.(a) The Criminal Justice Information Network Governing Board established pursuant to G.S. 143-661 shall report by April 1, 2002, to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on:

(1) The operating budget of the Board, the expenditures of the Board as of the date of the report, and the amount of funds in reserve for the operation of the Board; and

(2) A long-term strategic plan and cost analysis for statewide implementation of the Criminal Justice Information Network. For each component of the Network, the initial cost estimate of the component, the amount of funds spent to date on the component, the source of funds for expenditures to date, and a timetable for completion of that component, including additional resources needed at each point.

SECTION #.(b) G.S. 143-661(b) reads as rewritten:

"(b) The Board shall consist of 19 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~~Juvenile Justice and Delinquency Prevention 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 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) Six members appointed by the Chief Justice of the North Carolina Supreme Court, as follows:

a. The Director of the Administrative Office of the Courts, or an employee of the Administrative Office of the Courts, for a term beginning July 1, 1997, and expiring June 30, 2001.

b. One member who is a district attorney or an assistant district attorney upon the recommendation of the Conference of District Attorneys of North Carolina, for a term beginning July 1, 1998, and expiring June 30, 1999.

c. Two members who are superior court or district court judges for terms beginning July 1, 1998, and expiring June 30, 2001.

d. One member who is a magistrate upon the recommendation of the North Carolina Magistrates' Association, for a term beginning July 1, 1998, and expiring June 30, 1999.

e. One member who is a clerk of superior court upon the recommendation of the North Carolina Association of Clerks of Superior Court, for a term beginning July 1, 1998, and expiring 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."

DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

DRAFT
SPECIAL PROVISION

2001-DJJDP-S1

Department of Juvenile Justice and Delinquency Prevention
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator

S.O.S. ADMINISTRATIVE COST LIMITS AND REPEAL CONFERENCE REQUIREMENT.

SECTION #.(a) Of the funds appropriated to the Department of Juvenile Justice and Delinquency Prevention in this act, not more than four hundred fifty thousand dollars ($450,000) for the 2001-2002 fiscal year and not more than four hundred fifty thousand dollars ($450,000) for the 2002-2003 fiscal year may be used to administer the S.O.S. Program, to provide technical assistance to applicants and to local S.O.S. programs, and to evaluate the local S.O.S. programs. The Department may contract with appropriate public or nonprofit agencies to provide the technical assistance, including training and related services.

SECTION #.(b) G.S. 143B-152.3(1) is repealed.

DRAFT
SPECIAL PROVISION

2001-DJJDP-S2

Department of Juvenile Justice and Delinquency Prevention
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator

JUVENILE CRIME PREVENTION COUNCIL GRANT REPORTING, CERTIFICATION, AND FUNDING OF RESEARCH-BASED PROGRAMS.

SECTION #.(a) On or before May 1 each year, the Department of Juvenile Justice and Delinquency Prevention shall submit to the Joint Legislative Commission on Governmental Operations and the Appropriations Committees of the Senate and House of Representatives a list of the recipients of the grants awarded, or preapproved for award, from funds appropriated to the Department for local Juvenile Crime Prevention Council grants. The list shall include for each recipient the amount of the grant awarded, the membership of the local committee or council administering the award funds on the local level, and a short description of the local services, programs, or projects that will receive funds. The list shall also identify any programs that received grant funds at one time but for which funding has been eliminated by the Department of Juvenile Justice and Delinquency Prevention. A written copy of the list and other information regarding the projects shall also be sent to the Fiscal Research Division of the General Assembly.

SECTION #.(b) Each county in which local programs receive Juvenile Crime Prevention Council grant funds from the Department of Juvenile Justice and Delinquency Prevention shall certify annually through its local council to the Department that funds received are not used to duplicate or supplant other programs within the county.

SECTION #.(c) On or before April 1 of each year, the Department of Juvenile Justice and Delinquency Prevention shall report on the effectiveness of programs funded by the county Juvenile Crime Prevention Councils. Specifically, the report shall address:

(1) The extent to which programs that receive the Juvenile Crime Prevention Council grants are compatible with research that shows which prevention and early intervention strategies work with juvenile offenders and have a measurable impact in preventing or reducing juvenile crime and delinquency.

(2) The impact of programs funded with local grants on school performance, school attendance, the incidence of delinquency, the use of alcohol or other controlled substances, and violent, problematic, or anti-social behavior. For programs serving adjudicated or diverted youth, measures of effectiveness shall also include impacts on rates of re-arrest or recidivism.

(3) Actions taken by the Department and local Juvenile Crime Prevention Councils to encourage collaboration among county councils to replicate research-proven, cost-effective intervention programs for juvenile offenders with Levels 1 and 2 intermediate sanctions, including functional family therapy, aggression replacement training, multi-systemic therapy, adolescent mentoring, and foster care treatment programs.

DRAFT
SPECIAL PROVISION

2001-DJJDP-S3

Department of Juvenile Justice and Delinquency Prevention
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator

REPORTS ON CERTAIN PROGRAMS.

SECTION #.(a) Project Challenge North Carolina, Inc., shall report to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1 each year on the operation and the effectiveness of its program in providing alternative dispositions and services to juveniles who have been adjudicated delinquent or undisciplined. The report shall include information on the source of referrals for juveniles, the types of offenses committed by juveniles participating in the program, the amount of time those juveniles spend in the program, the number of juveniles who successfully complete the program, and the number of juveniles who commit additional offenses after completing the program.

SECTION #.(b) The Department of Juvenile Justice and Delinquency Prevention shall report to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the effectiveness of the Juvenile Assessment Center by April 1 each year. The report on the Juvenile Assessment Center shall include information on the number of juveniles served and an evaluation of the effectiveness of juvenile assessment plans and services provided as a result of these plans.

DRAFT
SPECIAL PROVISION

2001-DJJDP-S4A

Department of Juvenile Justice and Delinquency Prevention
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS.

SECTION #. Funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the 2001-2002 fiscal year may be used as matching funds for the Juvenile Accountability Incentive Block Grants. If North Carolina receives Juvenile Accountability Incentive Block Grants, or a notice of funds to be awarded, the Office of State Budget and Management and the Governor's Crime Commission shall consult with the Department of Juvenile Justice and Delinquency Prevention regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Juvenile Justice and Delinquency Prevention shall report to the Appropriations Committees of the Senate and House of Representatives and the Joint Legislative Commission on Governmental Operations prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the 2001-2002 fiscal year, the amount of funds anticipated for the 2002-2003 fiscal year, and the allocation of funds by program and purpose.

DRAFT
SPECIAL PROVISION

2001-DJJDP-S7

Department of Juvenile Justice and Delinquency Prevention
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

ANNUAL EVALUATION OF COMMUNITY PROGRAMS.

SECTION #. The Department of Juvenile Justice and Delinquency Prevention shall conduct an evaluation of the Eckerd and Camp Woodson wilderness camp programs, the teen court programs, the program that grants funds to the local organizations of the Boys and Girls Club established pursuant to Section 21.10 of S.L. 1999-237, the Save Our Students program, the Governor's One-on-One Programs, and multipurpose group homes. The teen court report shall include statistical information on the number of juveniles served, the number and type of offenses considered by teen courts, referral sources for teen courts, and the number of juveniles that become court-involved after participation in teen courts. The report on the Boys and Girls Club program shall include information on:

(1) The expenditure of State appropriations on the program;

(2) The operations and the effectiveness of the program; and

(3) The number of juveniles served under the program.

In conducting the evaluation of each of these programs, the Department shall consider whether participation in each program results in a reduction of court involvement among juveniles. The Department shall also identify whether the programs are achieving the goals and objectives of the Juvenile Justice Act, S.L. 1998-202. The Department shall report the results of the evaluation to the Chairs of the House and Senate Appropriations Committees and the Chairs of the Subcommittees of Justice and Public Safety of the House and Senate Appropriations Committees by March 1 of each year.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-DJJDP-S10

Department of Juvenile Justice and Delinquency Prevention
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

FUNDING OF TEEN COURT PROGRAMS.

SECTION #. All direct General Fund appropriations to the Department of Juvenile Justice and Delinquency Prevention for teen court programs shall terminate June 30, 2002. Teen court programs may use Juvenile Crime Prevention Council grant funds or other funds to continue operations after June 30, 2002.

DEPARTMENT OF CORRECTION

DRAFT
SPECIAL PROVISION

2001-CORR-S1

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

CHANGE REFERENCES TO THE DIVISION OF ADULT PROBATION AND PAROLE TO THE DIVISION OF COMMUNITY CORRECTIONS

SECTION #.(a) G.S. 15A-837 reads as rewritten:

"§ 15A-837. Responsibilities of Division of ~~Adult Probation and Parole.~~ Community Corrections.

(a) The Division of ~~Adult Probation and Parole~~ Community Corrections shall notify the victim of:

(1) The defendant's regular conditions of probation or post-release supervision, special or added conditions, supervision requirements, and any subsequent changes.

(2) The date of a hearing to determine whether the defendant's supervision should be revoked, continued, modified, or terminated.

(3) The final disposition of any hearing referred to in subdivision (2) of this section.

(4) Any restitution modification.

(5) The defendant's movement into or out of any intermediate sanction as defined in G.S. 15A-1340.11(6).

(6) The defendant's absconding supervision, within 72 hours.

(7) The capture of a defendant described in subdivision (6) of this section, within 72 hours.

(8) The date when the defendant is terminated or discharged.

(9) The defendant's death.

(b) Notifications required in this section shall be provided within 30 days of the event requiring notification, or as otherwise specified in subsection (a) of this section. "

SECTION #.(b) G.S. 15A-1343.2 reads as rewritten:

"§ 15A-1343.2. Special probation rules for persons sentenced under Article 81B.

(a) Applicability. – This section applies only to persons sentenced under Article 81B of this Chapter.

(b) Purposes of Probation for Community and Intermediate Punishments. – The Department of Correction shall develop a plan to handle offenders sentenced to community and intermediate punishments. The probation program designed to handle these offenders shall have the following principal purposes: to hold offenders accountable for making restitution, to ensure compliance with the court's judgment, to effectively rehabilitate offenders by directing them to specialized treatment or education programs, and to protect the public safety.

(c) Probation Caseload Goals. – 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.

(d) Lengths of Probation Terms Under Structured Sentencing. – Unless the court makes specific findings that longer or shorter periods of probation are necessary, the length of the original period of probation for offenders sentenced under Article 81B shall be as follows:

(1) For misdemeanants sentenced to community punishment, not less than six nor more than 18 months;

(2) For misdemeanants sentenced to intermediate punishment, not less than 12 nor more than 24 months;

(3) For felons sentenced to community punishment, not less than 12 nor more than 30 months; and

(4) For felons sentenced to intermediate punishment, not less than 18 nor more than 36 months.

If the court finds at the time of sentencing that a longer period of probation is necessary, that period may not exceed a maximum of five years, as specified in G.S. 15A-1342 and G.S. 15A-1351.

Extension. – The court may with the consent of the offender extend the original period of the probation if necessary to complete a program of restitution or to complete medical or psychiatric treatment ordered as a condition of probation. This extension may be for no more than three years, and may only be ordered in the last six months of the original period of probation.

(e) Delegation to Probation Officer in Community Punishment. – Unless the presiding judge specifically finds in the judgment of the court that delegation is not appropriate, the Division of ~~Adult Probation and Parole~~ Community Corrections in the Department of Correction may require an offender sentenced to community punishment to:

(1) Perform up to 20 hours of community service, and pay the fee prescribed by law for this supervision;

(2) Report to the offender's probation officer on a frequency to be determined by the officer; or

(3) Submit to substance abuse assessment, monitoring or treatment.

If the Division imposes any of the above requirements, then it may subsequently reduce or remove those same requirements.

If the probation officer exercises authority delegated by the court pursuant to this subsection, the offender may file a motion with the court to review the action taken by the probation officer. The offender shall be given notice of the right to seek such a court review. The Division may exercise any authority delegated to it under this subsection only if it first determines that the offender has failed to comply with one or more of the conditions of probation imposed by the court.

(f) Delegation to Probation Officer in Intermediate Punishments. – Unless the presiding judge specifically finds in the judgment of the court that delegation is not appropriate, the Division of ~~Adult Probation and Parole~~ Community Corrections in the

Department of Correction may require an offender sentenced to intermediate punishment to:

(1) Perform up to 50 hours of community service, and pay the fee prescribed by law for this supervision;

(2) Submit to a curfew which requires the offender to remain in a specified place for a specified period each day and wear a device that permits the offender's compliance with the condition to be monitored electronically;

(3) Submit to substance abuse assessment, monitoring or treatment; or

(4) Participate in an educational or vocational skills development program.

If the Division imposes any of the above requirements, then it may subsequently reduce or remove those same requirements.

If the probation officer exercises authority delegated to him or her by the court pursuant to this subsection, the offender may file a motion with the court to review the action taken by the probation officer. The offender shall be given notice of the right to seek such a court review. The Division may exercise any authority delegated to it under this subsection only if it first determines that the offender has failed to comply with one or more of the conditions of probation imposed by the court.

(g) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 19, s. 3.

(h) Definitions. – For purposes of this section, the definitions in G.S. 15A-1340.11 apply. "

SECTION #.(c) G.S. 15A-1368.4(c) reads as rewritten:

"(c) Discretionary Conditions. – The Commission, in consultation with the Division of ~~Adult Probation and Parole,~~ Community Corrections, may impose conditions on a supervisee it believes reasonably necessary to ensure that the supervisee will lead a law-abiding life or to assist the supervisee to do so."

SECTION #.(d) G.S. 105-259(b)(15) reads as rewritten:

"(15) To exchange information concerning a tax imposed by Articles 2A, 2C, or 2D of this Chapter with one of the following agencies when the information is needed to fulfill a duty imposed on the Department or the agency:

a. The North Carolina Alcoholic Beverage Control Commission.

b. The Division of Alcohol Law Enforcement of the Department of Crime Control and Public Safety.

c. The Bureau of Alcohol, Tobacco, and Firearms of the United States Treasury Department.

d. Law enforcement agencies.

e. The Division of ~~Adult Probation and Parole~~ Community Corrections of the Department of Correction."

SECTION #.(e) G.S. 115D-5(b) reads as rewritten:

"(b) In order to make instruction as accessible as possible to all citizens, the teaching of curricular courses and of noncurricular extension courses at convenient locations away from institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata portion of the established regular tuition rate charged a full-time student shall be charged a part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of Community Colleges shall establish a uniform

registration fee, or a schedule of uniform registration fees, to be charged students enrolling in extension courses for which instruction is financed primarily from State funds; provided, however, that the State Board of Community Colleges may provide by general and uniform regulations for waiver of tuition and registration fees for persons not enrolled in elementary or secondary schools taking courses leading to a high school diploma or equivalent certificate, for training courses for volunteer firemen, local fire department personnel, volunteer rescue and lifesaving department personnel, local rescue and lifesaving department personnel, Radio Emergency Associated Citizens Team (REACT) members when the REACT team is under contract to a county as an emergency response agency, local law-enforcement officers, patients in State alcoholic rehabilitation centers, all full-time custodial employees of the Department of Correction, employees of the Department's Division of ~~Adult Probation and Parole~~ Community Corrections and employees of the Department of Juvenile Justice and Delinquency Prevention required to be certified under Chapter 17C of the General Statutes and the rules of the Criminal Justice and Training Standards Commission, trainees enrolled in courses conducted under the New and Expanding Industry Program, clients of sheltered workshops, clients of adult developmental activity programs, students in Health and Human Services Development Programs, juveniles of any age committed to the Department of Juvenile Justice and Delinquency Prevention by a court of competent jurisdiction, prison inmates, and members of the North Carolina State Defense Militia as defined in G.S. 127A-5 and as administered under Article 5 of Chapter 127A of the General Statutes. Provided further, tuition shall be waived for senior citizens attending institutions operating under this Chapter as set forth in Chapter 115B of the General Statutes, Tuition Waiver for Senior Citizens. Provided further, tuition shall also be waived for all courses taken by high school students at community colleges in accordance with G.S. 115D-20(4) and this section."

SECTION #.(f) G.S. 143B-262(c) reads as rewritten:

"(c) The Department shall establish within the Division of ~~Adult Probation and Parole~~ Community Corrections a program of Intensive Supervision. This program shall provide intensive supervision for probationers, post-release supervisees, and parolees who require close supervision in order to remain in the community pursuant to a community penalties plan, community work plan, community restitution plan, or other plan of rehabilitation. The intensive supervision program shall be available to both felons and misdemeanants. Each offender shall be required to comply with the rules adopted for the Program as well as the requirements specified in G.S. 15A-1340.11(5)."

SECTION #.(g) G.S. 143B-478 reads as rewritten:

"§ 143B-478. Governor's Crime Commission – creation; composition; terms; meetings, etc.

(a) There is hereby created the Governor's Crime Commission of the Department of Crime Control and Public Safety. The Commission shall consist of 36 voting members and six nonvoting members. The composition of the Commission shall be as follows:

(1) The voting members shall be:

a. The Governor, the Chief Justice of the Supreme Court of North Carolina (or his alternate), the Attorney General, the Director of the Administrative Office of the Courts, the Secretary of the

Department of Health and Human Services, the Secretary of the Department of Correction, the Secretary of the Department of Juvenile Justice and Delinquency Prevention, and the Superintendent of Public Instruction;

b. A judge of superior court, a judge of district court specializing in juvenile matters, a chief district court judge, a clerk of superior court, and a district attorney;

c. A defense attorney, three sheriffs (one of whom shall be from a "high crime area"), three police executives (one of whom shall be from a "high crime area"), six citizens (two with knowledge of juvenile delinquency and the public school system, two of whom shall be under the age of 21 at the time of their appointment, one representative of a "private juvenile delinquency program," and one in the discretion of the Governor), three county commissioners or county officials, and three mayors or municipal officials;

d. Two members of the North Carolina House of Representatives and two members of the North Carolina Senate.

(2) The nonvoting members shall be the Director of the State Bureau of Investigation, the Secretary of the Department of Crime Control and Public Safety, the Assistant Director of the Intervention/Prevention Division of the Department of Juvenile Justice and Delinquency Prevention, the Assistant Director of the Detention Division of the Department of Juvenile Justice and Delinquency Prevention, the Director of the Division of Prisons and the Director of the Division of ~~Adult Probation and Paroles.~~Community Corrections.

(b) The membership of the Commission shall be selected as follows:

(1) The following members shall serve by virtue of their office: the Governor, the Chief Justice of the Supreme Court, the Attorney General, the Director of the Administrative Office of the Courts, the Secretary of the Department of Health and Human Services, the Secretary of the Department of Correction, the Director of the State Bureau of Investigation, the Secretary of the Department of Crime Control and Public Safety, the Director of the Division of Prisons, the Director of the Division of ~~Adult Probation and Parole,~~ Community Corrections, the Secretary of the Department of Juvenile Justice and Delinquency Prevention, the Assistant Director of the Intervention/Prevention Division of the Department of Juvenile Justice and Delinquency Prevention, the Assistant Director of the Detention Division of the Department of Juvenile Justice and Delinquency Prevention, and the Superintendent of Public Instruction. Should the Chief Justice of the Supreme Court choose not to serve, his alternate shall be selected by the Governor from a list submitted by the Chief Justice which list must contain no less than three nominees from the membership of the Supreme Court.

(2) The following members shall be appointed by the Governor: the district attorney, the defense attorney, the three sheriffs, the three police executives, the six citizens, the three county commissioners or county officials, the three mayors or municipal officials.

(3) The following members shall be appointed by the Governor from a list submitted by the Chief Justice of the Supreme Court, which list shall contain no less than three nominees for each position and which list must be submitted within 30 days after the occurrence of any vacancy in the judicial membership: the judge of superior court, the clerk of superior court, the judge of district court specializing in juvenile matters, and the chief district court judge.

(4) The two members of the House of Representatives provided by subdivision (a)(1)d. of this section shall be appointed by the Speaker of the House of Representatives and the two members of the Senate provided by subdivision (a)(1)d. of this section shall be appointed by the President Pro Tempore of the Senate. These members shall perform the advisory review of the State plan for the General Assembly as permitted by section 206 of the Crime Control Act of 1976 (Public Law 94-503).

(5) The Governor may serve as chairman, designating a vice-chairman to serve at his pleasure, or he may designate a chairman and vice-chairman both of whom shall serve at his pleasure.

(c) The initial members of the Commission shall be those appointed under subsection (b) above, which appointments shall be made by March 1, 1977. The terms of the present members of the Governor's Commission on Law and Order shall expire on February 28, 1977. Effective March 1, 1977, the Governor shall appoint members, other than those serving by virtue of their office, to serve staggered terms; seven shall be appointed for one-year terms, seven for two-year terms, and seven for three-year terms. At the end of their respective terms of office their successors shall be appointed for terms of three years and until their successors are appointed and qualified. The Commission members from the House and Senate shall serve two-year terms effective March 1, of each odd-numbered year; and they shall not be disqualified from Commission membership because of failure to seek or attain reelection to the General Assembly, but resignation or removal from office as a member of the General Assembly shall constitute resignation or removal from the Commission. Any other Commission member no longer serving in the office from which he qualified for appointment shall be disqualified from membership on the Commission. Any appointment to fill a vacancy on the Commission created by the resignation, dismissal, death, disability, or disqualification of a member shall be for the balance of the unexpired term.

(d) The Governor shall have the power to remove any member from the Commission for misfeasance, malfeasance or nonfeasance.

(e) The Commission shall meet quarterly and at other times at the call of the chairman or upon written request of at least eight of the members. A majority of the voting members shall constitute a quorum for the transaction of business."

DRAFT
SPECIAL PROVISION

2001-CORR-S2

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

EARNED TIME CREDIT FOR MEDICALLY AND PHYSICALLY UNFIT INMATES.

SECTION #.(a) G.S. 15A-1355 is amended by adding a new subsection to read:

"(d) Earned Time Credit for Medically and Physically Unfit Inmates. – Inmates in the custody of the Department of Correction who suffer from medical conditions or physical disabilities that prevent their assignment to work release or other rehabilitative activities may, consistent with rules of the Department of Correction, earn credit based upon good behavior or other criteria determined by the Department that may be used to reduce their maximum term of imprisonment as provided in G.S. 15A-1340.13(d) for felony sentences and in G.S. 15A-1340.20(d) for misdemeanor sentences."

SECTION #.(b) This section is effective when it becomes law and applies to inmates serving sentences on or after that date.

DRAFT
SPECIAL PROVISION

2001-CORR-S3

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

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

SECTION #.(a) Notwithstanding the funding formula set forth in G.S. 143B-273.15, appropriations made to the Department of Correction through the North Carolina State-County Criminal Justice Partnership Act for the 2001-2003 biennium shall be distributed to the counties as specified in G.S. 143B-273.15(2) only, and not as discretionary funds. The Department may also use funds from the State-County Criminal Justice Partnership Account in order to maintain the counties' allocations of eight million three hundred thousand dollars ($8,300,000) as provided in previous fiscal years.

SECTION #.(b) Appropriations not claimed or expended by the counties during the 2001-2003 biennium shall be distributed as specified in G.S. 143B-273.15(1). A single county may apply for discretionary funds under G.S. 143B-273.15(1) for a residential program that serves offenders from other counties; in order for those other counties to assign offenders to such a program, those counties shall include a residential component in an approved partnership plan.

SECTION #.(c) The Department of Correction may not deny funds to a county to support both a residential program and a day reporting center if the Department of Correction determines that the county has a demonstrated need and a fully-developed plan for each type of sanction.

SECTION #.(d) The Department of Correction shall report by February 1 of each year to the Chairs of the Senate and House Appropriations Committees, the Senate and House Appropriations Subcommittees on Justice and Public Safety, and the Joint Legislative Corrections and Juvenile Justice Oversight Committee on the status of the Criminal Justice Partnership Program. The report shall include the following information:

(1) The amount of funds carried over from the prior fiscal year;
(2) The dollar amount and purpose of grants awarded to counties as discretionary grants for current fiscal year;
(3) Any counties the Department anticipates will submit requests for new implementation grants;
(4) An update on efforts to ensure that all counties make use of the electronic reporting system, including the number of counties submitting offender participation data via the system;

(5) An analysis of offender participation data received, including data on each program's utilization and capacity; and

(6) An analysis of comparable programs, prepared by the Research and Planning Division of the Department of Correction, and a summary of the reports prepared by county Criminal Justice Partnerships Advisory Boards.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-S4

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

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

SECTION #. The Post-Release Supervision and Parole Commission shall report by March 1 of each year to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on an updated transition plan for implementing staff reductions through the 2002-2003 fiscal year, including a minimum ten percent (10%) reduction in staff positions in the 2002-2003 fiscal year over the 2001-2002 fiscal year.

DRAFT
SPECIAL PROVISION

2001-CORR-S5

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REPORTS ON NONPROFIT PROGRAMS.

SECTION #.(a) Funds appropriated in this act to the Department of Correction to support the programs of Harriet's House may be used for program operating costs, the purchase of equipment, and the rental of real property. Harriet's House shall report by February 1 of each year 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.

SECTION #.(b) Summit House shall report by February 1 of each year 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, the number of clients who have their probation revoked, and the number of clients who successfully complete the program while housed at Summit House.

SECTION #.(c) Women at Risk shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the expenditure of State funds and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program.

SECTION #.(d) The John Hyman Foundation shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the expenditure of State funds and on the effectiveness of the program, including information on the number of clients served, the number of clients who have had their probation revoked, and the number of clients who have successfully completed the program.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-S6

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

FEDERAL GRANT REPORTING.

SECTION #. The Department of Correction, the Department of Justice, the Department of Crime Control and Public Safety, the Judicial Department, and the Department of Juvenile Justice and Delinquency Prevention shall report by May 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 preapproved for receipt by those departments. The report shall include information on the amount of grant funds received or preapproved for receipt by each department, the use of the funds, the State match expended to receive the funds, and the period to be covered by each grant. If the department intends to continue the program beyond the end of the grant period, the department shall report on the proposed method for continuing the funding of the program at the end of the grant period. Each department shall also report on any information it may have indicating that the State will be requested to provide future funding for a program presently supported by a local grant.

DRAFT
SPECIAL PROVISION

2001-CORR-S7

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

EXEMPTION FROM LICENSURE AND CERTIFICATE OF NEED.

SECTION #.(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 Health and Human Services 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.

SECTION #.(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 Health and Human Services 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.

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

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-S8

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

LIMIT USE OF OPERATIONAL FUNDS.

SECTION #. 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 shall not be expended for any other purpose, except as provided for in this act, and shall not be expended for additional prison personnel positions until the new facilities are within 120 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.

DRAFT
SPECIAL PROVISION

2001-CORR-S9

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM.

SECTION #. The Department of Correction may use funds appropriated to the Department for the 2001-2002 fiscal year to pay the sum of forty dollars ($40.00) per day as reimbursement to counties for the cost of housing convicted inmates and parolees and post-release supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The Department shall report by December 1 and May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections and Juvenile Justice Oversight Committee, 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 expenditure of funds to reimburse counties for prisoners awaiting transfer and on its progress in reducing the jail backlog.

DRAFT
SPECIAL PROVISION

2001-CORR-S10

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

USE OF CLOSED PRISON FACILITIES/ALTERNATIVE USES FOR BLUE RIDGE CORRECTIONAL CENTER AND IMPACT FACILITIES

SECTION #.(a) In conjunction with the closing of prison facilities, including 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, with the elected State and local officials, and with State agencies about the possibility of converting that unit to other use. The Department may also consult with any private for-profit or nonprofit firm about the possibility of converting the unit to other use. In developing a proposal for future use of each unit, the Department shall give priority to converting the unit to other criminal justice use. Consistent with existing law and the future needs of the Department of Correction, the State may provide for the transfer or the lease of any of these units to counties, municipalities, State agencies, 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. A prison unit under lease to a county pursuant to the provisions of this section for use as a jail is exempt for the period of the lease from any of the minimum standards adopted by the Secretary of Health and Human Services pursuant to G.S. 153A-221 for the housing of adult prisoners that would subject the unit to greater standards than those required of a unit of the State prison system.

Prior to any transfer or lease of these units, the Department of Correction shall report on the terms of the proposed transfer or lease to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections and Juvenile Justice Oversight Committee. The Department of Correction shall also provide annual summary reports to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections and Juvenile Justice Oversight Committee on the conversion of these units to other use and on all leases or transfers entered into pursuant to this section.

SECTION #.(b) In complying with the provisions of subsection (a) of this section, the Secretary of Correction shall consult with the Secretary of the Department of Juvenile Justice and Delinquency Prevention on possible alternative uses of the Blue Ridge Correctional Center and of the facilities used for the IMPACT program in Morganton. These alternative uses may include use as a youth development center or detention center for juvenile offenders, as a residential facility for juveniles on Level 1

(community) or Level 2 (intermediate) sanctions, or for residential programs for adult offenders under the supervision of the Division of Community Corrections or the Division of Alcohol and Chemical Dependency in the Department of Correction. The Secretaries shall report by March 1, 2002 to the Joint Legislative Commission on Governmental Operations on proposed uses, including estimated costs for renovation, program development and operation.

DRAFT
SPECIAL PROVISION

2001-CORR-S11

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

INMATE COSTS/MEDICAL BUDGET FOR PRESCRIPTION DRUGS.

SECTION #.(a) If the cost of providing food and health care to inmates housed in the Division of Prisons is anticipated to exceed the continuation budget amounts provided for that purpose in this act, the Department of Correction shall report the reasons for the anticipated cost increase and the source of funds the Department intends to use to cover those additional needs to the Joint Legislative Commission on Governmental Operations, the Chairs of the House and Senate Appropriations Committees, and the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety.

SECTION #.(b) Notwithstanding the provisions of G.S. 143-23(a2), the Department of Correction may use funds available during the 2001-2002 fiscal year for the purchase of prescription drugs for inmates if expenditures are projected to exceed the Department's inmate medical continuation budget for prescription drugs. The Department shall consult with the Joint Legislative Commission on Governmental Operations prior to exceeding the continuation budget amount.

The Department of Administration, Purchase and Contract Division, and the Department of Correction shall review the current statewide contract for purchase of prescription drugs as it applies to the Department of Correction's purchases for inmates to determine if the Department is receiving the lowest rate available and to determine whether the Department should be authorized to issue a request for proposals for a separate vendor or purchasing consortium for the provision of prescription drugs for inmates. The Departments shall report on their findings to the Joint Legislative commission on Governmental Operations by February 1, 2002.

DRAFT
SPECIAL PROVISION

2001-CORR-S12

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

FEDERAL GRANT MATCHING FUNDS.

SECTION #. Notwithstanding the provisions of G.S. 148-2, the Department of Correction may use up to the sum of nine hundred thousand dollars ($900,000) from funds available to the Department to provide the State match needed in order to receive federal grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Commission on Governmental Operations on the grants to be matched using these funds.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-S13

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REPORT ON PROBATION AND PAROLE CASELOADS.

SECTION #. The Department of Correction shall report by March 1 of each year to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Corrections and Juvenile Justice Oversight Committee on caseload averages for probation and parole officers. The report shall include:

(1) Data on current caseload averages for Probation Parole Officer I, Probation Parole Officer II, and Probation Parole Officer III positions;

(2) An analysis of the optimal caseloads for these new officer classifications;

(3) An assessment of the role of surveillance officers; and

(4) Projected impact of the new officer classifications and procedures on the operating and equipment expenditures of the Division of Community Correction.

DRAFT
SPECIAL PROVISION

2001-CORR-S15

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

STRUCTURED SENTENCING STUDY

SECTION #.(a) The North Carolina Sentencing and Policy Advisory Commission shall exercise its statutory responsibility under Article 4 of Chapter 164 of the General Statutes to monitor and review the criminal justice and corrections system as follows. The Commission is directed to study and review the State's sentencing laws in order to develop options for slowing the anticipated increase in incarceration over the next 10 years. Areas of review may include the classification of offenses and offenders, the relationship of the sentence and the sentence length to the offense, and the sentence dispositions available to judges. The Commission shall also analyze the parole eligible population in terms of offense committed, sentence, and time served in comparison to structured sentencing inmates. The options shall be consistent with the purposes of sentencing as stated in G.S. 15A-1340.12. The Commission's options, and any recommendations, should balance the need to ensure that sentencing laws appropriately penalize offenders for the nature and degree of harm caused by the offense with the need to consider the potential impact on correctional resources of the growth in the prison population.

SECTION #.(b) The North Carolina Sentencing and Policy Advisory Commission shall report its findings to the 2001 General Assembly no later than the convening of the 2002 Regular Session.

DRAFT
SPECIAL PROVISION

2001-CORR-S16

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

EXTEND LIMITS OF CONFINEMENT FOR TERMINALLY ILL AND PERMANENTLY INCAPACITATED INMATES.

SECTION #.(a) G.S. 148-4 reads as rewritten:

"§ 148-4. Control and custody of prisoners; authorizing prisoner to leave place of confinement.

The Secretary of Correction shall have control and custody of all prisoners serving sentence in the State prison system, and such prisoners shall be subject to all the rules and regulations legally adopted for the government thereof. Any sentence to imprisonment in any unit of the State prison system, or to jail to be assigned to work under the State Department of Correction, shall be construed as a commitment, for such terms of imprisonment as the court may direct, to the custody of the Secretary of Correction or his authorized representative, who shall designate the places of confinement within the State prison system where the sentences of all such persons shall be served. The authorized agents of the Secretary shall have all the authority of peace officers for the purpose of transferring prisoners from place to place in the State as their duties might require and for apprehending, arresting, and returning to prison escaped prisoners, and may be commissioned by the Governor, either generally or specially, as special officers for returning escaped prisoners or other fugitives from justice from outside the State, when such persons have been extradited or voluntarily surrendered. Employees of departments, institutions, agencies, and political subdivisions of the State hiring prisoners to perform work outside prison confines may be designated as the authorized agents of the Secretary of Correction for the purpose of maintaining control and custody of prisoners who may be placed under the supervision and control of such employees, including guarding and transferring such prisoners from place to place in the State as their duties might require, and apprehending and arresting escaped prisoners and returning them to prison. The governing authorities of the State prison system are authorized to determine by rules and regulations the manner of designating these agents and placing prisoners under their supervision and control, which rules and regulations shall be established in the same manner as other rules and regulations for the government of the State prison system.

The Secretary of Correction may extend the limits of the place of confinement of a prisoner, as to whom there is reasonable cause to believe he will honor his trust, by authorizing him, under prescribed conditions, to leave the confines of that place unaccompanied by a custodial agent for a prescribed period of time to

(1) Contact prospective employers; or

(2) Secure a suitable residence for use when released on parole or upon discharge; or

(3) Obtain medical services not otherwise available; or

(4) Participate in a training program in the community; or

(5) Visit or attend the funeral of a spouse, child (including stepchild, adopted child or child as to whom the prisoner, though not a natural parent, has acted in the place of a parent), parent (including a person though not a natural parent, has acted in the place of a parent), brother, or sister; or

(6) Participate in community-based programs of rehabilitation, including, but not limited to the existing community volunteer and home-leave programs, pre-release and after-care programs as may be provided for and administered by the Secretary of Correction and other programs determined by the Secretary of Correction to be consistent with the prisoner's rehabilitation and return to society; or

(7) Be on maternity leave, for a period of time not to exceed 60 days. The county departments of social services are expected to cooperate with officials at the North Carolina Correctional Center for Women to coordinate prenatal care, financial services, and placement of the ~~child.~~ child; or

(8) In the case of terminally ill and permanently incapacitated inmates, receive palliative care. For purposes of this subdivision, the term "terminally ill" describes an inmate who, as determined by a licensed physician, has an incurable condition caused by illness or disease that will likely produce death within twelve months. For purposes of this subdivision, the term "permanently incapacitated" describes an inmate who, as determined by a licensed physician, suffers from permanent and irreversible physical incapacitation as a result of an existing physical or medical condition.

The willful failure of a prisoner to remain within the extended limits of his confinement, or to return within the time prescribed to the place of confinement designated by the Secretary of Correction, shall be deemed an escape from the custody of the Secretary of Correction punishable as provided in G.S. 148-45. "

SECTION #.(b) This section is effective when it becomes law and applies to inmates serving sentences on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-S19

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REPORT ON INMATES ELIGIBLE FOR PAROLE.

SECTION #. The Post-Release Supervision and Parole Commission shall provide quarterly reports to the Joint Legislative Commission on Governmental Operations on inmates eligible for parole. These reports shall include at least the following:

(1) The total number of Fair Sentencing and pre-Fair Sentencing inmates that were parole-eligible during the previous quarter and the total number of those inmates that were paroled. The report should group these inmates by offense type and custody classification;

(2) A list of all those inmates paroled or released by category of parole or release, including each inmate's offense and custody classification at the time of the parole or release;

(3) The average time served, by offense class, of Fair Sentencing and Pre-Fair Sentencing inmates compared to inmates sentenced under Structured Sentencing;

(4) The projected number of parole-eligible inmates to be paroled or released by the end of the 2001-2002 fiscal year and by the end of the 2002-2003 fiscal year.

DRAFT
SPECIAL PROVISION

2001-CORR-S21

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

ENERGY FOR COMMITTED OFFENDERS/CONTRACT AND REPORT.

SECTION #. The Department of Correction may continue to contract with Energy for Committed Offenders, Inc., for the purchase of prison beds for minimum security female inmates during the 2001-2003 biennium. Energy for Committed Offenders shall report by February 1 of each year to the Joint Legislative Commission on Governmental Operations on the annual cost per inmate and the average daily inmate population compared to bed capacity using the same methodology as that used by the Department of Correction. Energy for Committed Offenders shall also provide information on the rearrest rate and the return-to-prison rate for inmates participating in the program who are paroled or released from prison.

DRAFT
SPECIAL PROVISION

2001-CORR-S23

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

MEDIUM CUSTODY ROAD CREW COMPENSATION

SECTION #.(a) Of funds appropriated to the Department of Transportation by this act, the sum of seven million dollars ($7,000,000) per year shall be used by the Department to reimburse the Department of Correction during the 2001-2003 biennium for costs authorized by G.S. 148-26.5 for highway-related labor performed by medium custody prisoners. The Department of Transportation may use funds appropriated by this act to pay requested reimbursements submitted by the Department of Correction over and above the seven million dollars ($7,000,000), but those reimbursement requests shall be subject to negotiations among the Department of Transportation, the Department of Correction, and the Office of State Budget and Management prior to payment by the Department of Transportation.

SECTION #.(b) The Department of Transportation shall reimburse the Department of Correction the sum of one million eight hundred eleven thousand six hundred twenty-eight dollars ($1,811,628) between July 1 and July 31, 2001 in order to fully comply with subsection (a) of Section 27.21 of S.L. 1999-237, which directed the Department of Transportation to provide reimbursement during the 1999-2001 biennium for highway related labor performed by medium custody prisoners.

SECTION #.(c) Subsection (b) of Section 27.21 of S.L. 1999-237 is repealed.

SECTION #.(d) The Department of Transportation and the Department of Correction shall report to the Joint Legislative Corrections and Juvenile Justice Oversight Committee and the Joint Legislative Transportation Oversight Committee by March 1, 2002 on road squad activity and the implementation of the provisions of this section.

DRAFT
SPECIAL PROVISION

2001-CORR-S24

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senators Jordan, Ballance

CLARIFY THAT COMPENSATION TO PERSONS ERRONEOUSLY CONVICTED IS LIMITED TO AN AWARD FOR PECUNIARY LOSS AND THAT IMPRISONMENT FOR WHICH COMPENSATION IS MADE INCLUDES TIME SERVED AWAITING TRIAL/INCREASE THE AMOUNT OF COMPENSATION ALLOWED FOR PERSONS ERRONEOUSLY CONVICTED.

The General Assembly of North Carolina enacts:

SECTION #.(a) G.S. 148-82 reads as rewritten:

"**§ 148-82. Provision for compensation.**

Any person who, having been convicted of a felony and having been imprisoned therefor in a State prison of this State, and who was thereafter or who shall hereafter be granted a pardon of innocence by the Governor upon the grounds that the crime with which the person was charged either was not committed at all or was not committed by that person, may as hereinafter provided present by petition a claim against the State for the pecuniary loss sustained by the person through his or her erroneous conviction and imprisonment, provided the petition is presented within five years of the granting of the pardon. Compensation under this Article is limited to the claimant's pecuniary loss and is subject to the limits set forth in G.S. 148-84."

SECTION #.(b) G.S. 148-84 reads as rewritten:

"**§ 148-84. Evidence; action by Industrial Commission; payment and amount of compensation.**

At the hearing the claimant may introduce evidence in the form of affidavits or testimony to support the claim, and the Attorney General may introduce counter affidavits or testimony in refutation. If the Industrial Commission finds from the evidence that the claimant received a pardon of innocence for the reason that the crime was not committed at all, or was not committed by the claimant, and that the claimant was imprisoned and has been vindicated in connection with the alleged offense for which he or she was imprisoned, the Industrial Commission shall determine the amount the claimant is entitled to be paid for the claimant's pecuniary loss and shall enter an award for that amount. The Director of the Budget shall pay the amount of the award to the claimant out of the Contingency and Emergency Fund, or out of any other available State funds. The Industrial Commission shall award to the claimant an amount equal to ~~ten thousand dollars ($10,000)~~ twenty thousand dollars ($20,000) for each year of pecuniary loss or the pro rata amount for the portion of each year of the imprisonment actually served, including any time spent awaiting trial, but in no event shall the compensation exceed a total amount of ~~one hundred fifty thousand dollars ($150,000).~~

five hundred thousand dollars ($500,000). The Industrial Commission shall give written notice of its decision to all parties concerned. The determination of the Industrial Commission shall be subject to judicial review upon appeal of the claimant or the State according to the provisions and procedures set forth in Article 31 of Chapter 143 of the General Statutes."

SECTION #.(c) This section is effective when it becomes law and applies to persons granted a pardon of innocence on or after January 1, 2001.

DRAFT
SPECIAL PROVISION

2001-CORR-S25A

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

SCOTLAND WORK RELEASE PROGRAM

SECTION #. The Department of Correction shall expand the work release program at Scotland Correctional Center during the 2001-2003 biennium. As part of this expansion, the Department shall close the segregation unit at Scotland Correctional Center, which will allow up to 24 additional inmates to be placed in work release programs. The Department shall place all eligible inmates in work release programs except those inmates needed for various community work projects and work at the correctional center. The Department shall close the Scotland Correctional Center during the 2003-2004 fiscal year if the proposed new close custody prison in Scotland County is constructed and scheduled to become operational during the 2003-2004 fiscal year, but the Department shall make a good faith effort to continue providing work release for inmates transferred from the Scotland Correctional Center and to continue providing community work projects in Scotland County.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CORR-S26

Department of Correction
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REDUCE SUMMIT HOUSE APPROPRIATION

SECTION #.(a) The General Fund appropriation to the Department of Corrections for Summit House Inc. is reduced by the sum of one hundred thirty-nine thousand six hundred fifty dollars ($139,650) for each year of the 2001-2003 biennium. This ten percent reduction in funding shall be accomplished by reducing expenditures at the State office and not though reductions in funding to individual sites.

SECTION #.(b) The Joint Legislative Corrections and Juvenile Justice Oversight Committee and the Fiscal Research Division shall review the organizational structure and expenditures of Summit House prior to the convening of the 2002 Regular Session of the 2001 General Assembly to identify potential modifications that would provide for more efficient operation of the program in future fiscal years.

DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

DRAFT
SPECIAL PROVISION

2001-CCPS-S1D

Department of Crime Control and Public Safety
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senators Jordan, Plyler, Odom, Lee

ELIMINATE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY/RELOCATE DIVISIONS

SECTION #.(a) Article 11 of Chapter 143B of the General Statutes is repealed, and the Department of Crime Control and Public Safety is abolished.

SECTION #.(b) Article 19 of Chapter 143A of the General Statues is repealed.

SECTION #.(c) Article 68 of Chapter 143 of the General Statutes is repealed and the North Carolina State Boxing Commission is abolished.

SECTION #.(d) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Highway Patrol Division of the Department of Crime Control and Public Safety are transferred to the Department of Transportation. The Revisor of Statutes shall substitute the term "Department of Transportation" for the term "Department of Crime Control and Public Safety" and the term "Transportation" for the term "Crime Control and Public Safety" everywhere those terms appear in each of the following sections of the General Statutes:

(1) G.S. 8-50.2. Results of speed-measuring instruments; admissibility
(2) G.S. 17C-6. Powers of Commission.
(3) G.S. 20-125. Horns and warning devices.
(4) G.S. 20-184. Patrol under supervision of Department of Crime Control and Public Safety.
(5) G.S. 20-185. Personnel; appointment; salaries.
(6) G.S. 20-187. Orders and rules for organization and conduct.
(7) G.S. 20-187.1. Awards.
(8) G.S. 20-187.3. Quotas prohibited.
(9) G.S. 20-188. Duties of Highway Patrol.
(10) G.S. 20-189. Patrolmen assigned to Governor's office.
(11) G.S. 20-190. Uniforms; motor vehicles and arms; expense incurred; color of vehicle.
(12) G.S. 20-192. Shifting of patrolmen from one district to another.
(13) G.S. 20-195. Cooperation between Patrol and local officers.
(14) G.S. 20-196. Statewide radio system authorized; use of telephone lines in emergencies.
(15) G.S. 20-196.3. Who may hold supervisory positions over uniformed personnel.

(16) G.S. 166A-26. Regional Response Team Advisory Committee.

SECTION #.(e) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Community Service Work Program of the Division of Victim and Justice Services of the Department of Crime Control and Public Safety are transferred to the Department of Correction. The Secretary of the Department of Crime Control and Public Safety and the Secretary of the Department of Correction shall collaborate to identify 25 vacant positions to terminate no later than June 30, 2002. The positions shall be identified from the four regional managers and the 21 district managers in the area of community service work and the judicial district managers and judicial division managers in the area of probation and parole. In addition to the 25 vacant positions to terminate no later than June 30, 2002, the positions of Director of Victim and Justice Services and administrative assistant shall cease to exist after June 30, 2002. On or before April 1, 2002, the Secretary of Crime Control and Public Safety and the Secretary of Correction shall report the specific vacant positions to terminate no later than June 30, 2002, to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly.

The Revisor of Statutes shall substitute the term "Department of Correction" for the terms "Department of Crime Control and Public Safety" and "Crime Control and Public Safety" everywhere those terms appear in the following sections of the General Statutes:

(1) G.S. 20-179.4. Community service alternative punishment; responsibilities of the Department of Crime Control and Public Safety; fee.

(2) G.S. 143B-475.1. Deferred prosecution, community service restitution, and volunteer program.

SECTION #.(f) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Crime Victims Compensation Fund and Rape Victims Assistance Fund, and programs related to those Funds, of the Division of Victim and Justice Services of the Department of Crime Control and Public Safety are transferred to the Department of Administration. Part 3A of Article 11 of Chapter 143B of the General Statutes, Assistance Program for Victims of Rape and Sex Offenses, is recodified as Part 10D of Article 9 of Chapter 143B of the General Statutes and the Revisor of Statutes shall substitute "Department of Administration" for "Department of Crime Control and Public Safety" everywhere that term appears in Part 10D of Article 9 of Chapter 143B of the General Statutes.

SECTION #.(g) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Alcohol Law Enforcement Division of the Department of Crime Control and Public Safety are transferred to the Department of Justice. The Revisor of Statutes shall substitute the term "Department of Justice" for the term "Department of Crime Control and Public Safety" and the term "Attorney General" for the term "Secretary of Crime Control and Public Safety" everywhere those terms appear in each of the following statutes:

(1) G.S. 18B-101. Definitions.
(2) G.S. 18B-500. Alcohol law-enforcement agents.
(3) G.S. 20-39. Administering and enforcing laws; rules and regulations; agents, etc.; seal; fees; licenses and plates for undercover officers.
(4) G.S. 19-2.1. Action for abatement; injunction.

Of the 10 remaining supervisor positions and the 12 assistant supervisor positions in the district offices of the Alcohol Law Enforcement Division, four positions shall terminate no later than June 30, 2002. The Secretary of Crime Control and Public Safety in collaboration with the Attorney General shall identify the positions that will terminate pursuant to this section and shall report to the Chairs of the Senate and House of Representatives Appropriations Committees, the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly by May 1, 2002 on the positions identified by the Department pursuant to this section.

SECTION #.(h) Part 5A of Article 11 of Chapter 143B of the General Statutes, North Carolina Center for Missing Persons, is recodified as Article 7 of Chapter 114 of the General Statutes and the Revisor of Statutes shall substitute the term "Department of Justice" for the term "Department of Crime Control and Public Safety" and the term "Attorney General" for the terms "Secretary" and "Secretary of the Department of Crime Control and Public Safety" everywhere those terms appear in Article 7 of Chapter 114, as recodified in this section.

SECTION #.(i) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Emergency Management Division of the Department of Crime Control and Public Safety are transferred to the Department of Administration. G.S. 166A-5(2) is repealed. The Revisor of Statutes shall substitute the term " Department of Administration" for the terms "Department of Crime Control and Public Safety", "Crime Control and Public Safety", "Secretary", and "Secretary of Crime Control and Public Safety" everywhere those terms appear in each of the following sections of the General Statutes:

(1) Chapter 166A of the General Statutes, Emergency Management Act.
(2) G.S. 104E-8. Radiation Protection Commission – Members; selections; removal; compensation; quorum; services.

SECTION #.(j) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Civil Air Patrol Division of the Department of Crime Control and Public Safety are transferred to the Department of Administration. Part 5 of Article 11 of Chapter 143B of the General Statutes. G.S. 143B-490 through G.S. 143B-492, is recodified as Part 4 of Article 36 of Chapter 143 of the General Statutes and the Revisor of Statutes shall substitute the term "Department of Administration" for the terms "Department of Crime Control and Public Safety" and "Secretary" everywhere those terms appear in those sections of the General Statutes.

SECTION #.(k) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the National Guard Division of the Department of Crime Control and Public Safety are transferred to the Department of

Administration. The Revisor of Statutes shall substitute the term "Department of Administration" for the terms "Department of Crime Control and Public Safety", "Crime Control and Public Safety", "Secretary of Crime Control and Public Safety", "Secretary of the Department of Crime Control and Public Safety", "Department", or "Secretary" everywhere those terms appear in each of the following statutes:

(1) G.S. 127A-17.1. Confidentiality of national guard records.
(2) G.S. 127A-40. Pensions for the members of the North Carolina national guard.
(3) G.S. 127A-80. Authority to organize and maintain State defense militia of North Carolina.
(4) G.S. 127A-81. State defense militia cadre.
(5) G.S. 127A-107. Rate of pay for other service.
(6) G.S. 127A-139. Allowances made to different organizations and personnel.
(7) G.S. 127A-162. Authority to foster development of armories and facilities.
(8) G.S. 127A-163. Powers of Department specified.
(9) G.S. 127A-164. Power to acquire land, make contracts, etc.
(10) G.S. 166A-6. State of disaster.
(11) G.S. 166A-6.1. Emergency planning; charge.

SECTION #.(l) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Governor's Crime Commission of the Department of Crime Control and Public Safety are transferred to the Department of Administration. Part 3 of Chapter 143B of the General Statues is recodified as Part 5 of Article 36 of Chapter 143 of the General Statutes and the Revisor of Statutes shall substitute the term " Department of Administration" for the terms "Department of Crime Control and Public Safety", "Secretary", and "Director, Crime Control Division of the Department of Crime Control and Public Safety" everywhere those terms appear in Part 5 of Article 36 of Chapter 143 of the General Statutes, as recodified in this section.

SECTION #.(m) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Butner Public Safety Division of the Department of Crime Control and Public Safety are transferred to the Department of Health and Human Services. The Revisor of Statutes shall substitute the term "Health and Human Services" for the term "Crime Control and Public Safety" everywhere that term appears in each of the following statutes:

(1) G.S. 122C-408. Butner Public Safety Division of the Department of Crime Control and Public Safety; jurisdiction; fire and police district.
(2) G.S. 122C-409. Community of Butner comprehensive emergency management plan.
(3) G.S. 122C-411. Fire protection contracts.
(4) G.S. 143-341. Powers and duties of Department.

SECTION #.(n) The statutory authority, power, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds,

including the functions of budgeting and purchasing, of the Law Enforcement Support Services Division of the Department of Crime Control and Public Safety are transferred to the Department of Justice.

SECTION #.(o) The Revisor of Statutes shall delete any references to "the Secretary of Crime Control and Public Safety", "Secretary of the Department of Crime Control and Public Safety", "Crime Control and Public Safety", or "the Department of Crime Control and Public Safety" and delete any extraneous punctuation, whenever these references appeal in the following sections of the General Statutes:

(1) G.S. 143-215.56. Delineation of flood hazard areas and 100-year floodplains; powers of Department; powers of local governments and of the Department.

(2) G.S. 58-78-1. State Fire and Rescue Commission created; membership.

(3) G.S. 126-5. Employees subject to Chapter; exemptions.

(4) G.S. 127A-35. Elimination and disposition of officers; efficiency board; transfer to inactive status.

(5) G.S. 127A-42. Distinguished Service Medal by Governor of North Carolina.

(6) G.S. 108A-29. First Stop Employment Assistance; priority for employment services.

SECTION #.(p) G.S. 120-70.94 reads as rewritten:

"**§ 120-70.94. Purpose and powers of Committee.**

(a) The Joint Legislative ~~Corrections and Crime Control~~ Corrections and Juvenile Justice Oversight Committee shall examine, on a continuing basis, the ~~correctional and law enforcement~~ correctional, law enforcement, and juvenile justice systems in North Carolina, in order to make ongoing recommendations to the General Assembly on ways to improve ~~the correctional and law enforcement~~ those systems and to assist those systems in realizing their objectives of protecting the public and of punishing and rehabilitating offenders. In this examination, the Committee shall:

(1) Study the budget, programs, and policies of the Departments of ~~Correction and Crime Control and Public Safety,~~ Correction, Juvenile Justice and Delinquency Prevention, and Transportation to determine ways in which the General Assembly may improve the effectiveness of those Departments;

(2) Examine the effectiveness of the Department of Correction in implementing the public policy stated in G.S. 148-26 of providing work assignments and employment for inmates as a means of reducing 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;

(2a) Examine the effectiveness of the Department of ~~Crime Control and Public Safety~~ Transportation in implementing the duties and responsibilities charged to the Department in ~~G.S. 143B-474~~ Article 8 of Chapter 143B of the General Statutes and the overall effectiveness and efficiency of law enforcement in the State; ~~and~~

(2b) Examine the effectiveness of the Department of Juvenile Justice and Delinquency Prevention in implementing the duties and responsibilities charged to the Department in Article 12 of Chapter 143B of the General Statutes and the overall effectiveness and efficiency of the juvenile justice system in the State; and

(3) Study any other matters that the Committee considers necessary.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee."

Except for the section of the General Statutes amended in this section, the Revisor of Statutes shall substitute the term "Joint Legislative Corrections and Juvenile Justice Oversight Committee" for the term "Joint Legislative Corrections and Crime Control Oversight Committee" everywhere that term appears in the General Statutes.

SECTION #.(q) This section becomes effective July 1, 2002.

DRAFT
SPECIAL PROVISION

2001-CCPS-S4

Department of Crime Control and Public Safety
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

ANNUAL EVALUATION OF THE TARHEEL CHALLENGE PROGRAM.

SECTION #. The Department of Crime Control and Public Safety shall report 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 by April 1 of each year on the operations and effectiveness of the National Guard Tarheel Challenge Program. The report should evaluate the program's effectiveness as an intervention method for preventing juveniles from becoming undisciplined or delinquent. The report shall also evaluate the Program's role in improving individual skills and employment potential for participants and shall include:

(1) The source of referrals for individuals participating in the Program;

(2) The summary of types of actions or offenses committed by the participants of the Program;

(3) An analysis outlining the cost of providing services for each participant, including a breakdown of all expenditures related to the administration and operation of the Program and the education and treatment of the Program participants;

(4) The number of individuals who successfully complete the Program; and

(5) The number of participants who commit offenses after completing the Program.

DRAFT
SPECIAL PROVISION

2001-CCPS-S5

Department of Crime Control and Public Safety
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

LEGISLATIVE REVIEW OF DRUG LAW ENFORCEMENT AND OTHER GRANTS.

SECTION #.(a) Section 1303(4) of the Omnibus Crime Control and Safe Streets Act of 1968 provides that the State application for Drug Law Enforcement Grants is subject to review by the State legislature or its designated body. Therefore, the Governor's Crime Commission of the Department of Crime Control and Public Safety shall report on the State application 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, to the Senate and House Appropriations Subcommittees on Justice and Public Safety when the General Assembly is in session. When the General Assembly is not in session, the Governor's Crime Commission shall report on the State application to the Joint Legislative Commission on Governmental Operations.

SECTION #.(b) Unless a State statute provides a different forum for review, when a federal law or regulation provides that an individual State application for a grant shall 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.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-CCPS-S7

Department of Crime Control and Public Safety
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

VICTIMS ASSISTANCE NETWORK REPORT.

SECTION #. The Department of Crime Control and Public Safety shall report on the expenditure of funds allocated pursuant to this section for the Victims Assistance Network. The Department shall also report on the Network's efforts to gather data on crime victims and their needs, act as a clearinghouse for crime victims' services, provide an automated crime victims' bulletin board for subscribers, coordinate and support activities of other crime victims' advocacy groups, identify the training needs of crime victims' services providers and criminal justice personnel, and coordinate training for these personnel. The Department shall submit its report to the Chairs of the Appropriations Subcommittees on Justice and Public Safety of the Senate and House of Representatives by December 1 of each year of the biennium.

DRAFT
SPECIAL PROVISION

2001-CCPS-S8

Department of Crime Control and Public Safety
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

REVISE REPORT ON CRIME VICTIMS COMPENSATION FUND.

SECTION #. G.S. 15B-21 reads as rewritten:

"§ 15B-21. Annual report.

The Commission shall, by March 15 each year, prepare and transmit to the Governor and the General Assembly a report of its activities in the prior fiscal year and the current fiscal year to date. The report shall include:

(1) The number of claims filed;
(2) The number of awards made;
(2a) The number of pending cases by year received;
(3) The amount of each award;
(4) A statistical summary of claims denied and awards made;
(5) The administrative costs of the Commission, including the compensation of commissioners;
(6) The current unencumbered balance of the North Carolina Crime Victims Compensation Fund;
(7) The amount of funds carried over from the prior fiscal year;
(8) The amount of funds received in the prior fiscal year from the Department of Correction and from the compensation fund established pursuant to the Victims Crime Act of 1984, 42 U.S.C. § 10601, et seq.; and
(9) The amount of funds expected to be received in the current fiscal year, as well as the amount actually received in the current fiscal year on the date of the report, from the Department of Correction and from the compensation fund established pursuant to the Victims Crime Act of 1984, 42 U.S.C. § 10601, et seq.

The Attorney General and State Auditor shall assist the Commission in the preparation of the report required by this section."

DRAFT
SPECIAL PROVISION

2001-CCPS-S11

Department of Crime Control and Public Safety
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senators Jordan, Ballance

AMEND THE CRIME VICTIMS COMPENSATION ACT BY INCREASING REIMBURSEMENT FOR FUNERAL EXPENSES AND WORK LOSS AND BY PROVIDING THAT WORK LOSS INCLUDES LOST WAGES FOR TIME SPENT IN COURT AND COURT-RELATED TRANSPORTATION COSTS.

SECTION #.(a) G.S. 15B-2(1) reads as rewritten:

"(1) "Allowable expense" means reasonable charges incurred for reasonably needed products, services, and accommodations, including those for medical care, rehabilitation, medically related property, and other remedial treatment and care.

Allowable expense includes a total charge not in excess of ~~three thousand five hundred dollars ($3,500)~~ four thousand dollars ($4,000) for expenses related to funeral, cremation, and burial, including transportation of a body, but excluding expenses for flowers, gravestone, and other items not directly related to the funeral service."

SECTION #.(b) G.S. 15B-2(14) reads as rewritten:

"(14) "Work loss" means loss of income from work that the injured person would have performed if he had not been injured and expenses reasonably incurred by him to obtain services in lieu of those he would have performed for income, reduced by any income from substitute work actually performed by him, or by income he would have earned in available appropriate substitute work that he was capable of performing but unreasonably failed to undertake. "Work loss" includes lost wages resulting from time spent in court attending criminal proceedings directly related to the injury and transportation expenses incurred to attend those proceedings.

Compensation for work loss will be limited to ~~26~~ 36 weeks commencing from the date of the injury, and compensation shall not exceed ~~three hundred dollars ($300.00)~~ four hundred dollars ($400.00) per week. A claim for work loss will be paid only upon proof that the injured person was gainfully employed at the time of the criminally injurious conduct and, by physician's certificate, that the injured person was unable to work. However, a claim for work loss resulting from time spent in court attending criminal proceedings will be paid upon proof of the loss of an opportunity to work as a result of attending those proceedings."

SECTION #.(c) G.S. 15B-11(f) reads as rewritten:

"(f) Compensation for replacement services loss, dependent's economic loss, and dependent's replacement services loss may not exceed two hundred dollars ($200.00) per week. Compensation for work loss may not exceed four hundred dollars ($400.00) per week. Compensation for ~~and~~ household support loss may not exceed three hundred dollars ($300.00) per week."

SECTION #.(d) This section becomes effective July 1, 2001, and applies to injuries occurring on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2001-DJJDP-S11

Department of Juvenile Justice and Delinquency Prevention
Senate Appropriations Subcommittee on Justice and Public Safety

Requested by: Senator Jordan

JUVENILE JUSTICE RESERVE FUND ESTABLISHED

SECTION #. Of the funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention, the sum of two million five hundred thousand dollars ($2,500,000) for the 2001-2002 fiscal year shall be used to establish a reserve fund in the Department of Juvenile Justice and Delinquency Prevention for the purpose of reducing the flow of youths into juvenile and adult detention facilities.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 5/24/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
	DOC
	CCPS
	AOC
Robert N. Holyoak	AOC
Malcolm R Hunter	AOC
Brooks Stevens	DOA
Peg Dorer	Conference of DAs
Julia White	AG's office
	AP
	ACLU

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 5/24/01

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Deb Ross	ACLU
Cam Cavers	BPMHL
T. Todd	Freedom
Larry Dix	DJJDP
Scott Bradley	MNRR
John B McMillan	MFOS P.A.
Anne Dunn	LSPC
John McHugh	GOV OFFICE
NEWS ROSECLAND	OSBM

2002

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY

MINUTES

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

MEMBERSHIP

SENATE

Senator Allen H. Wellons, Chair
Senator Stan Bingham, Ranking Minority
Senator Anthony Rand
Senator Frank Ballance, Vice Chair
Senator Daniel Clodfelter
Senator Scott Thomas

HOUSE

Rep. Bill Culpepper, Chair
Rep. Wayne Goodwin
Rep. Larry Justus
Rep. Phillip Haire, Chair
Rep. John Hall
Rep. Joe Kiser
Rep. Wayne Sexton

STAFF

Jim Mills
Denise Thomas
Elisa Wolper
Telephone 733 4910

ATTORNEYS

Beth Barnes
Sean Dail

Telephone 733 6660

HOUSE COMMITTEE ASSISTANT
Sara Jane Lennard
419B LOB
Telephone 715 3005

SENATE COMMITTEE ASSISTANT
Gloria Haywood
625 LOB
Telephone 715 3034

ATTENDANCE

Appropriations Subcommittee on Justice & Public Safety

(Name of Committee)

DATES	April 24, 2002	may 1 2002		July 23 2002 (1:30)	July 24 (1:30) 2002	July 25 2002	July 30 2002 3:30	aug 1 2002 9 a.m.	aug 1 02 p.m.					
HOUSE														
CULPEPPER, Bill CHAIR	✓	✓		✓	✓	✓	✓	✓	✓					
HAIRE, Phil CHAIR	✓	✓		✓	✓	✓	✓	✓	✓					
GOODWIN, Wayne	✓			✓	✓	✓	✓	✓	✓					
HALL, John	✓	✓		✓	✓	✓	✓	✓	✓					
JUSTUS, Larry	✓	✓		✓	✓	✓	✓		✓					
KISER, Joe	✓	✓		✓	✓	✓	✓	✓	✓					
SEXTON, Wayne	✓	✓		✓	✓		✓	✓	✓					
SENATE	3	2												
JORDAN, Luther CHAIR														
BINGHAM, Stan RANKING MINORITY MEMBER	✓	✓												
BALLANCE, Frank VICE CHAIR														
CLODFELTER, Dan	✓													
THOMAS, Scott	✓	✓												
RAND, Tony														
Wellons, Allen														
Ex-Officio														
HACKNEY, Joe – Speaker Pro Tempore														
BADDOUR, Phil – Majority Leader														
DEDMON, Andrew – Majority Whip	✓													
EARLE, Beverly – Majority Whip							✓							
CUNNINGHAM, W. Pete Designated Member														

JOINT APPROPRIATIONS SUBCOMMITTEE
ON JUSTICE AND PUBLIC SAFETY
Wednesday April 24, 2002
9:00 a.m., Room 415 LOB
AGENDA

I. CALL TO ORDER

Vice-Chairmen: Sen. Frank Ballance — Rep. Bill Culpepper, Presiding
Sen. Scott Thomas — Rep. R. Phillip Haire

II. PRESENTATIONS

- Opening Remarks by Chairs

- Office of State Budget and Management
  - Overview of Preliminary 7 to 11% Reduction Lists

    Maurice King, Budget Administrator
    Office of State Budget And Management

- Department of Crime Control and Public Safety
  - Budget Overview

    Denise Thomas, Fiscal Analyst
    Fiscal Research Division

  - Review of 7 to 11% Preliminary Reduction List

    Bryan Beatty, Secretary
    Department of Crime Control and Public Safety

- Department of Correction
  - Budget Overview

    Jim Mills, Fiscal Analyst
    Fiscal Research Division

  - Review of 7 to 11% Preliminary Reduction List

    Tracy Little, Deputy Director for Administration
    Department of Correction

    Joe Hamilton, Assistant Director,
    Division of Prisons
    Department of Correction

- Sentencing and Policy Advisory Commission

  - Population Projections for Juvenile Offenders

    Susan Katzenelson, Executive Director
    N.C. Sentencing Commission

- Department of Juvenile Justice and Delinquency Prevention

  - Budget Overview

    Jim Mills, Fiscal Analyst
    Fiscal Research Division

  - Review of 7 to 11% Preliminary Reduction List

    George Sweat, Secretary
    Department of Juvenile Justice and Delinquency Prevention

- Administrative Office of the Courts

  - Budget Overview

    Elisa Wolper, Fiscal Analyst
    Fiscal Research Division

  - Review of Budget Reduction Options

    Gregg Stahl, Senior Deputy Director
    Administrative Office of the Courts

III. COMMITTEE DISCUSSION/OTHER BUSINESS

Tentative Agenda – Wednesday, May 8, 2002: Department of Justice; Other JPS issues

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, April 24, 2002,** at 9:00 a.m. in Room 415 LOB. Three(3) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. Larry Justus
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton
Rep. John Hall	Rep. Andy Dedmon, Ex-Officio

A Visitor's Registration Sheet is attached and made part of these minutes.

Rep. Bill Culpepper presided and began by expressing sympathy on the loss of Sen. Luther Jordan, and announced that Sen. Scott Thomas would serve as a Vice-Chairman of the Committee. Rep. Culpepper announced that we would be meeting jointly for the next three weeks, and then the Senate members would meet without the House members at which time they will present a proposed budget to the House. Preliminary instructions at this time are to come up with $125 million in cuts to the budget. **(Handout #1) –** General Fund Certified Budgets. Also handed out was **(Handout#2)**-Rules.

Mr. Maurice King, Budget Administrator, Office of State Budget and Management, who presented an overview of Preliminary 7 to 11% Reduction Lists. (Preliminary options presented by the agencies – subject to change. No line item detail requested.) Rep. Kiser asked if this is not across the board? Mr. King replied that there are some exceptions – the classroom and education in general. The Governor has stated that it is not his intent to cut the classroom.

Ms. Denise Thomas, began the first of four department presentations – Crime Control and Public Safety. **(Handout #3).** – with an overview of the current budget previously adopted.

Secretary Bryan Beatty then gave a Review of the 7% to 11% Preliminary Reduction List. **(Handout #4).** Secretary Beatty extended his sympathies to family, and this committee on the death of Sen. Luther Jordan. After the

overview, Rep. Kiser asked if all were hit 7-11% or some a little bit more? Sec. Beatty responded that some were indeed hit a little bit more- for example, Victim's Comp. – not the funding for victims, but the administrative part. Rep. Kiser then asked why the Nuisance Abatement Fund is being eliminated if there are actually 104 officers left? Sec. Beatty replied that they were not actually eliminating that function, only closing that office – they will no longer have a separate office. Rep. Kiser further asked how much ALE funding comes into the state? Ms. Thomas stated that all goes to local agencies.

Mr. Jim Mills, staff, continued with **(Handout #5)**, Department of Correction Budget Summary.

Next, Ms. Tracy Little, Deputy Director for Administration, Department of Correction, presented **(Handout #6)** – Review of 7 to 11% Preliminary Reduction List. Ms. Little expressed condolences on behalf of the Department to the Committee on the loss of Senator Jordan. Rep. Sexton asked the cost of handling people if they eliminate the house arrests? Ms. Dixon said that those on house arrest already have a parole officer and this will continue. Of the 900 assigned to that program, only about 740 of them are supervised by the division of community corrections and this program has always been underutilized by judges who might chose to utilize the program – the capacity is about 1,000. Rep. Sexton moved to the Community Service Work Program and asked about hidden costs there – more costs down the road? Ms. Little said that the tracking and monitoring program would go away. She doesn't know what the hidden costs for the court system might be. In regard to Rep. Hall's question about the closing of Blue Ridge and Gates, Ms. Little replied that the Department is projecting a backlog which will be greater and come sooner in the years 2002-2003. Rep. Kiser asked why Rowan Diagnostic Center would be closed and Goldsboro left open, as Rowan is closer to the center of the population? Mr. Joe Hamilton, DOC, responded that Goldsboro is a newer facility with a larger capacity. Rep. Kiser asked who is going to pay to transport people from Charlotte, how will they get them there? Mr. Hamilton stated that additional bus routes would be offered, however, some sheriffs will continue to transport, tying up a vehicle and personnel for a day. Mr. Hamilton answered Rep. Kiser's question by saying that this has been figured into the savings. Rep. Kiser asked regarding closing of Impact – what do the judges do if these programs no longer exist – do not more people end up in the Dept. of Corrections? Ms. Little said that they did make note on the community based

programs that they could have an affect on the prison population. The offenders will still be on probation and have probation officers who should identify local resources for these programs. Rep. Kiser further asked about electronic surveillance and knowing that the judge obviously thinks these people need close surveillance, are we really saving money in the long run? – aren't we putting more people back into the Dept. of Correction? Rep. Culpepper stated that no one can really know the answer. Senator Clodfelter went back to the Community Service work programs and asked what options were looked at to increase receipts? Ms. Little said that since this was a new program, there was an initial oversight on their part and they will be looking at ways to raise receipts to make it self-supporting. Rep. Haire mentioned that last year when they were looking at cutting back on IMPACT, there was to be a study made regarding the use of these facilities. Has that been done? Ms. Little stated that the report was due on May 1, 2002, and that should be completed in the next week or so.

Rep. Justus asked if the committee would be revisiting the problematic areas in the near future to which Rep. Culpepper replied that this is just the first look and everything will get a closer look.

Next on the agenda was an annual report on Population Projections for Juvenile Offenders by Ms. Susan Katzenelson, Executive Director of the NC Sentencing Commission. **(Handout #7).** Rep. Kiser asked if the number, 701, was admissions or the total population? Staff answered that it was population on December 12 when the sample was drawn. Mr. Mills, staff, answered that the average stay in a youth development center was 13.6 months in answer to Rep. Kiser's question. Rep. Kiser then asked if they have adjusted a reduction in staff to reconcile in the reduction of inmates? Mr. Mills said no, not at this stage. Rep. Haire noted that Ms. Katzenelson had mentioned that projections would be high and wondered if that would be 1%-2%? Ms. Katzenelson stated that she wouldn't say that it would be more than 5% off.

Mr. Jim Mills, staff, presented a budget overview from the Department of Juvenile Justice and Delinquency Prevention **(Handout #8).** Rep. Justus asked if the $53,000 per bed was an annualized figure and Mr. Mills replied in the affirmative. Rep. Kiser asked a question regarding the Training Schools and Detention Centers, to which Mr. Mills replied that there were five Youth Development Centers and in 2001, they spent about $47 million.

Rep. Kiser asked if 1,929 was the correct number of employees? Mr. Mills said that the last figure they had showed 2, 024 employees.

Secretary George Sweat of the Department of Juvenile Justice and Delinquency Prevention gave a Review of 7 to 11% Preliminary Reduction List. **(Handout #9)** as well as **(Handout #10)**, Potential Options for Reducing Budget. Sec. Sweat expressed sympathy on behalf of the department to Sen. Jordan's legislative family as well as his personal family. Rep. Kiser asked how many vacant positions do you have out of these 1,900? Members of staff stated that there were about 20 vacancies in Detention Centers, 133 vacancies in Youth Development totaling about 153 vacancies. Also, 35 court counselor vacancies. In answer to Rep. Sexton's question regarding closing of group homes, Sec. Sweat stated that 7% cut would close 2 group homes and 3 group homes would be from 8% on up. Sec. Sweat said that Randolph County and Macon County would be looked at for closing. The 3rd, in reply to Rep. Goodwin's inquiry, would be in Cabarrus County. Rep. Justus asked about the # of personnel and will that be sufficient to meet requirements or will you be using live bodies? Sec. Sweat stated that they would be using live bodies. Remember that these are direct care physicians in our Youth Development Centers. Rep. Justus rephrased his question to ask if there are any vacant positions once these target reductions were met? Sec. Sweat said, no, since he would cut a vacancy anywhere he could before he would ever cut a body. Rep. Justus inquired how much the 150 vacancies were generating in salaries? Staff responded that it was right around $5 million. Sen. Clodfelter, looking at the end of list reducing asked if this was elimination or a reduction? Sec. Sweat answered that they are reductions. Are they all 11 % reductions? Sec. Sweat said that the Governor's One on One was roughly 10%; the Teen Program is $488,660, the CIS is $450,000; the Boys' and Girls' Club is $400,000; Project Challenge is $150,000. Rep. Kiser asked about Teen Courts and if they were being reduced by 11% and 10% in all of them or were some being eliminated? Sec. Sweat replied that in all of the programs that show partial reductions, we would seek out those programs that are serving the fewest kids, the ones that are least cost-effective. It may involve an entire program – it may involve a piece of a program. Sec. Sweat commented that after cuts, the bed capacity would be 685. Rep. Kiser asked, in light of the fact that it is about 685 now, why would it hurt to make these cuts? Sec. Sweat suggested that it might work if the trend continues on commitments, but it is very precarious because a reduction has only shown over the last six months. – taking an extreme gamble if that population goes up.

Next, Ms. Elisa Wolper, staff, gave a Budget Overview of the Administrative Office of the Courts **(Handout #11).** Mr. John Kennedy, Director of Administrative Office of the Courts then began a review of the Budget Reduction Options **(Handout #12).** Rep. Culpepper asked for confirmation on the $1.6 million for Dispute Settlement Centers – that being the state funded program. What is the total program? Ms. Wolper replied that the $1.6 million was about 30%.

Rep. Culpepper thanked the staff for all the work that is done between meetings and announced that the next meeting will be May 1, 2002.

Rep. Culpepper adjourned the meeting at 11:45.

Presiding Committee Chair, Rep. Bill Culpepper

Sara Jane Lennard
Committee Assistant

Attachments.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY April 24, 02

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
WILLIAM E. INGRAM, JR.	ADJUTANT GENERAL NC NATIONAL GUARD CCPS
KERNEY A. PEOPLES	ASST SECRETARY DEPT CRIME CONTROL & PUBLIC SAFETY
E. DOUG PHELPS	VCSSP National Guard
John McKay	GOV OFFICE
Cliff Laymon	AOC
Richard Little	AOC
Mike Cogle	OSBM
Jonathan Williams	CCPS
Nick Hoh	OSBM

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — April 24, 2002

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Neil Woodcock	Dept of Crime Control & Public Safety
Steve Shaber	Poyner & Spruill
Bill Wilson	NCATL
Lou Rubert	CJPC
Bryan Beatty	CCPS
NELS ROSELAND	~~DS~~ NCDOJ
Maurice Ky	OSBM
William Dudley	CC&PS
Joe Hamilton	DOC
Tracy Little	DOC
Mel Goldberg	Volunteer GAL

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
David E. Jones	Governor's Crime Commission C.C. & P.S.
Larry Dix	DJJDP
Melissa Lovell	DOJ
W. N. Schultz, Jr	CCPS - CAP Div.
[signature]	CCPS
[signature]	CCPS
Bill Brown	CCPS
[signature]	AOC
[signature]	DJJDP
John Kunkey	AOC - Director
[signature]	Conference of D.As

APP. - Justic / Public SAFETY - 4-24-02

Bill Scoggin	Kennedy Covington
Michelle Frazier	NC Bar Ass'n
Susan Katzenelson	NC Sentencing Com.
Billy R. Cameron	CCPS
John J Simmons	NC ALE.
Rufus Sales	Butner CCPS
J. Shawn Lemmond.	N.C. Boxing comm.
Janice Carmichael	Victims Compensation - CCPS
John Madler	Sentencing Commission
Debbie Dawes	Sentencing Commission
Mildred Spearman	Dept. of Correction
W.M. Autry	State Hwy. Patrol
RW Holden	NC State Hwy. Patrol
Doug Lassiter	Lassiter Enterprises
Eddie Caldwell	NC Sheriffs Assn / NC Law Enf Officers

Handout #1 April 24

General Fund Certified Budgets (Sept 2001)		
	2001-2002	*2002-2003*
Administrative Office of the Courts	$305,491,140	$305,465,135
Office of Indigent Defense Services	$70,181,601	$68,867,771
Department of Correction	$923,995,281	$930,964,916
Department of Crime Control & Public Safety	$31,749,131	$28,493,506
Department of Justice	$73,142,775	$73,720,793
Department of Juvenile Justice & Delinquency Prevention	$140,800,030	$142,554,017
JPS TOTAL	$1,545,359,958	$1,550,066,138
Impact of $125 M Reduction		*8.1%*

In addition, the Highway Fund Budget for CCPS is $136,672,504 in 2001-2 and $138,199,446 in 2002-3

4/24/02
Handout #2

RULES FOR JOINT APPROPRIATIONS SUBCOMMITTEES 2002 SESSION

March 26, 2002

1. Subcommittee targets are considered reduction targets.

2. No expansion requests will be considered.

3. Negative reserves shall not be allowed.

4. Identify all reductions as recurring and non-recurring.

5. Identify all position changes (eliminations, reductions, etc...).

6. Special provisions shall not authorize the expenditure of reversions.

7. Refer all salary-related, state employee health plan, debt service, and other statewide reserve issues to the Full Appropriations Committee Chairs.

8. Proposals to eliminate state departments/programs/offices shall include specific plans for phasing-out of state positions.

9. All reductions in force (RIFs) shall be effective July 1, 2002. If this is not possible due to the nature of the reductions being taken, consultation must be made with the full chairs.

10. Reduction strategies should minimize the impact on direct services to clients and consumers. Reduction strategies should address the following:
    - Reduction in layers of management and elimination of duplication of effort (Span of Control);
    - Elimination of administrative inefficiencies;
    - Streamlining and consolidation of departments, programs, offices, and services;
    - Reduction in non-essential government services;

Prepared by the Fiscal Research Division
Budget Development

April 24, 02
Handout # 3

CRIME CONTROL AND PUBLIC SAFETY

Budget Summary—State Appropriations

	2000-01	2001-02	2002-03
Certified Budget	$37,554,148	$33,649,131	$28,493,506
Actual Expenditures	$35,086,725	NA	NA
# Employees	731.0	531.0	528.0

- 7% of FY 03 budget is $2.0 million
- 11% is $ 3.1million

2002-03 Budget by Major Functional Areas

Program	Budget*	% of Total
Administration	$2,650,915	9.3
National Guard	$8,613,276	30.2
Civil Air Patrol	$133,580	0.5
Butner Public Safety	$2,693,891	9.5
ALE	$7,814,168	27.4
Emergency Mgmt	$2,795,320	9.8
Victims & Justice Ser.	$2,460,326	8.6
Crime Commission	$1,332,030	4.7

* net of receipts

2002-03 Budget by Purpose

- 42% of expenditures support salary/benefits cost ($26.4 million)
- 41% of expenditures for purchased services ($25.6 million)
- 10.8% of expenditures budgeted for aid and public assistance ($6.8 million

Major Changes in 2001-03 Budget by General Assembly

- Eliminated 49 positions - $2.1 million
- Transferred Community Service Work Program to DOC – 162 positions; $5,826,564
- NR reduction in vehicle replacement budget - $504,688
- Reduced National Guard pension fund payments - $1,002,776
- Reduced National Guard tuition assistance budget - $100,000
- $1.9 million NR – expansion funding for terrorism defense
- $140,000 R – expansion to meet state match requirement for Tarheel Challenge
- $200,000 R – expansion for Rape Victims Assistance and Crime Victims Compensation

New Reductions/Reversions for 2001-02 by Governor

Total is $2.3 million (7.2 percent); Major cuts are:

- $937,776: lapsed salary and other personal services items in operating budget
- $642,648- unresolved (negative reserve)
- $26,100 – increase boxing licensing fees
- $120,508 – National Guard building repair reserve
- $50,000 – emergency management aid to local units

Preliminary Cuts Proposed to Governor at 7 to 11% for 2002-03

Proposed reductions range from 7% ($2.0 million) to 11% ($3.2million)

- Up to $785,917- abolish 10 to 18 vacant and filled positions
- Up to $1,554,973 reduction in operating costs, i.e. travel, supplies, equipment, etc.
- Up to $409,390 – reduction in National Guard pension fund payments

April 24,02
Handout # 4
Bryan Beatty

FY 02/03 Agency Plan for 7 to 11 Percent Reductions					3/6/02 9:59
Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	FY 02/03				
No. Title and Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
7% Agency Reduction Recommendations					
1 ADMINISTRATION					
Abolish 1 vacant position in the Secretary's Office	$ (65,816)		$ (65,816)	(1.00)	Workload of other legal staff members will be increased with abolishment of this position.
Reduce operating expenses in the Secretary's Office	$ (52,817)		$ (52,817)		Equipment purchases cannot be made, travel will be greatly curtailed, adequate supplies will not be available for efficient operations.
Reduce operating expenses in the LESS Operation	$ (16,055)		$ (16,055)		Reduced services to our customers. With the reduction in operating expenses, we will be able to screen and pick up fewer items for delivery to local law enforcement agencies
Abolish 1 vacant position in the Boxing Commission	$ (35,683)		$ (35,683)	(1.00)	Will be able to provide fewer clerical services and will have no telephone coverage when other 2 staff members are out of the office.
Increase receipts in the Boxing Commission		$ 15,117	$ (15,117)		Increasing receipts will have no impact on our delivery of services.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
2	NATIONAL GUARD					
	Abolish 3 vacant positions in the National Guard	$ (103,457)		$ (103,457)	(3.00)	Will create additional workload for administrative pool which is already critically understaffed.
	Reduce operating expenses in the National Guard	$ (277,170)		$ (277,170)		Will hinder attempt to meet readiness standards and maintain employee morale with the National Guard fulfilling a critical role in the state and nation war against terrorism. All armory maintenance projects will be put on hold, including critical ones. Closing of some armories will be considered since funds will not be available to pay all utilities.
	Reduce payments to NG Pension Fund	$ (223,135)		$ (223,135)		There will be no impact on the stability of the pensio fund nor will any payments be withheld from eligible members. This reduction will simply postpone payments due to the fund until a later date.
3	CIVIL AIR PATROL					
	Reduce operating expenses in the Civil Air Patrol	$ (9,407)		$ (9,407)		Administrative support will be cut through travel

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
						being curtailed and some training missions would
						be postponed
4	ALCOHOL LAW ENFORCEMENT					
	Abolish 1 position in Missing Persons Program	$ (46,867)		$ (46,867)	(1.00)	Would reduce the effectiveness of the missing
						persons programs since only 2 staff members
						would be left to administer the program.
	Reduce operating expenses in ALE	$ (397,487)		$ (397,487)		Would require elimination of the Nuisance
						Abatement Office, would not allow for purchase of
						any new vehicles and some will have mileage of
						120,000 miles, will reduce participation at
						conferences, in-service training, supervisor's
						meetings, policy teams and will reduce undercover
						operations and operational efficiency.
5	EMERGENCY MANAGEMENT					
	Abolish 4 vacant positions in Emergency Mgmt	$ (155,074)		$ (155,074)	(4.00)	Will create additional workloads for already
						critically understaffed administrative work pool.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Reduce operating expenses in Emergency Mgmt	$ (40,856)		$ (40,856)		Will greatly reduce travel, purchase of equipment, purchase of needed supplies to perform an expected level of efficiency in the various Emergency Management operations
6	VICTIMS COMPENSATION					
	Reduce personnel costs in Victims Compensation	$ (395,428)		$ (395,428)		By reducing salary reserves and benefits, funds will not be available for promotions and salary increases.
	Reduce operating expenses in Victims Compensat	$ (89,566)		$ (89,566)		Will greatly reduce travel, purchase of supplies and equipment which will reduce level of efficiency in this program.
7	GOVERNOR'S CRIME COMMISSION					
	Reduce operating expenses in Governor's Crime Commission	$ (92,997)		$ (92,997)		Will greatly reduce travel, purchase of supplies and equipment which will reduce level of efficiency in this program.
	Subtotal for 7% Agency Reductions	**$ (2,001,815)**	**$ 15,117**	**$ (2,016,932)**	**(10.00)**	

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
8% Agency Reduction Recommendations						
1	ADMINISTRATION					
	Abolish 1 vacant position in the Secretary's Office	$ (65,816)		$ (65,816)	(1.00)	Workload of other legal staff members will be increased with abolishment of this position.
	Reduce operating expenses in the Secretary's Office	$ (74,859)		$ (74,859)		Equipment purchases cannot be made, travel will be greatly curtailed, adequate supplies will not be available for efficient operations.
	Reduce operating expenses in the LESS Operation	$ (18,348)		$ (18,348)		Reduced services to our customers. With the reduction in operating expenses, we will be able to screen and pick up fewer items for delivery to local law enforcement agencies

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Abolish 1 vacant position in the Boxing Commission	$ (35,683)		$ (35,683)	(1.00)	Will be able to provide fewer clerical services and will have no telephone coverage when other 2 staff members are out of the office.
	Increase receipts in the Boxing Commission		$ 17,277	$ (17,277)		Increasing receipts will have no impact on our delivery of services.
2	NATIONAL GUARD					
	Abolish 3 vacant positions in the National Guard	$ (103,457)		$ (103,457)	(3.00)	Will create additional workload for administrative pool which is already critically understaffed.
	Reduce operating expenses in the National Guard	$ (317,035)		$ (317,035)		Will hinder attempt to meet readiness standards and maintain employee morale with the National Guard fulfilling a critical role in the state and nation war against terrorism. All armory maintenance projects will be put on hold, including critical ones. Closing of some armories will be considered since funds will not be available to pay all utilities.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
		FY 02/03			
No.	Title and Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Reduce payments to NG Pension Fund	$ (269,522)		$ (269,522)		There will be no impact on the stability of the pensio fund nor will any payments be withheld from eligible members. This reduction will simply postpone payments due to the fund until a later date.
3	CIVIL AIR PATROL					
	Reduce operating expenses in the Civil Air Patrol	$ (10,751)		$ (10,751)		Administrative support will be cut through travel being curtailed and some training missions would be postponed
4	ALCOHOL LAW ENFORCEMENT					
	Abolish 1 position in Missing Persons Program	$ (46,867)		$ (46,867)	(1.00)	Would reduce the effectiveness of the missing persons programs since only 2 staff members would be left to administer the program.
	Abolish 2 positions in ALE	$ (81,271)		$ (81,271)	(2.00)	With the abolishment of 2 sworn agent positions, the statutory mission of the ALE program will be hampered and some public services will be reduced.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Reduce operating expenses in ALE	$ (448,982)		$ (448,982)		Would require elimination of the Nuisance Abatement Office, would not allow for purchase of any new vehicles and some will have mileage of 120,000 miles, will reduce participation at conferences, in-service training, supervisor's meetings, policy teams and will reduce undercover operations and operational efficiency.
5	EMERGENCY MANAGEMENT					
	Abolish 4 vacant positions in Emergency Mgmt	$ (155,074)		$ (155,074)	(4.00)	Will create additional workloads for already critically understaffed administrative work pool.
	Reduce operating expenses in Emergency Mgmt	$ (68,847)		$ (68,847)		Will greatly reduce travel, purchase of equipment, purchase of needed supplies to perform an expected level of efficiency in the various Emergency Management operations
6	VICTIMS COMPENSATION					
	Reduce personnel costs in Victims Compensation	$ (395,428)		$ (395,428)		By reducing salary reserves and benefits, funds will not be available for promotions and salary

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
		FY 02/03			
No.	Title and Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
						increases.
	Reduce operating expenses in Victims Compensat	$ (89,566)		$ (89,566)		Will greatly reduce travel, purchase of supplies
						and equipment which will reduce level of
						efficiency in this program.
7	GOVERNOR'S CRIME COMMISSION					
	Reduce operating expenses in Governor's Crime	$ (106,282)		$ (106,282)		Will greatly reduce travel, purchase of supplies
	Commission					and equipment which will reduce level of
						efficiency in this program.
	Subtotal for 8% Agency Reductions	**$ (2,287,788)**	**$ 17,277**	**$ (2,305,065)**	**(12.00)**	
9% Agency Reduction Recommendations						
1	ADMINISTRATION					
	Abolish 1 vacant position in the Secretary's Office	$ (65,816)		$ (65,816)	(1.00)	Workload of other legal staff members will be
						increased with abolishment of this position.

Department: CRIME CONTROL/PUB SAFE		Budget Code:	14900			
	Title and	FY 02/03				
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Reduce operating expenses in the Secretary's Office	$ (96,903)		$ (96,903)		Equipment purchases cannot be made, travel will be greatly curtailed, adequate supplies will not be available for efficient operations.
	Reduce operating expenses in the LESS Operation	$ (20,642)		$ (20,642)		Reduced services to our customers. With the reduction in operating expenses, we will be able to screen and pick up fewer items for delivery to local law enforcement agencies
	Abolish 1 vacant position in the Boxing Commission	$ (35,683)		$ (35,683)	(1.00)	Will be able to provide fewer clerical services and will have no telephone coverage when other 2 staff members are out of the office.
	Increase receipts in the Boxing Commission		$ 19,437	$ (19,437)		Increasing receipts will have no impact on our delivery of services.
2	NATIONAL GUARD					
	Abolish 3 vacant positions in the National Guard	$ (103,457)		$ (103,457)	(3.00)	Will create additional workload for administrative pool which is already critically understaffed.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Reduce operating expenses in the National Guard	$ (356,663)		$ (356,663)		Will hinder attempt to meet readiness standards and maintain employee morale with the National Guard fulfilling a critical role in the state and nation war against terrorism. All armory maintenance projects will be put on hold, including critical ones. Closing of some armories will be considered since funds will not be available to pay all utilities.
	Reduce payments to NG Pension Fund	$ (316,146)		$ (316,146)		There will be no impact on the stability of the pensio fund nor will any payments be withheld from eligible members. This reduction will simply postpone payments due to the fund until a later date.
3	CIVIL AIR PATROL					
	Reduce operating expenses in the Civil Air Patrol	$ (12,095)		$ (12,095)		Administrative support will be cut through travel being curtailed and some training missions would be postponed
4	BUTNER PUBLIC SAFETY					
	Reduce operating expenses in Butner Public Safety	$ (54,304)		$ (54,304)		Purchase of equipment and most supplies will

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
		FY 02/03			
No.	Title and Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
						would be cut which will reduce our level of
						efficiency and readiness.
5	ALCOHOL LAW ENFORCEMENT					
	Abolish 1 position in Missing Persons Program	$ (46,867)		$ (46,867)	(1.00)	Would reduce the effectiveness of the missing
						persons programs since only 2 staff members
						would be left to administer the program.
	Abolish 4 positions in ALE	$ (182,241)		$ (182,241)	(4.00)	With the abolishment of 4 sworn agent positions,
						the statutory mission of the ALE program will
						be hampered and some public services will be
						reduced.
	Reduce operating expenses in ALE	$ (426,471)		$ (426,471)		Would require elimination of the Nuisance
						Abatement Office, would not allow for purchase of
						any new vehicles and some will have mileage of
						120,000 miles, will reduce participation at
						conferences, in-service training, supervisor's
						meetings, policy teams and will reduce undercover
						operations and operational efficiency.
6	EMERGENCY MANAGEMENT					

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Abolish 4 vacant positions in Emergency Mgmt	$ (155,074)		$ (155,074)	(4.00)	Will create additional workloads for already critically understaffed administrative work pool.
	Reduce operating expenses in Emergency Mgmt	$ (96,837)		$ (96,837)		Will greatly reduce travel, purchase of equipment, purchase of needed supplies to perform an expected level of efficiency in the various Emergency Management operations
7	VICTIMS COMPENSATION					
	Reduce personnel costs in Victims Compensation	$ (395,428)		$ (395,428)		By reducing salary reserves and benefits, funds will not be available for promotions and salary increases.
	Reduce operating expenses in Victims Compensat	$ (89,566)		$ (89,566)		Will greatly reduce travel, purchase of supplies and equipment which will reduce level of efficiency in this program.
8	GOVERNOR'S CRIME COMMISSION					
	Reduce operating expenses in Governor's Crime Commission	$ (119,568)		$ (119,568)		Will greatly reduce travel, purchase of supplies and equipment which will reduce level of efficiency in this program.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Subtotal for 9% Agency Reductions	$ (2,573,761)	$ 19,437	$ (2,593,198)	(14.00)	
10% Agency Reduction Recommendations						
1	ADMINISTRATION					
	Abolish 2 vacant positions in the Secretary's Office	$ (114,589)		$ (114,589)	(2.00)	Workload of other legal and public information staff members will be increased with the abolishment of these positions.
	Reduce operating expenses in the Secretary's Office	$ (70,175)		$ (70,175)		Equipment purchases cannot be made, travel will be greatly curtailed, adequate supplies will not be available for efficient operations.
	Reduce operating expenses in the LESS Operation	$ (22,936)		$ (22,936)		Reduced services to our customers. With the reduction in operating expenses, we will be able to screen and pick up fewer items for delivery to local law enforcement agencies
	Abolish 1 vacant position in the Boxing Commission	$ (35,683)		$ (35,683)	(1.00)	Will be able to provide fewer clerical services and will have no telephone coverage when other 2 staff members are out of the office.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Increase receipts in the Boxing Commission		$ 21,596	$ (21,596)		Increasing receipts will have no impact on our delivery of services.
2	NATIONAL GUARD					
	Abolish 3 vacant positions in the National Guard	$ (103,457)		$ (103,457)	(3.00)	Will create additional workload for administrative pool which is already critically understaffed.
	Reduce operating expenses in the National Guard	$ (396,293)		$ (396,293)		Will hinder attempt to meet readiness standards and maintain employee morale with the National Guard fulfilling a critical role in the state and nation war against terrorism. All armory maintenance projects will be put on hold, including critical ones. Closing of some armories will be considered since funds will not be available to pay all utilities.
	Reduce payments to NG Pension Fund	$ (362,768)		$ (362,768)		There will be no impact on the stability of the pensio fund nor will any payments be withheld from eligible members. This reduction will simply postpone payments due to the fund until a later date.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
		FY 02/03			
No.	Title and Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
3	CIVIL AIR PATROL					
	Reduce operating expenses in the Civil Air Patrol	$ (13,439)		$ (13,439)		Administrative support will be cut through travel being curtailed and some training missions would be postponed.
4	BUTNER PUBLIC SAFETY					
	Reduce operating expenses in Butner Public Safety	$ (58,051)		$ (58,051)		Purchase of equipment and most supplies will would be cut which will reduce our level of efficiency and readiness.
5	ALCOHOL LAW ENFORCEMENT					
	Abolish 1 position in Missing Persons Program	$ (46,867)		$ (46,867)	(1.00)	Would reduce the effectiveness of the missing persons programs since only 2 staff members would be left to administer the program.
	Abolish 6 positions in ALE	$ (273,765)		$ (273,765)	(6.00)	With the abolishment of 6 sworn agent positions,

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
						the statutory mission of the ALE program will
						be hampered and some public services will be
						reduced.
	Reduce operating expenses in ALE	$ (463,964)		$ (463,964)		Would require elimination of the Nuisance
						Abatement Office, would not allow for purchase of
						any new vehicles and some will have mileage of
						120,000 miles, will reduce participation at
						conferences, in-service training, supervisor's
						meetings, policy teams and will reduce undercover
						operations and operational efficiency.
6	EMERGENCY MANAGEMENT					
	Abolish 4 vacant positions in Emergency Mgmt	$ (155,074)		$ (155,074)	(4.00)	Will create additional workloads for already
						critically understaffed administrative work pool.
	Reduce operating expenses in Emergency Mgmt	$ (124,827)		$ (124,827)		Will greatly reduce travel, purchase of equipment,
						purchase of needed supplies to perform an
						expected level of efficiency in the various
						Emergency Management operations

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
7	VICTIMS COMPENSATION					
	Reduce personnel costs in Victims Compensation	$ (395,428)		$ (395,428)		By reducing salary reserves and benefits, funds will not be available for promotions and salary increases.
	Reduce operating expenses in Victims Compensat	$ (89,566)		$ (89,566)		Will greatly reduce travel, purchase of supplies and equipment which will reduce level of efficiency in this program.
8	GOVERNOR'S CRIME COMMISSION					
	Reduce operating expenses in Governor's Crime Commission	$ (132,853)		$ (132,853)		Will greatly reduce travel, purchase of supplies and equipment which will reduce level of efficiency in this program.
	Subtotal for 10% Agency Reductions	**$ (2,859,735)**	**$ 21,596**	**$ (2,881,331)**	**(17.00)**	
11% Agency Reduction Recommendations						

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
1	ADMINISTRATION					
	Abolish 2 vacant positions in the Secretary's Office	$ (114,589)		$ (114,589)	(2.00)	Workload of other legal and public information staff members will be increased with the abolishment of these positions.
	Reduce operating expenses in the Secretary's Office	$ (92,220)		$ (92,220)		Equipment purchases cannot be made, travel will be greatly curtailed, adequate supplies will not be available for efficient operations.
	Reduce operating expenses in the LESS Operation	$ (25,229)		$ (25,229)		Reduced services to our customers. With the reduction in operating expenses, we will be able to screen and pick up fewer items for delivery to local law enforcement agencies
	Abolish 1 vacant positions in the Boxing Commission	$ (35,683)		$ (35,683)	(1.00)	Will be able to provide fewer clerical services and will have no telephone coverage when other 2 staff members are out of the office.
	Increase receipts in the Boxing Commission		$ 23,756	$ (23,756)		Increasing receipts will have no impact on our delivery of services.
2	NATIONAL GUARD					

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
		FY 02/03			
No.	Title and Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	Abolish 3 vacant positions in the National Guard	$ (103,457)		$ (103,457)	(3.00)	Will create additional workload for administrative pool which is already critically understaffed.
	Reduce operating expenses in the National Guard	$ (435,922)		$ (435,922)		Will hinder attempt to meet readiness standards and maintain employee morale with the National Guard fulfilling a critical role in the state and nation war against terrorism. All armory maintenance projects will be put on hold, including critical ones. Closing of some armories will be considered since funds will not be available to pay all utilities.
	Reduce payments to NG Pension Fund	$ (409,390)		$ (409,390)		There will be no impact on the stability of the pensio fund nor will any payments be withheld from eligible members. This reduction will simply postpone payments due to the fund until a later date.
3	CIVIL AIR PATROL					
	Reduce operating expenses in the Civil Air Patrol	$ (14,783)		$ (14,783)		Administrative support will be cut through travel being curtailed and some training missions would be postponed.

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
4	BUTNER PUBLIC SAFETY					
	Reduce operating expenses in Butner Public Safety	$ (112,356)		$ (112,356)		Purchase of equipment and most supplies will would be cut which will reduce our level of efficiency and readiness.
5	ALCOHOL LAW ENFORCEMENT					
	Abolish 1 position in Missing Persons Program	$ (46,867)		$ (46,867)	(1.00)	Would reduce the effectiveness of the missing persons programs since only 2 staff members would be left to administer the program.
	Abolish 7 positions in ALE	$ (330,247)		$ (330,247)	(7.00)	With the abolishment of 7 sworn agent positions, the statutory mission of the ALE program will be hampered and some public services will be reduced.
	Reduce operating expenses in ALE	$ (485,942)		$ (485,942)		Would require elimination of the Nuisance Abatement Office, would not allow for purchase of any new vehicles and some will have mileage of 120,000 miles, will reduce participation at

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900			
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
						conferences, in-service training, supervisor's
						meetings, policy teams and will reduce undercover
						operations and operational efficiency.
6	EMERGENCY MANAGEMENT					
	Abolish 4 vacant positions in Emergency Mgmt	$ (155,074)		$ (155,074)	(4.00)	Will create additional workloads for already
						critically understaffed administrative work pool.
	Reduce operating expenses in Emergency Mgmt	$ (152,817)		$ (152,817)		Will greatly reduce travel, purchase of equipment,
						purchase of needed supplies to perform an
						expected level of efficiency in the various
						Emergency Management operations
7	VICTIMS COMPENSATION					
	Reduce personnel costs in Victims Compensation	$ (395,428)		$ (395,428)		By reducing salary reserves and benefits, funds
						will not be available for promotions and salary
						increases.
	Reduce operating expenses in Victims Compensat	$ (89,566)		$ (89,566)		Will greatly reduce travel, purchase of supplies

Department: CRIME CONTROL/PUB SAFE	Budget Code:	14900				
	Title and	FY 02/03				
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
						and equipment which will reduce level of
						efficiency in this program.
8	GOVERNOR'S CRIME COMMISSION					
	Reduce operating expenses in Governor's Crime	$ (146,138)		$ (146,138)		Will greatly reduce travel, purchase of supplies
	Commission					and equipment which will reduce level of
						efficiency in this program.
	Subtotal for 11% Agency Reductions	$ (3,145,708)	$ 23,756	$ (3,169,464)	(18.00)	
GRAND TOTALS FOR ALL REDUCTION AMOUNT		$ (12,868,807)	$ 97,183	$ (12,965,990)	(71.00)	

Handout # 5
april 24, 02

DEPARTMENT OF CORRECTION BUDGET SUMMARY

Budget Summary—State Appropriations

	2000-01	2001-02	2002-03
Certified Budget	$927,971,199	$923,995,281	$930,964,916
Actual Expenditures	$899,584,323	NA	NA
# Employees	18,289.6	18,910.9	18,910.9

- 7% of FY 03 budget is $65.1 million
- 11% is $102.4 million

2002-03 Budget by Major Program—Examples

Program	Budget	% of Total
Prisons	$761,206,560	82%
Probation and Parole*	$127,840,149	14%
Substance Abuse Treatment	$ 14,595,740	1.6%
IMPACT	$ 4,623,695	<1%
Dept. Mgmnt	$ 39,335,381	4.2%

* Includes $8.3 million for Partnership Act and pass-through to Summit House and Harriet's House

2002-03 Budget by Purpose

- 76% Salaries and Benefits ($710 million)
- 15% Purchased Services ($136 million); includes doctor and hospital costs for inmates; utilities, data processing, travel, payments for jail misdemeanants

Major Changes in 2001-03 Budget by General Assembly

$2.35 Million: Close Scotland and Alamance prisons

$1.5 million: Reduce IMPACT program/Close by June 30, 2003 and establish community-based program with remaining funds

$ 3 Million: Eliminate two private contracts for treatment beds

$4.5 million: Cut inmate food budget

$5.2 Million: Increase funding for inmate medical and require study of privatization

New Reductions for 2001-02 by Governor

Total is $42 million; Major cuts are:

- $30 Million: Lapsed Salary and Non-Salary Line Items in Operating Budget (Original Cuts at 4%)

- $5.74 Million in additional non-salary line items

- $807,493: Freeze all DOC positions
-
- $1.661 Million: Additional "Efficiencies" to be identified

Preliminary Cuts Proposed to Governor at 7 to 11% for 2002-03

7% is $65 million to 10% at $85 million (low); DOC did not identify 11% because of "public safety" concerns

- $35.8 million: Lapsed salaries and unidentified line item cuts
- Close these facilities: IMPACT ($4.157 million); Gates ($929,964); DART Cherry ($2.875 million); Blue Ridge ($1.183 million); Rowan Diagnostic Center ($137,546)
- Close these programs: Partnership Act ($8.56 million). House Arrest ($1.2 million); Evergreen Substance Abuse treatment contract ($1.2 million) and In-Prison treatment for medium custody ($3.169 million); Community Work Crews (minimum custody: $5.1 million); Community Service Work Program ($5.8 million)
- Eliminate funding to non-profits for community programs

Handout #6
April 24, 02

FY 02/03 Agency Plan for 7 to 11 Percent Reductions						
* Amended adjustments for the 7 to 11 percent reductions. Figures have changed since the 3-15-02 spreadsheet.						
Department: Correction	**Budget Code:**	**14500**				
	FY 02/03			**Non-Recurring**		
No. Title and Description	**Expenses**	**Receipts**	**Appropriations**	**Recurring**	**Pos.**	**Impact of Reduction**
NOTE: In reviewing the budget reduction options presented below, it should be noted that due to the budget projections for fiscal year 2002-03 and lack of expansion money, DOC anticipates being required to spend approximately $40 million in lapse salaries to cover areas in its budget that are not adequately funded. Additionally, if any options are implemented that reduce the number of authorized positions, DOC's ability to generate adequate lapse salaries will be negatively impacted. These options are not in priority order.						
7% Agency Reduction Options						
1 Increase offender supervision fee rate		4,458,811	(4,458,811)	R		Increase the supervision fee rates charged to the offenders while under probation, parole or post release supervision from the current amount of $20/month to $30/month.
Statutory Change Required						
						The NC Sentencing and Policy Commission has projected that a total of 116,480 offenders will come under the supervision of the division during FY 2003. Currently, offenders are charged $20/month, all of which is, by statute, paid to the state budget's general fund. For FY 2001, a total of $9,956,308 was paid to the general fund from the division's collection of supervision fees.
						This proposal allows for the continuation of the current $20/month supervision fees to be paid to the general fund with the additional proceeds to be used by DOC to off-set this budgeted receipt.
						This net additional amount is based on a conservatively-estimated collection rate of 55%. Effective date of 7-1-02.

Department: Correction		Budget Code:	14500				
	Title and	FY 02/03			Non-Recurring		
No.	Description	Expenses	Receipts	Appropriations	Recurring	Pos.	Impact of Reduction
2	Lapse Salary	(17,145,181)		(17,145,181)	NR		In order to continue to generate lapse salary to be used towards our reversion target the department will need to keep 1500 vacancies.
3	Non-Salary Accounts	(18,621,049)		(18,621,049)	NR		Equipment, maintenance and travel will continue to be approved on a critical or emergency basis.
4	MIS Contract Conversions	(355,155)		(355,155)	R		Management Information Systems (MIS) would convert 4 contractual positions to full time, which would create a cost savings. This reduction would result in a more efficient use of staff and better prioritization of MIS projects. Effective date 7-1-02.
5	Charge contractual salary and subsistence expense	(450,000)		(450,000)	NR		Reduction in contractual employee flexibility to work
	for Inmate Supervisors employed by the Inmate						on other DOC Construction Projects. Reduction of
	Construction Program (ICP) to the project funding						VOI/TIS funds available for planned projects.
	source. (VOI/TIS Federal Grant Fund)						Effective date of 7-1-02.
6	Autos, Trucks & Buses	(1,000,000)		(1,000,000)	NR		This would limit the Department's ability to replace existing vehicles with high mileage and repair cost will increase. Vehicle breakdowns likely to occur.
7	Cancel all training classes scheduled at the Ft. Fisher location	(181,063)		(181,063)	R		Actual contract cost with Ft. Fisher is $259,600.00. The difference will be used to offset cost at less expensive training sites.
*8	Eliminate funding for Criminal Justice Partnership Program	(8,803,797)		(8,803,797)	R	(12)	Eliminates county operated programs for probationers and parolees. Abolishes 4 field coordinators and 8 administrative staff positions. Effective date 7-1-02.
	Statutory Change Required						

Department: Correction		Budget Code:	14500				
	Title and	FY 02/03			Non-Recurring		
No.	Description	Expenses	Receipts	Appropriations	Recurring	Pos.	Impact of Reduction
9	Reduce 27 DOA vehicles in DCC	(88,452)		(88,452)	R		No serious impact
*10	Close Blue Ridge Correctional Facility	(1,154,683)		(1,154,683)	R	(35)	Closing this facility will improve the efficient allocation of resources. For FY 2000-01 Blue Ridge's cost per inmate per day is the 4th highest among all DOP facilities. This would also eliminate the BRIDGE Program, a cooperative effort with DENR. However, closing this facility could increase the jail backlog creating a substantial shortfall in the agency's budget. Reduces prison capacity by 72 minimum custody beds. Effective date of 7-1-02.
*11	Close Gates Correctional Facility	(935,245)		(935,245)	R	(28)	Consistent with the recommendations of the Governmental Performance Audit Committee to improve the efficient allocation of correctional resources the Department recommends closing Gates Correctional. However, closing this facility could increase the jail backlog creating a substantial shortfall in the agency's budget. Reduces prison capacity by 86 minimum custody beds. Effective date of 7-1-02.
*12	Abolish (1) Lieutenant position at each of the 17 largest facilities.	(564,779)		(564,779)	R	(17)	Decreases supervision for custody operations. Effective date of 7-1-02.
13	Reduce inmate clothing issue to Small / Martin agreement	(500,000)		(500,000)	R		Will change the issue of clothing from each day to 4 exchanges per week. This does not apply to inmates whose work assignments include kitchen duty, road squads, etc.
14	Contribution from Welfare Fund to General Fund		400,000	(400,000)	NR		This reduces funds available for inmate related needs.

Department: Correction		Budget Code:	14500				
	Title and	FY 02/03			Non-Recurring		
No.	Description	Expenses	Receipts	Appropriations	Recurring	Pos.	Impact of Reduction
*15	Abolish (9) positions Prison Administration	(481,971)		(481,971)	R	(9)	Abolishing these positions in 5 sections of Prison Administration will decrease responsiveness to the 5 Region Offices and 76 facilities and other stakeholder groups while DOP continues to expand capacity. Effective date of 7-1-02.
*16	Increase per diem for Safekeepers by $25		861,630	(861,630)	R		Counties now pay $18 per day, actual cost is $65 per day. This increase would bring the payment per day of $40 to the same level as DOC pays the counties for Jail Backlog. Effective date of 7-1-02.
	Statutory Change Required						
*17	Abolish (5) Chaplain positions	(196,766)		(196,766)	R	(5)	This reduces the availability of religious services and counseling to the inmate population. Effective date of 7-1-02.
18	Close IMPACT Program	(4,157,652)		(4,157,652)	R	(108)	Eliminates a structured sentencing sanction for male probationers. In fiscal year 2000-01, 941 offenders completed this program at IMPACT East and IMPACT West. Elimination of this residential program may result in an increase in the prison population. Effective date of 7-1-02.
	Statutory Change Required						
19	Close DART-Cherry	(2,875,116)		(2,875,116)	R	(76)	Eliminates residential substance abuse treatment program for male probationers and parolees. This may result in an increase in the prison population. In fiscal year 2000-01, 1,927 offenders completed this program. Effective date of 7-1-02.
20	Cancel Evergreen Contract	(1,000,000)		(1,000,000)	R		Reduces substance abuse treatment programs for 75 male inmates. Contract requires 60 day cancellation notice. To be effective July 1, 2002, notice must be given May 1, 2002.
*21	Abolish (9) DOC Management Positions	(515,267)		(515,267)	R	(9)	No serious impact. Effective date of 7-1-02.

Department: Correction		Budget Code:	14500				
	Title and	FY 02/03			Non-Recurring		
No.	Description	Expenses	Receipts	Appropriations	Recurring	Pos.	Impact of Reduction
22	Eliminate State Aid Summit House	(1,256,942)		(1,256,942)	R		This is pass through money allocated from the General Assembly. Effective date of 7-1-02.
	Subtotal for 7% Agency Reductions	**(60,283,118)**	**5,720,441**	**(66,003,559)**		**(299)**	
	8% Agency Reduction Options						
*23	Eliminate Community Work Crews	(5,607,294)		(5,607,294)	R	(186)	This will remove a valuable service to counties and cities for many work projects done at no cost to them. Would cause idleness for approximately 1600 inmates. Effective date of 7-1-02.
24	Eliminate State Aid John Hyman	(225,000)		(225,000)	R		This is pass through money allocated from the General Assembly. Effective date of 7-1-02.
25	Eliminate State Aid Harriett House	(275,000)		(275,000)	R		This is pass through money allocated from the General Assembly. Effective date of 7-1-02.
*26	Eliminate State Aid Women at Risk	(250,000)		(250,000)	R		This is pass through money allocated from the General Assembly. Effective date of 7-1-02.
*27	Cancel Energy to Committed Offenders (ECO) Contract	(242,637)		(242,637)	R		This eliminates a female minimum security halfway house and reduces prison capacity for 20 minimum inmates. This requires a 30 day written cancellation notice. Effective date of 7-1-02.
*28	Eliminate House Arrest	(1,277,479)		(1,277,479)	R	(14)	Eliminates sanction for offenders placed on probation and management tool for the Parole Commission. Impacts Juvenile Justice and several counties pre-trial release program for which DOC provides services to offenders currently on house arrest. Currently there are 906 offenders on electronic monitoring. This requires a 30 day written cancellation notice: contract renewal date is 7-1-02. Effective date of 7-1-02.

Department: Correction		Budget Code:	14500				
	Title and	FY 02/03			Non-Recurring		
No.	Description	Expenses	Receipts	Appropriations	Recurring	Pos.	Impact of Reduction
29	DOP will cancel contract for mobile surgery unit and associated contracts.	(617,610)		(617,610)	R		The recommendations are on-going efforts by DOP to provide health care more efficiently. DOP will cancel large statewide contract for mobile surgery. This requires a 30 day written cancellation notice. Effective date of 7-1-02.
*30	Abolish (8) Maintenance Positions	(281,593)		(281,593)	R	(8)	Finalize DOP Maintenance reorganization to operate more efficiently. Effective date of 7-1-02.
	Subtotal for 8% Agency Reductions	**(8,776,613)**	**0**	**(8,776,613)**		**(208)**	
9% Agency Reduction Options							
*31	Abolish Parole Commission positions	(226,108)		(226,108)	R	(5)	Section 25.17 requires minimum ten percent reduction in staff positions in the 2002-03 fiscal year over the 2001-2002 fiscal year. This reduction is fourteen percent of the 2002-03 budget. Effective date of 7-1-02.
*32	Close Rowan Diagnostic Center, consolidate processing at Neuse	(144,598)		(144,598)	R	(5)	Requiring all male misdemeanants to be processed at Neuse will be an inconvenience to counties in the west. Effective date of 7-1-02.
*33	Reduce Substance Abuse Programs	(3,113,606)		(3,113,606)	R	(95)	This eliminates state funded substance abuse programs at all medium and close custody facilities with the exception of DART-Wayne. Retain federally funded RSAT programs and state funded programs at minimum custody facilities. Effective date of 7-1-02
*34	Reduce funding of Drug Screening Laboratories	(162,216)		(162,216)	R		Reduce operational funding of 2 drug screening laboratories. Effective date of 7-1-02.

Department: Correction		Budget Code:	14500				
	Title and	FY 02/03			Non-Recurring		
No.	Description	Expenses	Receipts	Appropriations	Recurring	Pos.	Impact of Reduction
*35	Community Service Work Program	(5,826,564)		(5,826,564)	R	(162)	Elimination of this program will negatively impact community service projects by offenders in local communities. DOC does not have resources to absorb this workload, therefore this option eliminates the program in its entirety. This cut would reduce the General Fund receipts by $5.3 million. Effective date of 7-1-02.
	Statutory Change Required						
	Subtotal for 9% Agency Reductions	**(9,473,092)**	**0**	**(9,473,092)**		**(267)**	
10% Agency Reduction Options							
36	Reduce rates charged by UNC Hospitals	(1,034,311)		(1,034,311)			Savings amount calculated based on Medicaid rate which represents approximately 16% below current contract rate with UNC Hospital.
	Statutory Language Required						
	Subtotal for 10% Agency Reductions	**(1,034,311)**	**0**	**(1,034,311)**		**0**	Additional reductions without a decrease in the inmate and supervised offender populations would result in jeopardizing public safety. However, DOC is committed to continue to examine all operations to identify additional efficiencies.
11% Agency Reduction Options							
	Subtotal for 11% Agency Reductions	**0**	**0**	**0**		**0**	
		(79,567,134)	5,720,441	(85,287,575)	*	(774)	***NOTE: Of the 774 positions to be abolished approximately 551 are currently filled. No severance requirements have been calculated.**

Handout # 7
April 24, 02

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

JUVENILE DELINQUENT POPULATION PROJECTIONS
FISCAL YEAR 2001/2002 to FISCAL YEAR 2005/2006

Prepared in Conjunction with
the Department of Juvenile Justice and Delinquency Prevention

RELEASED APRIL 2002

INTRODUCTION

North Carolina General Statutes 164-40(b) and 164-42.1(b) direct the Sentencing Commission to prepare annual juvenile delinquent population projections and help assess North Carolina's long term resource needs for juvenile dispositions. The following analysis is based on 7,742 juvenile dispositions as estimated from a sample of cases extracted from the Department of Juvenile Justice and Delinquency Prevention's (DJJDP) Juvenile Risk Assessment database.[1]

ASSUMPTIONS

- The projections assume a two-percent annual growth rate. This growth rate was determined by the Forecasting Technical Advisory Group, based on information from the 2000 Census about the growth rate in North Carolina's juvenile population.

- The five year projections assume no change in judicial and prosecutorial behavior.

- The rates of Level 1, Level 2 and Level 3 dispositions projected for the next five years will match the rates during the sample period (July 1, 2001 - December 31, 2001) for juveniles adjudicated delinquent.

- Youth development center (YDC) length of stay was estimated using the DJJDP's Juvenile Tracking database. Average length of stay by offense level was determined by releases over the past one-year period (July 1, 2000 - June 30, 2001). These releases were a mix of juveniles adjudicated under the "old" and "new" juvenile code, with the majority having been adjudicated under the "old" code. The average length of stay was 26.3 months for juveniles adjudicated delinquent for a violent offense, 12.1 months for juveniles adjudicated delinquent for a serious offense, and 5.3 months for juveniles adjudicated delinquent for a minor offense.

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[1] The 2001 sample was comprised of 3,871dispositions entered from July 1, 2001 through December 31, 2001 for juveniles adjudicated delinquent to whom DJJDP's risk assessment was administered. The weighted sample yielded an estimated annual number of 7,742 cases. This represents about a 7% decrease in the annual number of cases estimated for 2000 (n=8,319). It is worth noting that there may be some degree of under-reporting in the 2001 sample. For example, if a juvenile is adjudicated delinquent more than once within a short period of time, the risk assessment instrument is not re-administered. Therefore, the information about subsequent dispositions would not be found in the database.

- The projection simulation model assumes that cases will be disposed of in compliance with the dispositional chart and all other relevant specifications of the juvenile code.

PROJECTED JUVENILE DELINQUENT POPULATIONS

Producing the final resource projections is a two stage process: 1) the "reality check" stage and 2) the projection stage. In the "reality check" stage, the reliability of the data (*e.g.*, commitment rates, revocation rates, length of stay, etc.) is tested by using the model to produce the current YDC population. In essence, the model is used to reproduce today's reality. In this year's "reality check," the model produced a YDC population of 698 for December 2001 while the actual population was 701, a difference of 3 juveniles. Once the model successfully approximates the current YDC population, the second stage of the process begins. In the second stage, growth rates in the number of juvenile delinquent adjudications are added to the model, producing the five year projections (*see* Table 1).[2] Although the "reality check" indicated that the model produced an accurate YDC population for December, it appears that the projection for the end of FY 2002 (and subsequent years) may overestimate the YDC population. As of April 12, 2002, the YDC population was 638 while the YDC population for the end of FY 2002 is projected to be 707.[3] It would appear that there have been changes in the system which are not explained by the data used in the model or factored into the model itself.

Changes from Previous Projections

The simulation model used to produce resource projections relies on historical data and other empirical information about how juveniles are processed through the juvenile justice system. As such, any unanticipated changes in the system can affect the projections. Current data indicate that there was an unanticipated change in dispositions resulting in significant revisions to the projected need for each dispositional option this year.[4] By all indications, judges are committing fewer juveniles to a YDC.[5] A possible explanation is a policy change in court counselors' disposition recommendations and/or a change in judicial decisions. Figure 1 presents the number of juveniles

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[2] Table 1 does not present available capacity for these dispositional options.

[3] It appears that the YDC population has been in a state of recent decline, possibly as the result of decreased admissions, shorter lengths of stay, or both. For example, the YDC population on June 30, 2001 was 828; it was 660 on December 31, 2001; and, it was 638 on April 12, 2002.

[4] Note that last year's projection estimated a YDC population of 852 for June 30, 2000 while the actual population on that day was 828, a difference of 24 juveniles. While last year's projection overestimated the YDC population by less than 3%, current data indicated that the projections for the subsequent years required significant revision. For example, last year's projection estimated a YDC population of 881 for June 30, 2002. However, this projection was revised to 707 based on current data.

[5] Data indicate that the decline in the total number of YDC commitments is due to a decrease in the number of commitments resulting from adjudications for a crime, as well as a decrease in the number of commitments resulting from a technical violation of probation and post-release supervision. For example, it was estimated from the 2000 data sample that there were 309 YDC commitments resulting from a technical violation of probation, whereas in the 2001 sample, there was an estimated number of 154 commitments.

committed to a YDC by month for Calendar Year 2001. The graph shows a drop in the number of commitments beginning in August. The average number of commitments from January through July was 62 while the average number of commitments from August through December dropped to about 50. Overall, a total of 669 juveniles were committed to a YDC during Calendar Year 2001 compared to a total of 958 committed during Calendar Year 2000. This represents about a 30% drop in the number of commitments in one year. It is too early to determine if commitments will continue to decline but to the extent that they do, the projections for each of the dispositional options will have to be revised.[6]

DESCRIPTIVE INFORMATION

Table 2 displays the distribution of the estimated 7,742 cases by the offense level of the most serious adjudicated offense in the case and the delinquent history level of the juvenile adjudicated.[7] The majority of cases (n=3,402 or 44%) involved a juvenile with a low delinquent history adjudicated for a minor offense (Class 1, 2 or 3 misdemeanor).

In applying the dispositional chart, the courts imposed commitment to a YDC in 5.5% of the cases, ordered intermediate dispositions in 34.7% of the cases, and ordered the remaining 59.8% of the cases to community dispositions. *See* Table 3.

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[6] There have been a total of 175 admissions to YDC from January 1, 2002 through April 12, 2002, averaging about 50 commitments per month. Although this average has been stable for the past eight months, it will be necessary to continue to monitor the number of commitments and adjust resource projections as warranted.

[7] Delinquency history level had to be estimated for 5,346 (or 69%) cases because this information was not collected in the Risk Assessment database until November 2001.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

TABLE 1

JUVENILES ADJUDICATED DELINQUENT

PROJECTED JUVENILE DELINQUENT POPULATIONS BY DISPOSITION LEVEL: FY 2002-2006

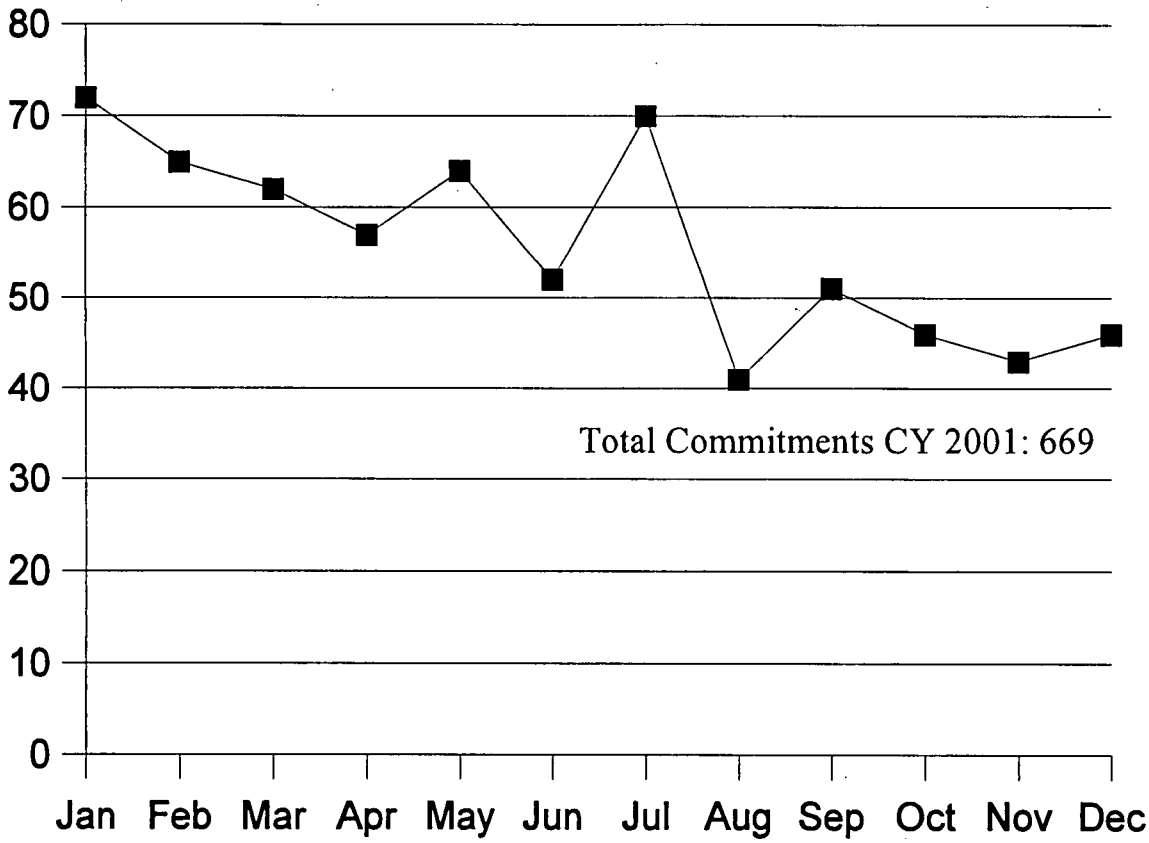
FISCAL YEAR ENDING	LEVEL 1: COMMUNITY	LEVEL 2: INTERMEDIATE	LEVEL 3: COMMITMENT
2002	4,724	2,744	707
2003	4,819	2,799	873
2004	4,915	2,855	896
2005	5,013	2,912	918
2006	5,114	2,971	935

SOURCE: Department of Juvenile Justice and Delinquency Prevention, Juvenile Risk Assessment data for juveniles adjudicated delinquent from July 1, 2001through December 31, 2001 (n=3,871).

Figure 1

Commitments to Youth Development Centers

Calendar Year 2001



SOURCE: Department of Juvenile Justice and Delinquency Prevention, Juvenile Tracking database

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

TABLE 2

JUVENILES ADJUDICATED DELINQUENT

DISTRIBUTION OF CASES BY THE DISPOSITION CHART

OFFENSE LEVEL	DELINQUENCY HISTORY LEVEL*			TOTAL
	LOW 0 - 1 pt.	MEDIUM 2 - 3 pts.	HIGH 4+ pts.	
VIOLENT	130 (69.9%)	12 (6.4%)	44 (23.7%)	**186 (2.4%)**
SERIOUS	1,440 (59.5%)	408 (16.9%)	572 (23.6%)	**2,420 (31.3%)**
MINOR	3,402 (66.2%)	1,162 (22.6%)	572 (11.2%)	**5,136 (66.3%)**
TOTAL	**4,972 (64.2%)**	**1,582 (20.4%)**	**1,188 (15.3%)**	**7,742 (100.0%)**

* Delinquency history level was estimated for 5,346 (69%) cases where this information was missing in the database.

SOURCE: Department of Juvenile Justice and Delinquency Prevention, Juvenile Risk Assessment data for juveniles adjudicated delinquent from July 1, 2001through December 31, 2001 (n=3,871).

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

TABLE 3

JUVENILES ADJUDICATED DELINQUENT

DISTRIBUTION OF CASES BY OFFENSE LEVEL AND DISPOSITION LEVEL

OFFENSE LEVEL	DISPOSITION LEVEL			TOTAL
	LEVEL 1: COMMUNITY	LEVEL 2: INTERMEDIATE	LEVEL 3: COMMITMENT	
VIOLENT	6 (3.2%)	106 (57.0%)	74 (39.8%)	**186 (2.4%)**
SERIOUS	736 (30.4%)	1,410 (58.3%)	274 (11.3%)	**2,420 (31.3%)**
MINOR	3,888 (75.7%)	1,174 (22.9%)	74 (1.4%)	**5,136 (66.3%)**
TOTAL	**4,630 (59.8%)**	**2,690 (34.7%)**	**422 (5.5%)**	**7,742 (100.0%)**

SOURCE: Department of Juvenile Justice and Delinquency Prevention, Juvenile Risk Assessment data for juveniles adjudicated delinquent from July 1, 2001through December 31, 2001 (n=3,871).

Handout # 8
April 24, 02

DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION BUDGET SUMMARY

Budget Summary—State Appropriations

	2000-01	2001-02	2002-03
Certified Budget*	$147,206,016	$140,800,030	$142,554,017
Actual Expenditures	$137,823,046	NA	NA
# Employees	1,929.35	2,024	2,024

*Authorized budget in FY 01

- 7% of FY 03 budget is $10 Million
- 8% is $11.4 Million
- 11% is $15.6 Million

2002-03 Budget by Major Program—Examples

Program	Budget	% of Total
Training Schools and Detention Centers	$55,942,975	39%
Intervention/Prevention (Court Counselors &JCPC's)	$53,676,314	37.6%
Special Initiatives (e.g. Eckerd, Group Homes, Teen Courts)	$19,790,603	13.9%
SOS	$7,190,802	5%
Dept. Mgmnt	$5,861,030	4.1%

2002-03 Budget by Purpose

94% in two categories

- 58% Salaries and Benefits ($82.5 Million)
- 36% Aid and Public Assistance (Gov. One on One, JCPC's, Eckerd, Group Homes, Detention Subsidy)

Major Changes in 2001-03 Budget by General Assembly

$1.3 Million: Reduce JCPC grants to $23.34 million

$1.8 million: Reduce staffing in training schools by 65 positions.

$500,000 Eliminate funds for new multi-purpose group home

$852,545 to annualize MIS positions

New Reductions for 2001-02 by Governor

Total is $9.3 million (7% cut); excludes cut in education budget). Major cuts are:

- $5.7 Million: Lapsed Salary
- $1.4 Capital and R & R
- $390,000 in travel (primarily court counselors)
- $328,000 in programs (group homes; one-on-one; CIS)

Preliminary Cuts Proposed to Governor at 7 to 11%
7% is $8.7 million; 11% is $13.7 million (excludes "education budget" of $18.55 million)

- $ 5.87 to $7.4 million: Reduce training school beds/staff
- $1.4 million: Close Buncombe and Umstead Detention Centers/relocate youth to training schools
  - These two cuts combined eliminate 181 beds
- $1.2 million: Close three multi-purpose group homes
- Proportionate decreases in community programs for juveniles (Gov one-on-one, teen courts, etc.)
- Court Counselor costs and positions

dreat Handout #9
April 24, 02

4/24/2002 10:00

Department: of Juvenile Justice & Delinquency Budget Code: 14060

No.	Title and Description	FY 02/03 Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
	7% Agency Reduction Options					
1	Reduce Youth Development Cntr. Beds	$ 5,873,655	$ -	$ 5,873,655	125.00	
2	Relocate Umstead and Buncombe Detention Cntrs.	$ 1,282,424	$ -	$ 1,282,424	34.00	
3	Close Two Multi-Purpose Grp. Homes	$ 1,000,000	$ -	$ 1,000,000		
4	Administrative Cuts	$ 230,735	$ -	$ 230,735	3.00	
5	Food Service Receipts	$ -	$ 350,000	$ 350,000		
	Subtotal for 7% Agency Reductions	**$ 8,386,814**	**$ 350,000**	**$ 8,736,814**	**162.00**	
	Target 7%	**$ 8,386,814**	**$ 350,000**	**$ 8,736,814**	162.00	
	8% Agency Reduction Options					
1	Reduce Youth Development Cntr. Beds	$ 248,116		$ 248,116		
2	Relocate Umstead and Buncombe Detention Cntrs.	$ 200,000		$ 200,000	2.00	
3	Close a Multi-purpose Group Home	$ 500,000		$ 500,000		
4	Administrative Cuts	$ 100,000		$ 100,000		
5	Reduce Court Counselor Travel & Training	$ 200,000		$ 200,000		
	Subtotal for 8% Agency Reductions	**$ 1,248,116**	**$ -**	**$ 1,248,116**	**2.00**	
	8% Target	**$ 9,634,930**	**$ 350,000**	**$ 9,984,930**	164.00	
	9% Agency Reduction Options					
1	Reduce Youth Development Cntr. Beds	$ 848,116		$ 848,116	10.00	
2	Increase Detention Center Receipts		$ 300,000	$ 300,000		
3	Reduce Court Counselor Travel	$ 100,000		$ 100,000		
	Subtotal for 9% Agency Reductions	**$ 948,116**	**$ 300,000**	**$ 1,248,116**	**10.00**	
	9% Target	**$10,583,046**	**$650,000**	**$11,233,046**	**174.00**	
	10% Agency Reduction Options					
1	Reduce Youth Development Cntr. Beds	$ 236,867		$ 236,867	5.00	
2	Administrative Cuts	$ 469,265		$ 469,265		
3	Increase Detention Center Receipts		$ 300,000	$ 300,000		

Department: of Juvenile Justice & Delinquency	Budget Code: 14060				
	Title and	FY 02/03			
No.	Description	Expenses	Receipts	Appropriations	Pos.	Impact of Reduction
4	Reduce Funding of Local Governor's One on One Programs	$ 78,118		$ 78,118		
5	Reduce CIS Funding	$ 45,000		$ 45,000		
6	Reduce Funding of Local Boys & Girls Club Programs	$ 40,000		$ 40,000		
7	Reduce Project Challenge Funding	$ 15,000		$ 15,000		
8	Reduce Funding to Local Teen Court Programs	$ 48,866		$ 48,866		
9	Reduce Cumberland Juvenile Assessment Funding	$ 15,000		$ 15,000		
	Subtotal for 10% Agency Reductions	**$ 948,116**	**$ 300,000**	**$ 1,248,116**	**5.00**	
	10% Target	**$11,531,162**	**$950,000**	**$12,481,162**	**179.00**	
11% Agency Reduction Options						
1	Reduce Youth Development Cntr. Beds	$ 227,068		$ 227,068		
2	Administrative Cuts	$ 119,871		$ 119,871		
3	Reduce Court Counselors' Travel Costs & Positions	$ 300,000		$ 300,000	8.00	
4	Reduce Funding of Local JCPCs	$ 466,979		$ 466,979		
5	Reduce Funding of Local Governor's One on One Programs	$ 117,811		$ 117,811		
6	Reduce CIS Funding	$ 4,500		$ 4,500		
7	Reduce Funding of Local Boys & Girls Club Programs	$ 4,000		$ 4,000		
8	Reduce Project Challenge Funding	$ 1,500		$ 1,500		
9	Reduce Funding to Local Teen Court Programs	$ 4,887		$ 4,887		
10	Reduce Cumberland Juvenile Assessment Funding	$ 1,500		$ 1,500		
	Subtotal for 11% Agency Reductions	**1,248,116**	**0**	**1,248,116**	**8.00**	
	11 % Target	**$ 12,779,278**	**$ 950,000**	**$ 13,729,278**	**187.00**	
GRAND TOTALS FOR ALL REDUCTION AMOUNTS		**$ 12,779,278**	**$ 950,000**	**$ 13,729,278**	**187.00**	

Handout # 10
April 24, 02

DJJDP
Potential Options Reducing Budget
for Fiscal Year 2002-2003

Percentage Reduction	11 %	10%	9%	8%	7%
Targeted Percentage	**13,729,278**	**12,481,162**	**11,233,046**	**9,984,930**	**8,736,814**
Reductions					
Reduce Youth Development Center Beds	7,433,822	7,206,754	6,969,887	6,121,771	5,873,655
Relocate Buncombe & Umstead Centers	1,482,424	1,482,424	1,482,424	1,482,424	1,282,424
Close Three MP Group Homes	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000
Administrative Cuts	919,871	800,000	330,735	330,735	230,735
Increase Detention Fees Charged to Counties	600,000	600,000	300,000	-	-
Reduce Court Counselor Travel & Positions	600,000	300,000	300,000	200,000	-
Reduce Funding of local JCPCs	466,979	-	-	-	-
Food Service Receipts	350,000	350,000	350,000	350,000	350,000
Reduce Funding of Local Governor's One-on-One Programs	195,929	78,118	-	-	-
Reduce Funding for Local Teen Court Programs	53,753	48,866	-	-	-
Reduce CIS Funding	49,500	45,000	-	-	-
Reduce Local Funding of Boys and Girls Clubs	44,000	40,000	-	-	-
Reduce Project Challenge Funding	16,500	15,000	-	-	-
Reduce Cumberland Juvenile Assessment Center	16,500	15,000	-	-	-
TOTAL CUTS	**13,729,278**	**12,481,162**	**11,233,046**	**9,984,930**	**8,736,814**
Difference between cuts and Target %	**-**	**-**	**-**	**-**	**-**

John Kennedy
Handout # 12
April 24, 02

Judicial Branch

	Amount	Post.
2002-03 Base Budget per S.L. 2001-424 for budget code 12000:		
Total Requirements	$ 306,605,780	
Less: Estimated Receipts	$ 1,140,645	
Less: Non-recurring funds for fy 2002-2003	$ 125,000	
General Fund Appropriations	$ 305,340,135	
Commissions not considered Judicial but placed due to independence issue:		
- Sentencing Commission		
Eliminate 2 vacant positions under Sentencing Commission	$ 110,199	2
Subtotal General Fund Appropriation	$ 305,229,936	
Proposed Reductions to the General Fund Appropriations:		
(a) Seat Belt Court Cost Increase to General Fund	$ 11,638,900	
- 182,000 conviction w/ no court cost now - add the $ 90 court cost per case. The General Fund receives $ 63.95 of the court cost; therefore, the amount of increase will be $ 11,638,900.		
In order to implement the E-Citation program, Judicial Branch recommends for one year to allow part of the remaining funds of this increase in court cost to go to the Governors Crime' Commission to be placed in a special fund that law enforcement agencies could request money for laptop computers and printers to be used for E-Citation. The recommended court cost to fund this recommendation are:		
LEOB ($ 8.00 * 182,000)	$ 1,456,000.00	
Officer Fees ($ 5.00 * 182,000)	$ 910,000.00	
NC State Bar ($ 1.05 * 182,000)	$ 191,100.00	
Amount to fund special E-Citation Equipment Fund	$ 2,557,100.00	
(b) Eliminate Dispute Settlement Centers	$ 1,603,124	
- Determined to be non-core function of the Court System; however, could be a reduction of services provided to the communities		
(c) Eliminate Sentencing Services Program	$ 5,846,570	31.5
- Determined to be non-core function of the Court System; however, could be a reduction of services provided to the communities		
(d) Eliminate NC Drug Treatment Court Program	$ 1,140,785	8
- Determined to be non-core function of the Court System; however, could be a reduction of services provided to the communities		
(e) Reduce AOC budget - various lines items/positions	$ 1,000,000	
(f) Eliminate Court Ordered Arbitration - Civil District Court	$ 1,072,814	15.5
(g) Increase General Cost of Court Fees	$ 4,641,255	
$1 increase raises $ 1,547,085 - so $ 3 increase will generate $4,641,255		
Total increase in General Fund Appropriations by program cuts or revenue enhancements:	$ 27,053,647	57.0

Handout # 11
wolpin april 24, 02

ADMINISTRATIVE OFFICE OF THE COURTS
BUDGET SUMMARY

Budget Summary—State Appropriations

	2000-01	2001-02	2002-03
Certified Budget	$ 299,553,174	$312,746,915	$312,720,910
Actual Expenditures	$ 321,735,656	NA	NA
# Employees	5,220	5,223	5,223

2000-1 is original CB before pay increases

- 7% of FY 03 budget is $21.4 million
- 11% is $33.6 million

2002-03 Budget by Major Program—Examples

Program	Budget	% of Total
Courts	$106,548,573	35%
Clerks of Court	$ 97,636,904	31%
District Attorneys	$ 57,005,906	18%
Administrative Services	$ 27,500,199	9%
Community Corrections	$ 6,931,908	2%
Guardian Ad Litem	$ 7,255,775	2%
Equipment & Supplies	$ 3,621,468	1%
Alternative Dispute Resolution	$ 2,614,996	1%
Other	$ 2,415,802	1%

2001-02 Budget by Purpose

- 87% Salaries and Benefits ($273 million)
- 9% Purchased Services--Court Reporters, Emergency Judge pay, Contractual, Rent, Travel ($29.4 million)
- $5.88 Million grant in aid—Sentencing Services contracts and $1.6 Million to Dispute Settlement Centers

Major Changes in 2001-03 Budget by General Assembly:

1 Dist. Ct Judge, 2 Clerks, 1.5 Magis, 1 Special Sup Ct Judge

$3.85 M in reductions, primarily covered by lapsed salary

$303,000 reduction in travel

$100,000 reduction in Sentencing Services program

New Reductions for 2001-02 by Governor

AOC provided $3 Million in lapsed salary in October and an additional $2.5 Million in January. They also transferred $700,000 in lapsed salary to the Office of Indigent Defense Services in January 2002. These reversions and their other spending will exhaust their $12 Million in expected lapsed.

Budget Areas for Discussion for 2002-03

AOC provided the Office of State Budget with proposed $2.3 M reductions in Dispute Settlement Centers and the Sentencing Commission and the rest in fee increases. OSBM rejected these proposals and asked for substitutes but the AOC is not expected to comply.

Workload Trends

Superior Court felony filings have increased an average of 3.1%/year over the past 5 years but only 0.5% over the past 2 years. District Court Criminal filings were the same in 1999-2001 as in 1995-96. The number of trials has fallen an average of .6% in Superior Ct and 3% in District Ct over that period.

From 1995-2001, the Judicial Branch has received an increase of 327 clerks (17%); 135 Assistant DA's (45%); 154 DA Support Staff (53%); 43 District Ct Judges (22%); 13 Superior Ct Judges (14%); 38 Magistrates (6%); 87 other Court Staff (74%); and 52 AOC positions (21%)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesday May 1, 2002
9:00 a.m., Room 415 LOB

AGENDA

I. CALL TO ORDER

Vice-Chairmen: Sen. Frank Ballance, Presiding
Sen. Scott Thomas

Co-Chairmen: Rep. Bill Culpepper
Rep. R. Phillip Haire

II. PRESENTATIONS

- Opening Remarks by Chairs

- Department of Justice
  - Remarks

    Attorney General Roy Cooper

  - Budget Overview

    Denise Thomas, Fiscal Analyst
    Fiscal Research Division

  - Review of 7 to 11% Preliminary Reduction Lists

    Julia White, Chief Deputy AG
    Department of Justice

- Office of Indigent Defense Services
  - Budget Overview

    Elisa Wolper, Fiscal Analyst
    Fiscal Research Division

  - Annual Report on Efforts to Improve Cost-Effectiveness (SL 2000-424, Sec 22.12)

Malcolm "Tye" Hunter, Director
Office of Indigent Defense Services

- Administrative Office of the Courts
  - Sentencing Services Report and Evaluation (SL 2001-424, Sec. 22.3)

Dr. LeAnn Wallace, Administrator
Sentencing Services Program

Dr. Terri White
Research & Planning, AOC

Tony Gibbons, Executive Director, Redirections
NC Community Sentencing Association

- NC Sentencing and Policy Advisory Commission
  - 2002 Population Projections for Adult Offenders

Susan Katzenelson, Executive Director
N.C. Sentencing Commission

- Department of Correction
  - Short-Term Plans for Housing Inmate Population

Boyd Bennett, Director Division of Prisons
Dept. of Correction

- NC Sentencing and Policy Advisory Commission
  - Structured Sentencing Study (SL 2001-424 Sec. 25.8)

Susan Katzenelson, Executive Director
N.C. Sentencing Commission

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
May 1, 2002

The Joint Appropriation Subcommittee on Justice and Public Safety met in room 415 LOB on May 1, 2002 at 9:00AM. There were three senate members present. The following House members attended:

Rep. Phillip Haire	Rep. Wayne Goodwin
Rep. Wayne Goodwin	Rep. Larry Justus
Rep. Joe Kiser	Rep. Wayne Sexton

Senator Frank Ballance chaired the meeting. The Office of Indigent Services was placed first on the agenda. Ms. Elyssa Wolper, staff spoke. The office of Indigent Services is projected to run $6 million short this year and therefore they are not being asked for cuts. Rep. Kiser commented that perhaps fees for attorneys and witnesses are too costly.

Mr. Malcolm "Tye" Hunter was the next speaker. The Office of Indigent Services is auditing witness fees in capital cases. Capital cases also may require an out of county lawyer to come in but that is the exception rather than the rule. Mr. Hunter said the program is to provide services for needy clients rather than employment for lawyers. The increase in spending this year will be less than ever. A letter has been sent asking the judges to cut fees by 10%. Some have complied. A fee study also has been performed and found that fees varied very widely from county to county. Now a state wide rate of $65 per hour for lawyers has been set as of April 1, 2002, in non capital cases. There is now also in place a system that authorization must be gotten for witness fees. The Office were to receive $2.5 million from AOC but AOC was only able to provide $700,000. It also appears that their income tax interception will be %50 less than projected. Standards for lawyers in capital cases have been set and they must apply to work on these cases and must show capability. Training courses have also been instituted in public defender districts. Public Defenders are appointed by judges in their district. See attached handout titled *FY02 Estimated Cost Savings or Loss from Having a Public Defender Office Summary Information*. The Commission does not hire public defender but they are reviewing offices for efficiency. In response to a question from Sen. Ballance, AOC's studies showed the public defender offices to be cost effective but the current study is a more precise method of determining cost efficiency. Also see attached handout, *Office of Indigent Defense Services Budget Summary.*

In response to Sen. Bingham, Mr. Hunter said caseloads have increased. In response to Rep. Goodwin, the larger offices have certain economies of scale. Again to Rep. Goodwin, the salary structure that varies and the higher caseloads make some offices. In response to Rep. Kiser, Cumberland County does not dispose of very many cases. In response to Rep. Justus, the "no death penalty" for the mentally retarded does effect cost.

They need between $500,000 and $700,00 for appeals. Most of that expense is over as it is a one-time expense. Huge jumps in costs have occurred in non-capital cases.

Mr. Hunter distributed another handout titled *Report of the Commission on Indigent Defense Services.* This handout shows members of the Commission. Expert witnesses must be approved by the Commission, which is outlined on pre-page 1. In appendix G in the handout there is a chart that shows percent ordering recoupment. Less than 1% of budget is administration.

Another handout titled *FY 03 & FY 04 Cost Savings and PD Expansion Options* was distributed. Mr. Hunter stated that a part of the problem with recoupment is the inability to get social security numbers. They are exploring the option of charging a co-payment for people applying for indigent status. Mr. Hunter said that if they pursue expansion, some savings could be realized by expanding current Public Defender offices. In response to a question by Rep. Haire, the lawyers in Mecklenburg for instance would cover 28% of the indigent cases. Expansion Option #2 is more aggressive.

In response to Rep. Sexton, Mr. Hunter said the standard is simply can one afford a lawyer. There is a questionnaire that judges ask defendants to complete that should show indigenes. In rural areas, there is more knowledge of indigent status. Sen. Ballance commented that the indigent cases are scrutinized very well. In response to Sen. Bingham, private lawyers do not work as public defenders but there are some who do contract. In response to Rep. Justus, they did look at more counties than outlines but felt this was not the economic climate to start in some new areas. Sen. Ballance commented that the legislature would have to approve any expansion.

Attorney General Roy Cooper was next on the agenda regarding the Dept. of Justice. He said DOJ's core functions are law enforcement, law enforcement training and legal services. All are critical to public safety. An example of their increased workload, in 1999 they saw 5 clandestine drug labs which were up to 45 in 2002. They have also had to work with the federal government in the anti terrorism drive. We do not have enough molecular geneticists and therefore cannot process DNA tests for all of the rape victims. They only can process the DNA tests when a suspect has been identified. Additionally computer technology forensic capability must be maintained.

Denise Thomas, staff gave an overview of the Department of Justice from which she spoke. See handout titled *Department of Justice*. The handout outlines the major changes in 2001-03 budget by the General Assembly and the new reductions/reversions for 2001-02 by the Governor. It also outlines the preliminary cuts proposed to the Governor at 7 to 11% for 2002-2003.

The next speaker was Julia White, Chief of Staff at the Department of Justice. Ms. White distributed a handout, *Summary of Department of Justice Developed Reduction Options, State Appropriations Only for FY 2002-2003.* In response to Rep. Kiser, Ms. Robin Pendergragt said there are about 50 vacancies in the SBI. 50% of Department of Justice salaries is in the SBI. Rep. Kiser said he was concerned about cutting academies,

especially in view of retirements. In response to Rep. Kiser, the reduction in DARE training means we have 2 agents performing for the entire state. In response to Rep. Haire, Ms. White said the Medicaid fraud money goes back into Medicaid.

Senator Ballance called for a moment of silence in honor of Senator Luther Jordan. Sen. Ballance said the committee will not be the same without Sen. Jordan's wit and style. He further stated that Sen. Jordan made a great contribution to the committee and to the state.

Dr. Le Ann Wallace was next on the agenda. She distributed a handout titled *Executive Summary – Report on the Effectiveness of the Sentencing Services Program* and the full *Report on the Effectiveness of the Sentencing Services Program*. The handout includes information concerning sentencing service work load measures, a breakdown of events resulting in no plan being completed, a comparison of types of punishment recommended and type of punishment ordered. Dr. Wallace said that prison used alone does not work. Matching the offender with the level of treatment and punishment reduces recidivism. Sen. Thomas said the approximate cost per plan is $2,018. Given that there is no way to predict plea bargains or "not guilty" verdicts, there seems no way to get around the waste of preparing plans and not presenting them. Rep. Kiser requested the number of employees in each district.

In response to several questions regarding a survey conducted on the impact of sentencing plans on judicial decisions, the results are on page 8 of the handout. All 125 superior court judges were surveyed. Of the 93 surveys returned, 81 were useable.

Dr. Terri White was next on the agenda. She stated that elected DA's and public defenders were also surveyed. The judges felt that defendants with substance abuse issues or mental health issues plans were more receptive. The perception is that the plans are pro defendant.

Mr. Bill Higgins, assistant DA in the 11th district and president of the local board of sentencing services likes the program especially due to the reduction of recidivism. In his district plans are always submitted to the DA's office. He thinks judges are better able to judge when they have more information.

Judge Craig Brown said 88% of judges surveyed used the plan. He challenged the committee to look at how many people were kept out of jail due to the program and the savings generated by not using a prison bed while providing the opportunity to become a tax paying productive citizen.

In response to Rep. Kiser, Ms. Wallace said the amount of state funding that is used varies and is based on a match formula. $15,000 is the cap.

Ms. Susan Katznelson was next on the agenda. She distributed a handout titled *Revised Population Projections*. 22% of prison population is in prison under the old law. 45% of prisoners have revoked probation. The sentencing and policy commission has fairly

accurately projected the need for prison beds. They are now short even including the addition of 3 new prisons.

In response to Senator Ballance, Mr. Jim Mills said the operating budget is $17 million for each prison. $72 million includes lease costs. If prisoners were placed in local jails about $40 per day could be saved.

M. Katzenelson distributed another handout titled *Report to the North Carolina General Assembly*. The handout lists alternatives to be considered in lieu of construction of additional prisons. Those alternatives are designed to save some prison beds. A discussion regarding the pros and cons of alternatives followed.

Mr. Jim Mills, staff, distributed a handout titled *NC Prison Population Compared to Prison Bed Capacity.* The comparison shows with and without the changes in sentencing laws.

Next on the agenda was Mr. Boyd Bennett. We have a 3% vacancy rate in regular population beds. The largest population is male adults. Converting two youth facilities to adult male facilities would maximize use of prison space. There are 926 temporary beds including bunks in day rooms. The overflow then are housed in jails for which we pay $40 per day.

New prison construction is moving very well and should be completed on time. Scotland is due to be finished in May 2003. In response to Sen. Ballance, $5 million is needed to start operation of the first prison. Dates for operating have moved up. There is also a lease payment, which kicks in about 6 months after prison is operating.

At 1PM, Senator Ballance adjourned the meeting.

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Senator Frank Ballance

_____

Gloria Haywood
Senate Committee Assistant

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	**FY02 Estimated Cost Savings or Loss from Having a Public Defender Office Summary Information**												
2		**3A Pitt**	**3B Carteret**	**12 Cumberland**	**14 Durham**	**15B Chatham**	**16A Hoke/ Scotland**	**16B Robeson**	**18 Guilford**	**26 Mecklenburg**	**27A Gaston**	**28 Buncombe**	**FY02 All PD Offices Total**
3	PD Office	$760,897	$ 276,903	$ 1,357,114	$1,476,711	$ 752,937	$ 558,630	$ 930,750	$2,006,139	$ 2,620,350	$1,115,460	$ 980,070	$ 12,835,961
4	PAC Cost	$773,841	$ 163,317	$ 1,219,826	$1,824,021	$ 857,600	$ 620,931	$ 1,046,596	$2,772,419	$ 3,840,870	$1,694,517	$1,384,199	$ 16,198,138
5	PD Cost Difference	$ 12,944	$(113,586)	$ (137,288)	$ 347,310	$ 104,663	$ 62,301	$ 115,846	$ 766,280	$ 1,220,520	$ 579,057	$ 404,129	$ 3,362,177
6													
7													
11													
12	Number of Attorneys	9	2	15	15	7	5	9	20	26	12	10	130
13													
14	Misdemeanor Units per Attorney	364	449	360	624	572	561	460	623	707	754	600	6,074
15													
16	Attorney hourly Rate	$ 44	$ 72	$ 47	$ 51	$ 56	$ 58	$ 54	$ 52	$ 52	$ 48	$ 51	$ 53
19													
20													
21	PAC Misdemeanor Units per Year per PAC (48 weeks, 3.15 hrs/mis. weighted average)	609											

2

OFFICE OF INDIGENT DEFENSE SERVICES
BUDGET SUMMARY

Budget Summary—State Appropriations

	2000-01	2001-02	2002-03
Certified Budget	$58,494,002	$62,925,826	$61,611,996
Actual Expenditures	$59,287,321	NA	NA
# Employees	230	241	241

- 7% of FY 03 budget is $4.3 Million
- 11% is $6.8 Million

2002-03 Budget by Major Program—Examples

Program	Budget	% of Total
Assigned Counsel	$ 44,290,693	72%
Public Defender	$ 15,346,422	25 %
Special Counsel	$ 829,991	1%
OIDS	$ 510,245	1%
Other	$ 634,645	1%

2001-02 Budget by Purpose

- 25% Salaries and Benefits ($16 million)
- Totals include $590,000 grant in aid to State Bar

Major Changes in 2001-03 Budget by General Assembly:

Authorized establishment of 11 new positions in Public Defender offices

Increased funding for assigned counsel by $4.4 Million for 2002-3

New Reductions for 2001-02 by Governor

OIDS reverted $2.8 Million for 2001- 2

Budget Areas for Discussion for 2002-03

OIDS expects to run a deficit of about $6 million for current fiscal year. This is in part due to $2.4 million in obligations deferred from 2000-2001 and the amounts reverted to OSBM this year.

Workload Trends

As of January 1, 2002, the State Bar receives $1.05 of court fees to replace General Fund appropriation for Legal Services. Legal Services expects to collect slightly less than they would have received from the GF this year (target was $1.66 Million annualized)

Report of the Commission on Indigent Defense Services

Submitted to the North Carolina General Assembly
pursuant to S.L. 2001-424, Section 22.12

March 1, 2002

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COMMISSION ON INDIGENT DEFENSE SERVICES MEMBERS

Members with four-year terms Terms expire 2004	Members with four-year terms Terms expire 2005
Adam Stein, Chair Attorney at Law, Chapel Hill Appointed by Speaker of House	*Chief District Court Judge Gary Locklear* Robeson County, District 16B Appointed by IDS Commission
Superior Court Judge Melzer Morgan, Vice-Chair Rockingham County, District 17A Appointed by Chief Justice	*Professor Grady Jessup* North Carolina Central Law School Appointed by Black Lawyers Association
Dr. James Clotfelter UNC-Greensboro Appointed by Governor	*Claire Rauscher* Attorney at Law, Charlotte Appointed by Women Lawyers Association
Steve Allen, Sr. Attorney at Law, Greensboro Appointed by President Pro Tem. of Senate	
Members with three-year terms **Terms expire 2003**	**Members with two-year terms** **Terms expire 2002**
Professor Rhoda Billings Wake Forest University Law School Appointed by IDS Commission	*Joseph Cheshire* Attorney at Law, Raleigh Appointed by Bar Association
Richard Roose Attorney at Law, Asheboro Appointed by State Bar	*Frank Martin* Charlotte Appointed by IDS Commission
Henry Boshamer Attorney at Law, Morehead City Appointed by Public Defenders Association	*Mary Ann Tally* Attorney at Law, Fayetteville Appointed by Academy of Trial Lawyers

OFFICE OF INDIGENT DEFENSE SERVICES STAFF

Executive Director:	Malcolm Ray Hunter, Jr.
Assistant Director:	Danielle Marie Carman
Chief Financial Officer:	Sharon E. Hogan
Research Analyst:	Margaret A. Gressens
Administrative Assistant:	Beverly M. McJunkin

EXECUTIVE SUMMARY

In 1998, the General Assembly established the Indigent Defense Study Commission ("Study Commission") to consider ways to improve the management of funds being expended for indigent defense services and enhance the quality of representation. After several meetings in 1999 and 2000, the Study Commission concluded that indigent defense in North Carolina suffered from a lack of planning, oversight, and management and recommended that the General Assembly establish a statewide office to oversee North Carolina's indigent defense program.

In August 2000, the General Assembly implemented, with some modifications, the Study Commission's recommendations and passed the Indigent Defense Services Act of 2000 ("IDS Act"), creating the Office of Indigent Defense Services ("IDS Office") and charging it with the responsibility of overseeing the provision of legal representation to indigent defendants and others entitled to counsel under North Carolina law. The IDS Office is housed in the Judicial Department and is governed by a thirteen-member board, the Commission on Indigent Defense Services ("IDS Commission"). As required by S.L. 2001-424, § 22.12, this report summarizes the work of the IDS Commission and IDS Office to date and the future initiatives planned by the IDS Commission and IDS Office; and presents the existing fiscal year 2000-2001 data on indigent caseload and case costs across the State.

Effective July 1, 2001, the IDS Office assumed responsibility for administering the State's indigent defense program. To ensure that appropriate procedures were in place by that date, the IDS Commission and IDS Office developed rules to govern the continued delivery of services in cases under its oversight. The rules deal with non-capital and non-criminal cases at the trial level; capital cases at all stages (trial, appellate, and post-conviction); and non-capital and non-criminal appeals. After a comment period, the final rules were adopted on May 18, 2001 and became effective on July 1, 2001.

To improve the efficiency, cost-effectiveness, and quality of the State's indigent defense program in the long run, the IDS Commission and IDS Office have implemented several initiatives since July 1, 2001. The IDS Commission and IDS Office have begun work on, among other things, implementation of appropriate financial initiatives to slow the rate of increase in spending without compromising the quality of representation, development of more uniform rates of compensation in capital and non-capital cases, recruitment and evaluation of attorneys for the capital and appellate rosters, development of appropriate appointment and qualification plans in public defender districts, and development of model performance standards for appointed counsel. The IDS Office also will be conducting a district-by-district review to determine the most appropriate method of providing legal representation in each part of the State. Based on the information it obtains, the IDS Office intends to identify the most appropriate method, from both a cost and quality perspective, for providing legal representation in each district.

In its first year of operations, the IDS Commission has already taken significant steps to control increases in the cost of indigent representation. Current projections show an increase in spending and obligations this fiscal year of 3.2% above fiscal year 2000-2001. By comparison, the average annual increase over the prior seven years was almost 10%, with no year having an

increase as low as this year. *See* Appendix A. In addition, the IDS Commission is working on initiatives that should lead to similarly modest increases in the 2002-2003 fiscal year. However, any firm projections for the future depend on other changes in the criminal justice system. For example, significant changes in criminal law or procedure, or in the conduct of district attorney offices, might increase or decrease the funds needed for indigent defense. Similarly, some changes that could control costs for indigent defense will necessarily be systemic and involve not just defense counsel, but prosecutors, judges, clerks, and other actors in the system.

The IDS Commission has also taken significant steps toward improving the quality of indigent representation by establishing higher qualification standards for attorneys seeking appointment to capital cases and appeals, and by expanding the Office of the Capital Defender. In addition, the IDS Commission has worked with the public defender offices to develop new plans for the appointment of counsel, and has required that those plans provide for more significant oversight by the public defenders over the quality and efficiency of indigent representation in public defender districts. The IDS Commission is also planning several educational programs for areas of representation that traditionally have not had adequate continuing legal education.

In short, the IDS Commission has accomplished a great deal in the year and a half since it was formed, and is preparing to accomplish even more in the coming years.

REPORT

In 2000, the General Assembly passed the Indigent Defense Services Act of 2000 (S.L. 2000-144, S.B. 1323; G.S. 7A-498 *et seq.*) ("IDS Act"), creating a new statewide Office of Indigent Defense Services ("IDS Office"), housed in the Judicial Department and governed by the Commission on Indigent Defense Services ("IDS Commission"). The General Assembly charged the IDS Office with the responsibility of overseeing the provision of legal representation to indigent defendants and others entitled to counsel under North Carolina law.

Although the IDS Act took effect on August 2, 2000, the IDS Office did not assume responsibility for overseeing indigent defense services until July 1, 2001. No rules, standards, or other regulations developed by the IDS Office for the delivery of services took effect until July 1. As required by the IDS Act, the IDS Office must report to the General Assembly by March 1, 2002 about the following matters:

(1) The volume and cost of cases handled in each district by assigned counsel or public defenders;
(2) Actions taken by the Office to improve the cost-effectiveness and quality of indigent defense, including the capital case program;
(3) Plans for changes in rules, standards, or regulations in the upcoming year; and
(4) Any recommended changes in law or funding procedures that would assist the Office in improving the management of funds expended for indigent defense services.

S.L. 2001-424, § 22.12; S.B. 1005, § 22.12. The first section of this report ("IDS Initiatives") addresses the second and third issues set forth above by describing the work of the IDS Commission and IDS Office since assuming responsibility on July 1, 2001, and new initiatives that are currently in progress or under consideration. The second section of this report ("District Case Volume and Cost Statistics") addresses the first issue set forth above. The third section ("Legislative Recommendations") addresses the fourth issue set forth above.

I. IDS Initiatives

A. Initiatives Implemented to Date

This section describes the initiatives the IDS Office began work on before it assumed responsibility for administering the State's indigent defense program on July 1, 2001, and those the Office has implemented since that date.

Preliminary Organization

Much of the early work of the IDS Commission and IDS Office necessarily focused on organizational matters. By September 2000, ten members of the thirteen-member IDS Commission had been appointed by the various appointing authorities, and the IDS Commission appointed the remaining three members at its October 2000 meeting.[1] A list of Commission members, and their appointing authorities and terms, appears at the beginning of this report.

In November 2000, the IDS Commission hired as its Executive Director Malcolm Ray Hunter, Jr., formerly the head of the State's Office of the Appellate Defender. Hunter began work in early December. During the Spring of 2001, the IDS Office secured office space in Durham, and the remaining IDS staff (an Assistant Director, Chief Financial Officer, Research Analyst, and Administrative Assistant) began work.[2] A list of the IDS Office staff appears at the beginning of this report.

Consultation and Communication

During the Summer and Spring of 2001, the Executive Director met frequently with superior and district court judges, clerks of court, legislators and staff, AOC staff, public defenders, local bar groups, and others, and obtained input on potential IDS initiatives from those involved in the delivery of indigent defense services. The Executive Director continues to meet with interested groups on a regular basis.

In addition, the September 2001 edition of *Trial Briefs*, the North Carolina Academy of Trial Lawyers' monthly publication, was devoted almost exclusively to the work of the IDS

[1] The terms of three Commissioners (the Honorable Gary Locklear, Professor Grady Jessup, and attorney Claire Rauscher) expired in 2001. Two of those Commissioners (Locklear and Jessup) have been reappointed by their appointing authorities to new four-year terms. The remaining Commissioner (Rauscher) is continuing to serve until the Association of Women Attorneys reappoints her or appoints a successor.

[2] In January 2002, the General Assembly's Governmental Operations Committee approved the IDS Office's request for one additional support staff position. That position has been advertised, and the Office is currently conducting interviews.

Commission and IDS Office, as well as work being performed by the Office of the Capital Defender[3] and Office of the Appellate Defender under the IDS Office's supervision. The January 21, 2002 issue of *Lawyers Weekly* also contained an interview with the Executive Director about a comprehensive fee survey and study conducted by IDS Office staff, and the IDS Commission's resulting recommendation of a standard hourly rate for cases in district and superior court. *See* "Uniform Rates of Compensation" below.

Budget for FY 2001-02

The IDS Act requires the Administrative Office of the Courts ("AOC") to assist the IDS Office in preparing and presenting its budget, including the projected budget for the indigent defense fund, to the General Assembly. *See* G.S. 7A-498.2(d). Because the IDS Office did not yet have staff when the budget process began for fiscal year 2001-2002, the AOC assumed responsibility for preparing that budget. The IDS Commission reviewed the projections and recommended the budget prepared by the AOC. The IDS Office then worked with AOC and Office of State Budget staff to ensure that all funds were properly transferred and accounted for as of July 1, 2001.

Division of Administrative Responsibilities

The IDS Act requires that the AOC provide general administrative support to the IDS Office. *See* G.S. 7A-498.2(c). IDS Office staff and AOC staff have consulted frequently to determine the most effective methods of performing the administrative functions necessary for the proper operation of the courts. In addition to assisting the IDS Office in preparing the budget each year, the AOC will continue to perform several other administrative functions related to processing fees for appointed counsel. Thus, current AOC personnel will continue to administer the automated fiscal systems for indigent defense, including keying in data from fee orders entered by the courts, issuing checks for legal services, and pursuing recoupment in cases in which recoupment is required by law. As it does for all other Judicial Branch components, the AOC will also continue to perform purchasing and personnel functions for the IDS Office, and provide technological and telecommunications support.

Rules for the Continued Delivery of Counsel Services in Non-Capital Cases, Capital Cases, and Non-Capital and Non-Criminal Appeals

During the Spring of 2001, the IDS Commission and IDS Office developed rules to ensure that counsel services continue to be provided in the approximately 140,000 cases handled by private appointed counsel each year. The IDS Office recognized that the smooth functioning of the courts depends on the timely provision of counsel to indigent persons, and that changes must be implemented over time to avoid disrupting the operation of the courts. Accordingly, in non-capital and non-criminal cases at the trial level, the rules continue most of the current practices

[3] In early 1999, the Office of the Capital Defender was established as a pilot program within the Office of the Appellate Defender. In July 2001, one of the attorneys in that office assumed responsibility as the Interim Capital Defender, and began working with the IDS Office to appoint attorneys and review expert requests in potentially capital trials. In January 2002, the General Assembly's Governmental Operations Committee approved the IDS Office's proposal to establish a permanent Capital Defender position in the existing Capital Defender Office.

and procedures while the IDS Office considers and implements changes. Because of the volume of cases, the IDS Office's small staff is simply unable to assume immediate responsibility for appointing and compensating counsel throughout the state. This approach is in accord with the IDS Act, which provides that the court appoints counsel in non-capital cases pursuant to rules adopted by the IDS Office. *See* G.S. 7A-452. Appendix B to this report contains rules to that end, providing guidance to courts and other officials on all matters affecting the appointment and compensation of counsel in non-capital and non-criminal cases at the trial level. After a comment period, these rules were adopted on May 18, 2001, distributed to all interested court officials and attorneys, and posted on the AOC's website. The rules became effective on July 1, 2001.

Capital cases, which number in the hundreds rather than in the hundreds of thousands each year, are treated differently by the IDS Act. Although they represent a mere fraction of the cases handled by appointed counsel, they place an enormous strain on the indigent defense system in terms of both cost and quality. Cases in which a person potentially could be tried capitally account for approximately 25% of the funds expended for indigent defense each year, and demand the highest caliber of counsel. Unlike in non-capital cases, the IDS Act required the IDS Office to assume responsibility for capital representation beginning July 1, 2001, designating the IDS Office as the appointing authority in all capital cases. *See* G.S. 7A-452. Appendix C to this report contains rules for provision of counsel in capital cases. As above, these rules were adopted in May 2001 and took effect in July 2001.

Because of the relatively small volume of cases involving appeals to the appellate division, the IDS Office was in a position to assume responsibility for appointing and compensating counsel in indigent non-capital and non-criminal appeals, relieving trial judges of that obligation. Appendix D to this report contains rules governing the provision of counsel in such appeals. As above, these rules were adopted in May 2001 and took effect in July 2001.

Since the IDS Rules took effect on July 1, 2001, the IDS Commission has adopted revisions to several provisions. Appendix E to this report contains a supplement to the IDS Rules that sets forth those rule changes.

Changes to Affected AOC Forms

To implement the new procedures that became effective July 1, 2001, IDS Office staff worked with the AOC Forms Committee to make necessary revisions to all affected AOC forms and create new AOC forms as needed. The existing capital case attorney fee application was revised to reflect the IDS Office's new compensation authority, and a new fee application was developed for all indigent appeals. Moreover, new forms were devised to facilitate notice to the IDS Office whenever a court determines that a potentially capital defendant is indigent and entitled to appointed counsel, *see* G.S. 7A-498.3(b), and to assist the IDS Office in making timely appointments of counsel in all cases in which the Office is the appointing authority.

Internal Infrastructure for Data Collection and Reporting

One of the IDS Office's first tasks was to develop an infrastructure to accomplish the many responsibilities assigned to it by the IDS Act. Office staff designed a detailed internal database

using Microsoft Access to document all attorney appointments, expert authorizations, and payments in the cases under its direct oversight – namely, potentially capital cases and appeals. The database should significantly improve data analysis and reporting. For instance, the IDS Office is collecting data on expenditures associated with the newly enacted legislation prohibiting executions of mentally retarded defendants, *see* G.S. 15A-2005 and -2006; S.L. 2001-346, and should be in a position to report to the General Assembly about the financial costs and savings associated with that legislation in next year's annual report.

Development of Rosters of Qualified Attorneys

The IDS Rules discussed above contain detailed qualification standards for attorneys to be included on the Capital Trial (Lead and Associate), Capital Appeal, and Capital Post-Conviction Rosters. *See* Appendix C. To implement those standards, the IDS Office developed comprehensive application forms for attorneys seeking placement on the various rosters. In conjunction with the Office of the Capital Defender and the Office of the Appellate Defender, the IDS Office is evaluating all attorney applications and submissions to determine whether each applicant meets the qualifications set forth in the IDS Rules. Based on those evaluations, the IDS Office is developing rosters of qualified attorneys in each district across the State.

Appointment of Attorneys

On July 1, 2001, the IDS Office assumed direct responsibility for appointment of counsel in all potentially capital cases at the trial level, all appeals, and all capital post-conviction proceedings. To ensure that appointments are made in an appropriate and timely fashion, the IDS Office has utilized existing resources in the Office of the Capital Defender and Office of the Appellate Defender. Thus, trial level appointments are the responsibility of the Interim Capital Defender and appellate appointments are the responsibility of the Appellate Defender; the IDS Director makes appointments in capital post-conviction proceedings.

Between July 1, 2001 and March 1, 2002, approximately 500 attorneys have been appointed in 406 cases at the trial level. With few exceptions, an attorney is appointed immediately or within hours of the IDS Office's receipt of notification and determination of indigency by the Court. If there is a delay in a defendant's first appearance or the determination of indigency, the IDS Office has standby attorneys in every county in the State (called "provisional counsel") to ensure that a defendant's rights are protected in the interim. Also since July 1, 2001, approximately 460 attorneys have been appointed in capital and non-capital appeals; and 41 attorneys have been appointed in 22 different capital post-conviction proceedings.

Between July 1, 2001 and March 1, 2002, the Interim Capital Defender has reviewed approximately 620 requests for expert funding at the trial level; and the IDS Office has reviewed approximately 200 requests for expert funding in capital post-conviction proceedings. The IDS Office has established procedures to approve or deny those requests, often with the assistance of a case consultant, and to assist attorneys in focusing on the experts that are truly necessary for an effective defense.

Compensation for Representation

On July 1, 2001, the IDS Office also assumed direct responsibility for compensation of attorneys and experts in all potentially capital cases at the trial level, all appeals, and all capital post-conviction proceedings. The IDS Office is committed to reducing the rate of increase in expenditures in those cases without causing any decline in the quality of representation. To that end, the IDS Office adopted uniform rates of attorney compensation for all cases under its direct oversight, and developed new detailed financial auditing procedures that it applies to every fee petition it receives. For instance, Office staff ensure that time sheets correctly support the total amount claimed; that receipts or detailed documentation support all major expenditures; and that attorneys properly obtained prior authorization for expert services from a court (before July 1) or the IDS Office (after July 1). Memoranda about those procedures were mailed to every attorney and expert in the Office's database, and are attached to this report in Appendix F.

Between July 1, 2001 and March 1, 2002, the IDS Office has set appropriate and uniform fee awards for approximately 1,342 attorney fee applications across the State. Also since July 1, 2001, the Office has set fee awards for approximately 419 experts, including private investigators, mitigation specialists, psychologists and psychiatrists, and ballistics and scientific experts. On average, Office staff are processing about 55 attorney and expert fee awards per week. While there were some delays in payment as the IDS Office established procedures for the review of fee applications and data collection, the IDS Office is currently setting fee awards and forwarding those awards to the AOC for payment within 2 to 3 weeks of receiving each fee petition. Based on current projections, the IDS Office should finish this fiscal year having spent approximately $500,000 to $600,000 less in the cases under its direct oversight (potentially capital cases and appeals) than was spent last fiscal year, and having spent almost $1 million less in those cases than the obligations incurred last fiscal year.

In addition to setting appropriate compensation awards in all capital cases and appeals, the IDS Office has taken steps to control expenditures in the cases in which judges are still responsible for setting fees. For instance, in response to the Governor's November 2001 request that the indigent defense fund revert $2.8 million, the IDS Office sent a letter to every judge in the State asking them temporarily to reduce each appointed attorney fee by 10%. For other steps the IDS Commission and IDS Office are taking to manage the indigent defense fund, see, e.g., "Uniform Rates of Compensation" and "Improved Recoupment Procedures" below.

Committees of the IDS Commission

With the assistance of IDS Office staff, the IDS Commission has formed seven different committees responsible for addressing various aspects of its work. Based on work done by Office staff, the Budget Committee has prepared fiscal notes for all major IDS initiatives, analyzed non-capital case costs in district and superior court, and proposed a standard hourly rate for those cases. The Capital Committee has addressed issues such as quality of capital representation, recruitment of qualified attorneys, new regional capital defender offices, and compensation of defense experts. The Public Defender Committee worked with the public defenders to develop plans to govern the appointment and qualifications of counsel in each public defender district. The Review Committee developed procedures to govern review of the

IDS Director's fee and roster decisions, and addresses all such requests for review. With the assistance of faculty from the Institute of Government, the Personnel Committee is developing personnel policies for the IDS Office. The Standards Committee is beginning to address model performance standards for counsel in indigent cases. The Indigency Standards Committee will be addressing revised standards for determining whether a person is indigent and entitled to counsel.

Development and Approval of Public Defender Plans

With the assistance of faculty from the Institute of Government, the IDS Office worked with each individual public defender office to develop a plan for the appointment of counsel in all non-capital cases in that district. *See* Appendix B, Rule 1.5(b) (July 1, 2001) and Appendix E, Rule 1.5(b) (revised Nov. 16, 2001). The plans also contain qualification and performance standards for attorneys on the district indigent lists. As of February 4, 2002, the IDS Director has approved and certified appointment plans in all 11 public defender districts. These plans will be used as models for appointment plans in non-public defender districts.

Electronic Payment Procedures

Previously, payment of fees was primarily a paper process. A paper fee order was sent to the AOC, which entered the information, and a paper check was sent to the attorney or expert. The IDS Office has worked with the AOC to streamline this process. Although the courts presently do not have the appropriate technology to submit fee applications electronically, fees are now being paid electronically to approximately 150 attorneys and 40 experts statewide, which has resulted in more timely payment and some cost savings.

The Judicial Council

In 1999, the General Assembly established the State Judicial Council to advise the Chief Justice on matters concerning the operation of the courts, including budget and funding priorities; recommend judicial salaries, benefits, and expense allowances to the General Assembly; recommend the creation of additional judgeships if necessary; recommend performance standards and evaluation methods for court and judicial officials; and recommend guidelines for case assignment and management. *See* G.S. 7A-409 to -409.2. Because of its responsibility for a key function in the court system – indigent defense – the General Assembly enacted legislation in 2001 giving an appointee of the IDS Commission a seat on the Judicial Council. *See* S.L. 2001-96. In September 2001, the IDS Commission appointed Commissioner Rhoda Billings to serve on the Council.

B. Initiatives in Progress

Budget for FY 2002-03

With the assistance of AOC staff and IDS Office staff, the Budget Committee of the IDS Commission developed a proposed expansion budget for fiscal year 2002-2003. After the proposed budget was reviewed and approved by the full IDS Commission, it was presented to the

Judicial Council and the Director of the AOC. That expansion budget is ready to be presented to the General Assembly at its request.

Creation of New Positions

During the Fall of 2001, the General Assembly gave the IDS Commission permission to fund six new attorney positions and five new support staff positions from existing indigent defense funds. On November 16, 2001, the IDS Commission approved a hiring proposal, which will add a permanent Capital Defender and one support staff to the Durham Office of the Capital Defender, and establish several new regional capital defender offices. One additional support staff will also be added to the IDS Office itself.

In January 2002, the General Assembly's Governmental Operations Committee approved this hiring proposal. The IDS Commission is currently reviewing applications for the permanent Capital Defender position; regional capital defenders will be recruited and hired after the Capital Defender is selected.

The IDS Office believes that regional public employees will be able to do trial level capital representation for less than the $85 per hour paid to private assigned counsel, and that they will raise the quality of representation by serving as a model and resource for private attorneys in the areas selected. Where possible, the IDS Office hopes to save substantial costs on office space and infrastructure by placing the new regional capital defenders in existing public defender offices.

Uniform Rates of Compensation

Based on a pilot program started by the AOC in the mid-1990's, at least four judicial districts had implemented per case fee schedules for district court cases before the IDS Office came into existence. The IDS Office initially considered expanding the use of fee schedules in district court, both to relieve judges of the burden of determining compensation and to regularize the payment of fees. The Office conducted a survey of judges, private attorneys, public defenders, assistant public defenders, and clerks to solicit input about an appropriate district court fee schedule. The feedback from that survey showed that attorneys overwhelmingly believed a fee schedule would be unfair and ineffective, and that there was only modest support among judges.

The IDS Office then conducted a sampling study of 2,262 district court fee applications that were submitted in three judicial districts during the first quarter of fiscal year 2001-2002, as well as a study of all 6,695 superior court fee applications that were submitted throughout the State during that same quarter. The data revealed a great deal of statewide uniformity in the average number of hours claimed for similar types of cases. As a result of the survey and fee application studies, the IDS Commission decided against per case fees, and instead adopted a standard statewide rate of $65 per hour for all non-capital cases in district and superior courts. The IDS Commission believes that this rate will be essentially revenue neutral. However, a standard rate has the advantages of increasing the stability and predictability of payments to private assigned counsel, improving pay equity and fairness across the State, and enhancing the independence of defense counsel.

The IDS Office is currently in the process of notifying the bar and bench of this new standard hourly rate, and taking necessary steps to implement it as of April 1, 2002. In addition, Office staff are working with AOC staff to develop appropriate data collection and reporting mechanisms so that the impact of the standard rate can be monitored and analyzed, and additional enforcement steps can be taken if necessary.

Improved Data Collection and Reporting

IDS Office staff are currently working with AOC staff to develop better and more comprehensive data collection systems for the indigent defense program. For instance, the IDS Office has asked the Financial Services Division of AOC to collect additional data from all non-capital fee applications that are signed by judges and submitted to AOC for payment. AOC currently collects the following data for each fee application: county, case number, defendant's name, attorney's name, judge's name, disposition date, and total fee. In addition to continuing to collect that data, the AOC has agreed to begin collecting the following additional data fields: total hours, total expenses, charge or proceeding, disposition, and whether recoupment was ordered. With the assistance of the AOC's Technology Services Division ("TSD"), that data should be available to the IDS Office on a regular basis through improved reporting mechanisms. This additional data will enable the IDS Office to monitor compliance with the new $65 standard hourly rate, and perform significantly more sophisticated analysis about many aspects of the indigent defense system.

In addition, Office staff are working with the public defender offices to establish statewide uniform data collection about case loads. In conjunction with TSD and the Court Services Division ("CSD") of AOC, and with the assistance of a TSD grant obtained several years ago, the IDS Office is working to pilot a new data collection program and system in all public defender offices. Once these procedures are established, the IDS Office will have access to information about cases that are directly handled by a public defender office or by assigned counsel within a public defender district. As a result, the IDS Office will be able to evaluate and compare case loads and performance in each public defender office, and make more informed decisions about resource allocation. In addition, the Office will be in a better position to evaluate the cost effectiveness of public defender offices in comparison with private assigned counsel programs.

Improved Recoupment Procedures

Based on data collected in the district and superior court fee application studies described in "Uniform Rates of Compensation" above, the IDS Office has completed a study of the percentages of recoupment-eligible cases in which recoupment is actually ordered. For purposes of this study, the Office excluded all cases resulting in a dismissal, acquittal, or unknown disposition, and all cases in which the defendant failed to appear. The results, which are attached to this report in Appendix G, show that civil judgments are being entered in a very low percentage of cases. In the district court sample, civil judgments were entered in only 23.6% of recoupment-eligible cases; and during the first quarter of this fiscal year in superior court, civil judgments were entered in only 56.4% of recoupment-eligible cases. Even in the cases in which

recoupment is mandated by statute, civil judgments are not being entered on a regular basis. The IDS Office is researching ways to improve the recoupment process and hopes to increase revenues to the indigent defense fund as a result.

Program Evaluation

The IDS Office is currently developing methods for evaluating the cost-effectiveness and quality of services provided by public defender, contract, and assigned counsel programs. During the Fall of 2001, the IDS Office used the available data to conduct a preliminary cost-benefit analysis comparing public defender offices and private assigned counsel. However, Office staff ultimately determined that meaningful analysis was not possible with the existing data, in large part because no historical data exists about the number of hours public defender staff devote to each case. Thus, the IDS Office is working with the public defender offices to begin collecting accurate data on, among other things, the amount of time they spend per case. *See* "Improved Data Collection and Reporting" above. Similar data is now available for private assigned counsel because of the district court and superior court fee application studies conducted by the IDS Office and described above, and can serve as a basis for comparison.

Ultimately, the IDS Office intends to collect sufficient data to do a more comprehensive cost-benefit comparison than has ever been attempted in North Carolina. For instance, the IDS Office hopes to build caseload models for the public defender offices, and examine and quantify efficiencies of scale. The IDS Office also intends to quantify the true system costs involved with using private counsel by including in the analysis the administrative time involved with making appointments, setting fee awards, and processing and issuing fee payments. Finally, the IDS Office will examine the quality of services provided in public defender offices, and by private assigned counsel, through more qualitative studies.

Model Performance and Qualification Standards

With the assistance of IDS Office staff and faculty from the Institute of Government, the Standards Committee of the IDS Commission intends to develop model performance and qualification standards for attorneys representing indigent persons in North Carolina. Among others, the performance standards will cover areas such as client contact, trial preparation, and professionalism. The qualification standards would apply to counsel in non-capital and non-criminal cases at the trial level. Currently, the qualification standards in non-public defender districts are in local bar plans, which primarily address criminal cases and usually contain general experience requirements only. The committee will be considering standards with differentiated qualification requirements (i.e., different requirements for different types of cases); specific experience requirements (i.e., requirements beyond a certain number of years in practice); and ongoing training requirements. The standards could serve as a model for individual districts developing indigent defense plans and as a basis for new training programs.

Improved Training

At this time, the IDS Office is providing funding for public defender training programs, and for additions and improvements to the Institute of Government's North Carolina Defender

Manual. The IDS Office is also working with the Office of the Appellate Defender and faculty from the Institute of Government to develop a new training program for private appellate attorneys who accept appointments in indigent cases. With the assistance of AOC and Institute of Government staff, the IDS Office is planning a training program for private counsel who work on involuntary commitment cases, and for full-time State employees who serve as Special Counsel. The IDS Office is considering ways in which additional improved training can be provided to public defenders and private attorneys, both to assist them in meeting any new performance or qualification standards, and to enhance the quality and efficiency of the services they provide.

Electronic Communication

The IDS Office currently has a web page on the AOC's web site, and is working to develop a web site that will allow greater and more comprehensive communication with the bar and bench. Once the improved web site is complete, the North Carolina Defender Manual will be posted on it and available to assist defense counsel across the State. In addition, the Office of the Appellate Defender has established an effective appellate listserv to improve communications among lawyers representing indigent persons on appeal; and the IDS Office has established a listserv for involuntary commitment attorneys. The IDS Office is also working to establish listservs for attorneys representing indigent defendants in capital trials and post-conviction proceedings.

C. Future Initiatives Under Consideration

The IDS Commission and IDS Office are considering and have begun preliminary work on the following initiatives to improve the efficiency, cost-effectiveness, and quality of indigent defense programs in this State.

District-by-District Review

One of the IDS Office's key functions is to determine the most appropriate method of providing legal representation in each judicial district. The IDS Act authorizes the IDS Office to use appointed counsel on a case-by-case basis, as is currently done in most parts of the State; enter into contracts with attorneys to handle a number of cases over a specified period of time; employ full-time or part-time public defenders to represent indigent defendants in a particular district or region; or use any combination of these or other methods.

This flexibility will allow the IDS Office to tailor indigent defense services to the needs in different parts of the State and in different types of cases. Contracts with attorneys may be appropriate in some situations, but not in others. Caseload, population, and other factors may make a public defender office appropriate in some locations, but not in others. In other words, one size does not fit all.

This flexibility also gives the IDS Office the ability to strike an appropriate balance in representation provided by private attorneys and public defenders. In its standards for administering indigent defense services, the American Bar Association recommends that

indigent defense programs utilize a mix of private counsel and public defender services, concluding that substantial private bar involvement is crucial to an effective program.

Before changing the method of delivering services in a particular district – for example, before recommending to the General Assembly that a public defender office be established or abolished – the IDS Act requires the IDS Office to consult with the bar and bench in the district or districts under consideration. In addition, the IDS Office must obtain legislative approval before establishing or abolishing a public defender office.

Recognizing that each district has its own needs and that a single statewide plan for providing counsel is not workable, the IDS Office intends to obtain input from all of the State's 39 judicial districts. Based on the information it obtains, the IDS Office intends to identify the most appropriate method, from both a cost and quality perspective, for providing legal representation in each district. This process will be a gradual one, with the IDS Office working closely with attorneys and court officials to implement changes in one district, while it is in the process of gathering input from and information about other districts.

Expanded Use of Contracts

As an alternative to appointing and compensating counsel on a case-by-case basis, as is currently done in most parts of the State that do not have public defender offices, the IDS Office is considering expanding the use of contracts. Under such contracts, specific attorneys would agree to handle a certain number of cases for a certain fee. Currently, contracts cover some non-criminal cases in some districts, such as in juvenile matters. Carefully planned and tailored contracts can offer a cost-effective and efficient alternative means of representation.

Revised Indigency Standards and Procedures

The IDS Commission has appointed a committee, assisted by IDS Office staff, to examine the standards and procedures for determining indigency. The IDS Act continues to require judicial officials in most instances to make an initial determination of indigency as a condition of appointment of counsel. The current statute (G.S. 7A-450(a)) provides only modest guidance, however, on the meaning of indigency. The committee is examining standards and procedures used in other states and is working on developing a method for determining indigency appropriate to North Carolina.

Juvenile and Parent Representation

The IDS Office is engaged in discussions with the Southern Juvenile Defender Center ("SJDC") at Emory University School of Law about beginning an assessment of North Carolina's juvenile program. The SJDC is funded by the American Bar Association and provides services to states working to improve their systems for providing legal services to juveniles. IDS Office staff have also met with representatives of the Court Improvement Project, which is an organization dedicated to improving the quality of North Carolina's family courts, and discussed ways to enhance the quality of parent representation.

Pre-Case Budgets

Using the federal court system as a model, the IDS Office is considering instituting a pilot program in capital post-conviction cases that would require attorneys to develop pre-case budgets. Under such a program, the attorneys of record would meet with IDS Office staff and present a proposed case budget after they are appointed to a case, but before they undertake a significant amount of work. The attorneys would be expected to present a budget for all anticipated case-related expenditures, including attorney time, experts, and other support services. After discussion with the attorneys, the IDS Office would then approve an appropriate case budget. While attorneys would be able to exceed the approved case budget based on exceptional circumstances, the process should encourage attorneys to think through the financial consequences of their representation and focus on the resources that are truly necessary to effective representation. In addition, it will enable the IDS Office to maintain closer contact with the attorneys and better respond to attorney expectations and needs.

II. District Case Volume and Cost Statistics

The existing data on the volume and cost of cases handled in each district by assigned counsel or public defenders during fiscal year 2000-2001 is attached to this report in Appendix H. While the available data is limited in scope, the IDS Office is working with AOC to improve data collection procedures and data reporting capabilities. Once those mechanisms are in place, the IDS Office intends to complete more detailed and helpful analyses for inclusion in future annual reports.

III. Legislative Recommendations

A. Recoupment

The IDS Office believes that the management of funds expended for indigent defense services would be improved by increased collection of revenue from the clients being served. Currently, there is confusion among judges and other court personnel concerning when recoupment is mandated or appropriate. The IDS Office recommends that legislation be adopted clarifying the circumstances in which recoupment is required, and clarifying and streamlining the procedures governing recoupment.

B. Additional Staff for Existing Public Defender Offices

The IDS Office will again request from the General Assembly the authority to add assistant public defenders and support staff to existing public defender offices where IDS determines that the additions will be cost-effective and enhance the quality of representation in a district.

C. New Public Defender Offices

The IDS Office is currently studying the relative quality and cost-effectiveness of public defender offices versus private assigned counsel. *See* "Program Evaluation" above. If, based on

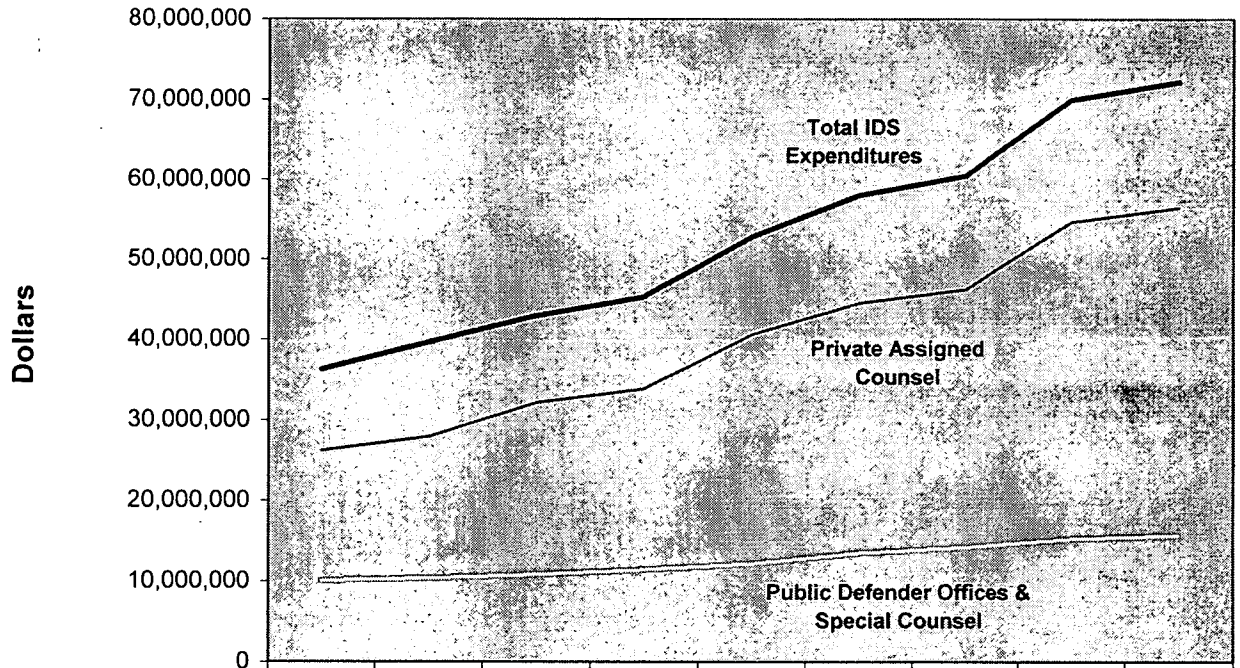
that study, the IDS Office determines that there should be changes in the method of service delivery in some districts, IDS will request authority to create new public defender offices.

IV. Conclusion

The General Assembly's creation of the IDS Commission and IDS Office makes North Carolina a national leader in the development of quality, cost-effective, and accountable indigent defense programs. Several states, including Texas, Georgia, and Alabama, have looked to the IDS Act for guidance in improving their own indigent defense programs. In the coming years, the IDS Office should continue to realize the goals of improving the quality of North Carolina's indigent defense program in a cost-effective manner.

APPENDIX A

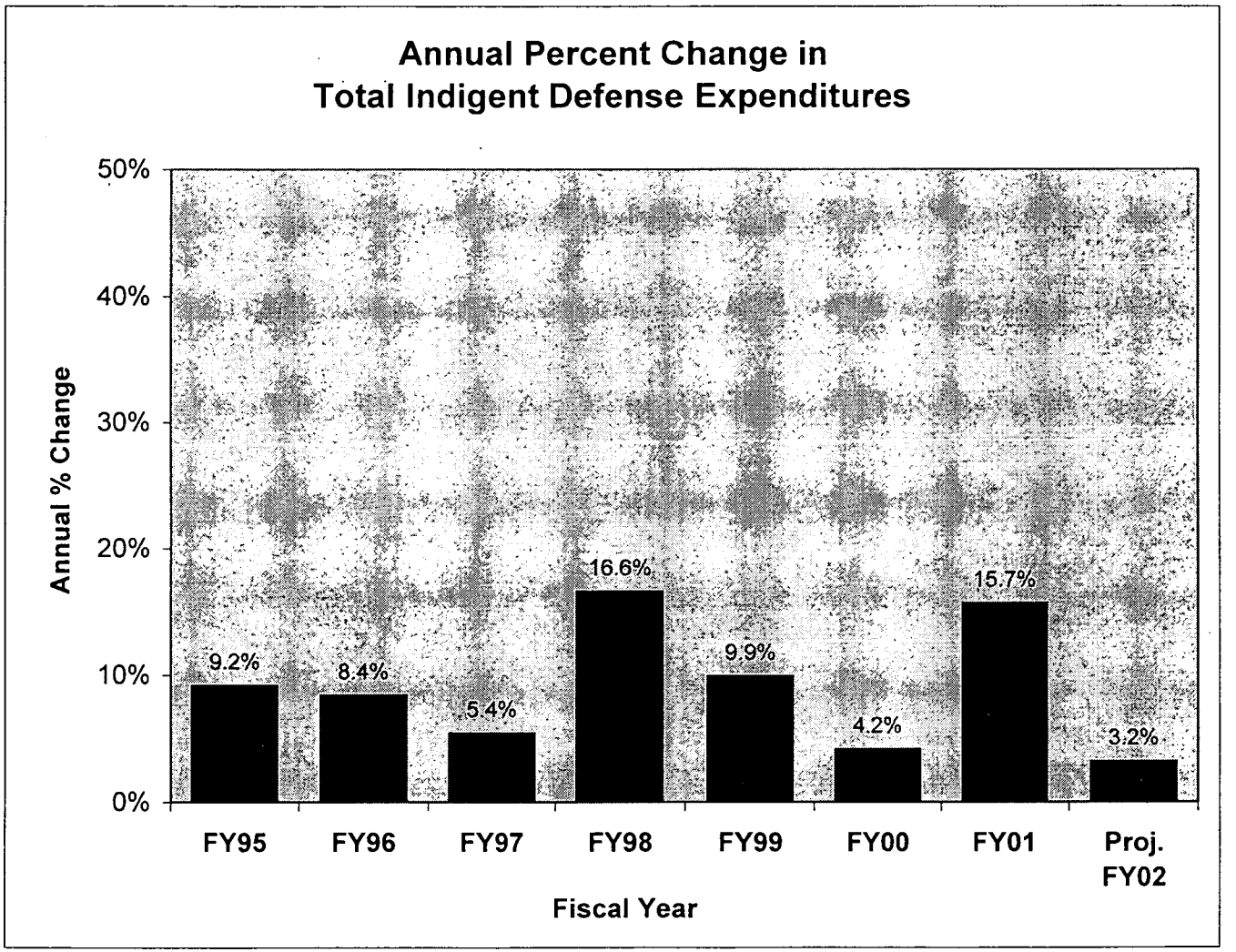
Indigent Defense Expenditure History
FY94 to FY02



	FY94	FY95	FY96	FY97	FY98	FY99	FY00	FY01	Proj. FY02
Total Private Assigned Counsel	$26,224,228	$27,956,909	$32,161,061	$33,883,335	$40,632,705	$44,551,915	$46,261,265	$54,680,704	$56,495,000
Public Defender Offices & Special Counsel	$10,067,988	$10,347,097	$10,802,248	$11,413,943	$12,187,593	$13,502,925	$14,204,910	$15,268,200	$15,695,000
Total IDS Expenditures	$36,292,216	$39,627,762	$42,963,309	$45,297,278	$52,820,298	$58,054,840	$60,466,175	$69,948,904	$72,190,000

Fiscal Year

Sources: Administrative Office of the Courts, Annual Reports 1988-99 through 2000-01 and IDS Office Chief Financial Officer.


Annual Percent Change in
Total Indigent Defense Expenditures
50%
40%
30%
20%
10%
0%
Annual % Change
9.2%
8.4%
5.4%
16.6%
9.9%
4.2%
15.7%
3.2%
FY95
FY96
FY97
FY98
FY99
FY00
FY01
Proj. FY02
Fiscal Year

Indigent Defense Expenditure History
FY89 to FY02

Type of Expenditure	FY89	FY94	FY95	FY96	FY97	FY98	FY99	FY00	FY01	Proj. FY02
Private Assigned Counsel (PAC)										
Capital	2,095,675	5,189,722	4,605,960	6,950,613	6,453,782	9,589,186	9,176,899	8,230,075	9,090,111	8,498,000
Adult	11,724,097	16,309,410	18,597,507	19,932,141	22,322,081	25,540,251	27,428,944	29,283,471	35,536,744	35,750,000
Juvenile	1,045,401	1,712,647	2,268,305	2,314,826	2,560,702	2,787,998	2,966,086	3,138,127	3,828,369	3,750,000
GAL	102,770	71,827	71,630	77,089	115,313	123,838	159,776	208,031	298,241	322,000
Support Services	$ 629,266	$ 1,245,241	$ 1,565,817	$ 1,886,392	$ 2,431,457	$ 2,591,432	$ 2,970,751	$ 3,218,862	$ 3,475,239	$ 3,875,000
Obligated at Year-End	2,532,297	1,695,381	847,691	1,000,000	-	-	1,849,459	2,182,699	2,452,000	4,300,000
Total PAC	$ 17,500,240	$ 26,224,228	$ 27,956,909	$ 32,161,061	$ 33,883,335	$ 40,632,705	$ 44,551,915	$ 46,261,265	$ 54,680,704	$ 56,495,000
Annual Percent Change			6.6%	15.0%	5.4%	19.9%	9.6%	3.8%	18.2%	3.3%
Public Defender Offices & Special Counsel										
IDS Office									$ 179,459	$ 450,000
Public Defender	$ 4,717,451	$ 8,877,852	$ 9,026,180	$ 9,364,670	$ 9,895,547	$ 10,708,729	$ 11,708,864	$ 12,260,820	$ 12,877,539	$ 12,975,000
Appellate Defender	$ 575,534	$ 811,277	$ 832,381	$ 930,474	$ 977,043	$ 919,279	$ 1,025,609	$ 1,068,893	$ 1,091,839	$ 1,075,000
Capital Defender							$ 183,896	$ 278,065	$ 352,240	$ 375,000
Set-Off Debt			$ 91,109	$ 91,109	$ 86,152	$ 83,085	$ 82,489	$ 84,414	$ 92,402	$ 65,000
Special Counsel	$ 264,601	$ 378,859	$ 397,427	$ 415,995	$ 455,201	$ 476,500	$ 502,067	$ 512,718	$ 674,721	$ 755,000
Total Public Defender Offices	$ 5,557,586	$ 10,067,988	$ 10,347,097	$ 10,802,248	$ 11,413,943	$ 12,187,593	$ 13,502,925	$ 14,204,910	$ 15,268,200	$ 15,695,000
Annual Percent Change			2.8%	4.4%	5.7%	6.8%	10.8%	5.2%	7.5%	2.8%
Total IDS Expenditures	$ 23,057,826	$ 36,292,216	$ 39,627,762	$ 42,963,309	$ 45,297,278	$ 52,820,298	$ 58,054,840	$ 60,466,175	$ 69,948,904	$ 72,190,000
Annual Percent Change			9.2%	8.4%	5.4%	16.6%	9.9%	4.2%	15.7%	3.2%

Sources: Administrative Office of the Courts, Annual Reports 1988-99 through 2000-01 and IDS Office Chief Financial Officer.
Following financial information not included for comparison reasons:
Programs no longer in operation - Death Penalty Resource Center, Indigency Screening Program
Programs no longer under Indigent Defense Services - Guardian ad Litem Program
Pass through grants - NC State Bar Grant, Center for Death Penalty Litigation Grant

APPENDIX B

Part 1
Rules for the Continued Delivery of Services in Non-Capital Criminal and Non-Criminal Cases at the Trial Level

This first part addresses the procedure for appointing and compensating counsel in all cases subject to the oversight of the Office of Indigent Defense Services (IDS Office), except for capital cases, which are covered by Part 2 of these rules, and appellate cases, which are covered by Part 3 of these rules. These rules are authorized by the Indigent Defense Services Act of 2000 (IDS Act), S.L. 2000-144, Senate Bill 1323, and apply to cases pending on or after July 1, 2001.

The principal aim of this first part is to ensure that the system for appointing and compensating counsel at the trial level in non-capital criminal and non-criminal cases is not disrupted. Because of the sheer number of such cases handled by appointed counsel (approximately 120,000 in fiscal year 1999-2000 alone), these rules continue most of the current practices and procedures, allowing the IDS Office to consider and implement changes over time after considering the suggestions and advice of the bar, bench, and other interested persons.

The rules are drawn in large part from the North Carolina General Statutes (G.S.), as revised by the IDS Act, and Section D.0400 and D.0500 of the Rules and Regulations of the North Carolina State Bar (State Bar Rules). That section of the State Bar Rules is no longer effective beginning July 1, 2001, because the authorization for those rules, in former G.S. 7A-459, was repealed effective that date.

Whenever the term "IDS Director" is used in these rules, it means the Director of the Office of Indigent Defense Services or his or her designee. Whenever the term "IDS Office" is used in these rules, it means the Office of Indigent Defense Services or its designee. Whenever the term "IDS Commission" is used in these rules, it means the Commission on Indigent Defense Services or its designee.

These rules may be changed by the IDS Commission pursuant to its authority.

1.1 Coverage and Definitions

(1) This part applies to all non-capital criminal and non-criminal cases at the trial level. The terms "non-capital criminal case" and "non-criminal case" refer only to such cases in which the IDS Office is responsible for the provision and oversight of legal representation. The term "trial level" includes all cases in district or superior court.

(2) Except as otherwise provided in these rules, this part does not apply to capital cases, as defined in Part 2 of these rules, at the trial, appellate, or post-conviction level. The term "capital case" means any case involving a first-degree murder charge or charge in which the degree of murder is undesignated, and any non-capital criminal charge brought contemporaneously with or subsequently joined with such murder charge.

(3) Except as otherwise provided in these rules, this part does not apply to appellate cases, as defined in Part 3 of these rules. The term "appellate case" means any case in which a person is entitled to representation in the appellate courts pursuant to G.S. 7A-451 and Part 3 of these rules.

(4) When these rules describe the functions that a court performs, the term "court" includes clerks of superior court.

Authority: G.S. 7A-452(c)(1); 7A-498.3(a)

Commentary

Subsection (1): G.S. 7A-498.3(a) places virtually all cases in which a person is entitled to counsel at state expense under the oversight of the IDS Office. The cases covered are:

1. cases in which an indigent person is entitled to legal representation under G.S. 7A-451 and G.S. 7A-451.1;
2. cases in which the IDS Office is designated by other statutes as responsible for providing legal representation; and
3. cases in which an indigent person is subject to a deprivation of liberty or other constitutionally protected interest, and is entitled by law to legal representation.

Most of the cases in which a person has a right to counsel fall within the first category—that is, cases designated in G.S. 7A-451 and 7A-451.1. Readers should consult those statutes for a complete listing of proceedings. The following two types of cases are included in this first category, though current G.S. 7A-451(a)(12) and (a)(15) refer to former provisions of the Juvenile Code:

- cases in which a person is a parent of a juvenile alleged to be abused, neglected, or dependent pursuant to G.S. 7B-602; and
- proceedings to terminate a person's parental rights pursuant to G.S. 7B-1101.

The General Assembly has recognized a right to counsel in miscellaneous proceedings not covered by G.S. 7A-451 and 7A-451.1, and with respect to most of those proceedings the provision of counsel is subject to the oversight of the IDS Office. The covered cases include:

- cases in which the parent, guardian, or custodian of a juvenile who has run away petitions a court for issuance of a requisition for the juvenile's return, and the juvenile is subsequently brought before a court pursuant to a detention order under G.S. 7B-2804(a);
- cases in which a delinquent juvenile has absconded from probation or parole supervision, or escaped from institutional custody, and the juvenile is subsequently brought before a court pursuant to a detention order under G.S. 7B-2805(a);
- cases in which a law enforcement officer has seized property from an unknown or unapprehended defendant, or from a defendant willfully absent from the jurisdiction, and the lawful owner petitions a court for return of the property pursuant to G.S. 15A-11.1(b);
- cases in which a person is subject to a non-testimonial identification procedure under G.S. 15A-279(d);
- cases in which a material witness appears for a hearing on a motion for an order assuring his or her attendance at a criminal proceeding under G.S. 15A-803(d);
- cases in which a criminal defendant elects to represent himself or herself and the court determines that standby counsel should be appointed pursuant to G.S. 15A-1243;
- cases in which a person is taken or charged on any order of arrest for default of bail, or on surrender of bail, or in execution of arrest for any debt or damages rendered in any action, and such person petitions the court for provisional release pursuant to G.S. 23-30.1; and
- cases in which a minor has been voluntarily admitted to a mental health or substance abuse facility pursuant to G.S. 122C-224.1.

Also included in this second category are cases in which the guardian ad litem program operated by the Administrative Office of the Courts (AOC) has a conflict of interest and is unable to represent a juvenile alleged to be abused, neglected, or dependent. Under G.S. 7B-1202, the court may appoint a private attorney to represent the juvenile. Provision of legal representation in cases in which the court appoints a private attorney is subject to the oversight of the IDS Office; cases in which the AOC's guardian ad litem program provides representation are not subject to IDS oversight.

The third category of cases under IDS oversight are cases in which the courts have recognized a right to appointed counsel. For example, the defendant has a constitutional right to counsel in child support contempt proceedings in which the defendant faces a sentence of actual imprisonment. *See McBride v.*

McBride, 334 N.C. 124, 431 S.E.2d 14 (1993) (finding right to counsel whether contempt proceeding is designated as civil or criminal).

Subsections (2) and (3): Capital cases are addressed in a separate part because of the differing treatment of those cases in the IDS Act. In non-capital criminal cases, the court appoints counsel pursuant to rules adopted by the IDS Office. In capital cases, the IDS Director appoints counsel directly. *See* G.S. 7A-452(a) (generally); *see also* G.S. 7A-451(c) (capital post-conviction cases). Appellate cases are also dealt with separately because of the relatively small number of such cases. The IDS Office is in a position to establish and administer procedures for the appointment and compensation of appellate counsel, relieving trial judges of that burden.

1.2 Entitlement to Counsel

[No rules adopted; reserved for future use]

Commentary

Under revised G.S. 7A-452(a), the court continues to determine whether a person is entitled to counsel at state expense. In making this determination, the court must decide, first, whether the person is indigent, although in some matters, such as juvenile delinquency proceedings, the person is presumed to be indigent. Second, the court must determine whether the person is entitled to counsel in the particular proceeding. Rule 1.4, below, governs the first inquiry concerning indigency. The IDS Office has not adopted rules concerning the second inquiry, the right to counsel in particular proceedings, because the IDS Act did not change the extent of a person's rights under the United States and North Carolina constitutions, statutes, and case law; it only transferred to the IDS Office the authority to oversee the provision of legal representation in such cases. For a list of cases subject to IDS Office oversight, *see* commentary to Rule 1.1, above. In cases subject to this part, once the court determines that a person is indigent and has a right to counsel, appointment of counsel is governed by Rule 1.5, below.

In some instances, North Carolina law authorizes someone other than a judge to make at least a preliminary determination of indigency and entitlement to counsel. The IDS Act did not materially change those provisions, although it did provide that appointment of counsel is subject to rules adopted by the IDS Office. For example, G.S. 7A-452(c) continues to authorize the clerk of court to determine whether a person is indigent and entitled to counsel, subject to review by a judge. *See also* G.S. 122C-269(b) (describing clerk's responsibilities in involuntary commitment proceedings). In counties with a public defender office, G.S. 7A-452(a) continues to provide that the Public Defender may make this determination preliminarily and may assign himself or herself or an assistant public defender to represent the person, subject to review by the court.

1.3 Notice of Rights

(a) Generally

[No rules adopted; reserved for future use]

(b) Responsibilities of Public Defenders and Clerks for In-Custody Defendants

In counties with a public defender office, the authority having custody of a person who is without counsel for more than 48 hours after being taken into custody shall so inform the Public Defender. The Public Defender shall make a preliminary determination of the person's entitlement to his or her services and shall proceed accordingly, including notifying the court of the person's status or appointing himself or herself to represent the person pending a determination of the court. The court shall make the final determination. In counties without a public defender office, the authority having custody

of a person who is without counsel for more than 48 hours after being taken into custody shall so inform the clerk of superior court, who shall proceed accordingly, including bringing the person's situation to the attention of a district court judge for determination of the right to counsel and review of pretrial release conditions.

Authority: G.S. 7A-452; 7A-453

Commentary

Subsection (a): A number of statutes obligate judicial officials to notify individuals of their right to counsel, describing the timing and basic content of the notice. In criminal cases, for example, *see* G.S. 15A-511 (notice by magistrate at initial appearance); G.S. 15A-603 (notice by district court judge at first appearance in felony case); G.S. 15A-942 (notice by superior court judge at arraignment); G.S. 15A-1101 (procedure for trial of misdemeanors in district court is in accordance with trial procedure in superior court, including requirement that district court judge notify defendant of right to counsel when arraigning defendant). The IDS Act did not alter these requirements. The IDS Office is considering adopting additional procedures to assist judicial officials in notifying individuals of their right to counsel, after considering the suggestions and advice of the bar, bench, and other interested persons.

Subsection (b): This subsection implements the requirements of revised G.S. 7A-453, which deals with the situation in which a person has been in custody for more than 48 hours and has no counsel. Revised G.S. 7A-453 is not materially different than the former version of that statute; it has always required that notice be given, either to the Public Defender or clerk, concerning in-custody defendants without counsel. The revised statute merely provides that in counties designated by the IDS Office, the custodian of the person must notify the IDS Office's designee. In counties not designated by the IDS Office, the custodian must notify the clerk of superior court. Through the above rule, the IDS Office makes the Public Defender its designee in counties that have a public defender office. In counties that do not have a public defender office, the IDS Office makes no designation; therefore, the custodian should continue to notify the clerk of court.

If a person is in custody without counsel, the Public Defender should bring the person's situation to the attention of the court, which may appoint counsel in accordance with Rule 1.5, below. The Public Defender also may tentatively assign himself or herself to represent the person pursuant to G.S. 7A-452(a).

Likewise, the clerk of court should bring the person's situation to the attention of a judge as soon as feasible; pursuant to G.S. 7A-452(c) and Rule 1.5, below, the clerk also may appoint counsel. If the clerk does not appoint counsel for an in-custody defendant, it is particularly important for the clerk to alert a district court judge, especially in cases involving probation violations, orders for arrest for failing to appear, surrenders by sureties, and misdemeanors in those judicial districts that do not routinely hold first appearances. In those cases, a defendant's first-scheduled court date may be several days or even weeks after he or she is taken into custody. If counsel is not appointed until that first court date, the case will likely have to be continued to a later date, resulting in inefficient use of court time, longer pretrial custody for defendants, and greater demands on limited jail resources.

1.4 Indigency

(a) Standard

An indigent person is a person who is financially unable to secure legal representation or provide other necessary expenses of representation at the time the expenses are required.

(b) Procedure for Determining Indigency

(1) Before appointing counsel in cases in which indigency is a condition of appointment, the court shall require the defendant or respondent to complete and sign under oath an affidavit of indigency on a form approved by the IDS Director.

(2) The court shall make reasonable inquiry of the defendant or respondent under oath to determine the truth of the statements made in the affidavit of indigency.

(3) The affidavit of indigency shall be filed in the records of the case.

(4) Based on the affidavit of indigency, the affiant's statements to the court on this subject, and such other information as may be brought to the attention of the court during the proceedings, the court shall determine whether the defendant or respondent is indigent.

(5) The question of indigency may be determined or redetermined by the court at any stage of the action or proceeding.

(6) If at any stage in the action or proceeding a person previously determined to be indigent becomes financially able to secure legal representation and provide other necessary expenses of representation, he or she must inform counsel appointed to represent him or her of that fact, who must promptly inform the court.

Authority: G.S. 7A-450; 7A-452; 7A-498.3(b); 7A-498.5(c)(8)

Commentary

Revised G.S. 7A-452 continues to require the court in most cases to determine whether a person is indigent for purposes of receiving counsel at state expense; however, under G.S. 7A-498.3(b) and 7A-489.5(c)(8), the determination is to be made in accordance with policies and procedures adopted by the IDS Office.

Subsection (a): The IDS Act did not alter the basic statutory definition of indigency in G.S. 7A-450(a), which is set forth in this rule. The court should continue to follow that definition and the North Carolina cases interpreting it. *See, e.g., State v. Hoffman*, 281 N.C. 727, 190 S.E.2d 842 (1972) ("An indigent is one who does not have available, at the time they are required, adequate funds to pay a necessary cost of his defense.").

The North Carolina cases direct that various factors, such as the person's employment, income, and assets, be weighed in determining whether a person is indigent. The cases do not establish a precise measure of indigency, however. The specific dollar amounts discussed in older cases are not particularly useful guides in assessing a person's ability to hire a lawyer now. To assist judicial officials and others in determining indigency, the IDS Office is working on developing more detailed standards and expanding on the basic statutory definition of indigency.

Subsection (b): Subsections (1) through (4) substantially repeat the procedure for determining indigency in former Rule D.0402 of the State Bar Rules. The form affidavit of indigency referred to in subsection (1) is the same form that has been used by the AOC (AOC-CR-226). Subsections (5) and (6) substantially repeat the requirements in G.S. 7A-450(c) and (d). Courts should continue to follow any other statutory requirements to assure that counsel is provided as appropriate. For example, although a district court judge reviews indigency at the defendant's first appearance in a felony case, a superior court judge must re-examine the question if the defendant appears without counsel in superior court. *See* G.S. 15A-942 (requiring superior court to do so at arraignment).

Subsection (b) also recognizes that in some cases, indigency is not a condition of appointment of counsel, for example, in cases in which a juvenile is alleged to be delinquent. *See* G.S. 7B-2000.

1.5 Appointment Procedure

(a) Districts Without a Public Defender Office

(1) In judicial districts that do not have a public defender office, each judicial district bar shall adopt a plan or plans for the appointment by the court of qualified members of the private bar to represent indigent persons in non-capital criminal cases at the trial level. The plan may also include procedures for the appointment of counsel by the court in non-criminal cases at the trial level. Any plan adopted by a judicial district bar shall provide for appointment of counsel on a systematic and impartial basis. To the extent a judicial district bar plan does not address non-criminal or other categories of cases, the court shall appoint counsel in those cases on a systematic and impartial basis. A plan may be applicable to the entire district, or, at the election of the judicial district bar, separate plans may be adopted by the district bar for use in each separate county within the district.

(2) Except as otherwise provided by the IDS Office, the plan or plans for a district in effect on June 30, 2001, shall govern the method by which counsel are thereafter selected in that district for appointment in non-capital criminal and non-criminal cases at the trial level. A plan is considered to be "in effect" on June 30, 2001, if by that date it has been adopted by the judicial district bar, approved by the North Carolina State Bar, and certified to the clerk of superior court of the county to which the plan is applicable by the Secretary of the North Carolina State Bar.

(3) Beginning July 1, 2001, any revisions in a district's plan made by the judicial district bar must be adopted by the judicial district bar and approved by the IDS Commission, following which the IDS Director shall certify the revised plan or plans to the clerk of superior court to which the plan or plans are applicable.

(4) Any provisions in district plans concerning appointment of counsel in capital or appellate cases, as defined in Parts 2 and 3 of these rules, shall be of no effect as of July 1, 2001.

(5) Any provisions in district plans that are inconsistent with rules now or hereafter adopted by the IDS Office shall be of no effect as of July 1, 2001.

(b) Districts with a Public Defender Office

(1) No later than November 1, 2001, in judicial districts with a public defender office, the court shall appoint the Public Defender pursuant to a plan adopted by the Public Defender, and approved and certified by the IDS Director, in all cases subject to this part except in cases described in subsection (b)(2), below. For cases assigned to the Public Defender that he or she is unable to handle, the Public Defender's plan shall include procedures for assigning such cases to qualified members of the private bar. The plan may apply to the entire district, or separate plans may be used for each separate county within the district. In developing the plan or plans, the Public Defender shall consult with the judicial district bench and bar in which his or her office is located, and the Public Defender shall submit any plan for approval and certification by the IDS Director. Until a Public Defender's plan is submitted, approved, and certified by the IDS Director, the court shall continue to appoint counsel in accordance with current procedure.

(2) The Public Defender shall not be appointed to represent, and shall not assign counsel to represent, a juvenile alleged to be abused, neglected, or dependent. In cases in which the guardian ad litem program operated by the Administrative Office of the Courts is unable to represent the juvenile, the court shall continue to appoint counsel for juveniles pursuant to G.S. 7B-1202.

(c) Districts with a Special Counsel Office

In judicial districts with a special counsel program, the court shall continue to appoint special counsel, pursuant to G.S. 122C-270, to represent all indigent respondents at all hearings, rehearings, and supplement hearings held at the state facility and on appeal. For cases assigned to a special counsel office that the office is unable to handle, the special counsel office shall adopt a plan for assigning such cases to qualified members of the private bar. The special counsel office shall submit any plan for approval and certification by the IDS Director.

(d) Appointments Pursuant to Plans

(1) Except as otherwise provided by the IDS Director, all appointments of counsel in cases subject to this part shall be made in conformity with the plans described in this rule, unless the judge in cases subject to subsection (a), above, or the authority authorized to make appointments in cases subject to subsections (b) and (c), above, deems it proper in the furtherance of justice to appoint as counsel for a person a lawyer who is not on the certified plan or list or who is not next in sequence on the list.

(2) No attorney shall be appointed as counsel for a person in a non-capital criminal or non-criminal case in a court of any district unless the attorney has consented to placement of his or her name on the list of attorneys subject to appointment or, if the attorney has not agreed to do so, has otherwise consented to be appointed.

(3) No person for whom counsel is appointed shall be entitled to select or specify the attorney assigned to defend him or her.

(e) Record Keeping

(1) In districts without a public defender office, the clerk of superior court of each county, under the direction of the Administrative Office of the Courts pursuant to G.S. 7A-343(3) and (10), shall continue to file in his or her office, maintain, and keep current the plan for assignment of counsel in non-capital criminal and non-criminal cases, and a record of all counsel eligible for appointment under the plan, applicable to said county as certified by the Secretary of the North Carolina State Bar or IDS Director, as the case may be.

(2) No later than November 1, 2001, in districts with a public defender office, the Public Defender shall file in his or her office, maintain, and keep current the plan for assignment of counsel in non-capital criminal and non-criminal cases pursuant to subsection (b), above, and a record of all counsel eligible for appointment under the plan, applicable to said district as certified by the IDS Director.

(3) In districts with a special counsel program, the special counsel shall file in his or her office, maintain, and keep current the plan for assignment of counsel pursuant to

subsection (c), above, and a record of all counsel eligible for appointment under the plan, applicable to said district as certified by the IDS Director.

(4) Orders for the appointment of counsel shall be entered by the court on a form approved by the IDS Director.

(f) Authority to Implement Other Programs, Plans, and Contracts

Nothing in these rules shall prohibit assignment of otherwise qualified counsel to represent indigent defendants pursuant to programs, plans, or contracts that may be implemented from time to time to improve quality, efficiency, and economy where such programs, plans, or contracts are approved by the IDS Director. Nothing in these rules shall preclude the IDS Commission from adopting and enforcing rules that supercede a judicial district bar plan.

Authority: G.S. 7A-452(a); 7A-498.3(a), (c); 7A-498.5(c), (d), (e); 122C-270

Commentary

G.S. 7A-498.3 and 7A-498.5 grant the IDS Office broad authority to adopt rules, procedures, and standards for the appointment of counsel. *See also* G.S. 7A-452(a) (counsel shall be appointed by the court in non-capital criminal cases in accordance with rules adopted by the IDS Office). Because of the sheer number of non-capital criminal and non-criminal cases handled by appointed counsel each year, the IDS Office is not presently able to consider or adopt improvements in the method for appointing counsel in such cases across the state. Accordingly, this rule continues much of the current practice and procedure. The text of this rule is based in large part on former Rule D.0404 of the State Bar Rules.

Subsection (a): The IDS Commission recognizes the continuing importance of district bar plans to the operation of the system, and in most respects this rule keeps the current district bar plans in effect until the IDS Commission and IDS Office consider and implement changes. If a district bar wishes to make changes to a plan after July 1, 2001, the changes must be approved by the IDS Commission rather than the North Carolina State Bar, which reflects the changes in authority implemented by the IDS Act. Many district bar plans do not specifically address non-criminal cases. If a plan does not address such cases, the court should appoint counsel on a systematic and impartial basis.

Subsection (b): Currently, in some districts with a public defender office, the judge assigns most indigent cases to the Public Defender, who then assigns to private counsel those cases that the office is unable to handle (either because of workload or conflict-of-interest reasons). All public defender offices are currently drafting plans that will expand this procedure to all districts with such an office. However, because all public defender offices are not in a position to begin performing this duty as of July 1, 2001, subsection (1) leaves current practices undisturbed until the Public Defender in the district submits a plan, which the IDS Director approves and certifies. The rule requires all Public Defenders to ensure that such a plan has been submitted, approved, and certified no later than November 1, 2001. Any plan adopted pursuant to this provision should address, among other things, the procedure to be followed when the public defender office has a conflict of interest.

Subsection (c): This subsection establishes a procedure similar to subsection (b), requiring special counsel offices (in districts where located) to develop plans for assigning to private counsel cases that the office is unable to handle.

Subsection (d): As in the past, appointments should be made in accordance with the plans for each district. The subsection makes some changes, however. First, subsection (1) clarifies that in the interest of justice an attorney may be appointed who is not on the list regardless of whether the attorney regularly practices in the district. Second, subsection (2) prohibits appointment of an attorney unless the attorney consents to appointment, either by agreeing to be on the list or, if not on the list, by consenting to being appointed.

Subsection (e): The clerk of superior court continues to keep a record of current district bar plans and eligibility lists in districts without a public defender office. Public defender and special counsel offices will

keep their plans on file in their offices. The court (judge or clerk) continues to make a record of appointments by entering the order of appointment on a revised version of the form that has been used by the AOC (AOC-CR-224).

Subsection (f): This subsection recognizes the authority of the IDS Office to modify appointment procedures and to adopt different methods for delivering services (such as contracting with attorneys rather than appointing them on a case-by-case basis). *See* G.S. 7A-498.3; G.S. 7A-498.5.

1.6 Waiver of Counsel

(a) Standard

An indigent person who has been informed of his or her right to be represented by counsel at any in-court-proceeding may, in writing, waive the right to in-court representation by counsel. Any such waiver of counsel shall be effective only if the court finds of record that at the time of waiver the indigent person acted with full awareness of his or her rights and of the consequences of the waiver. In making such a finding, the court shall follow the requirements of G.S. 15A-1242 and shall consider, among other things, such matters as the person's age, education, familiarity with the English language, mental condition, and the complexity of the matter.

(b) Standby Counsel in Criminal Cases

In a criminal case, if the defendant has elected to proceed without the assistance of counsel, the trial judge in his or her discretion may determine that standby counsel should be appointed to assist the defendant when called upon, and to bring to the judge's attention matters favorable to the defendant upon which the judge should rule on his or her own motion.

Authority: G.S. 7A-457; 15A-1243

Commentary

Subsection (a): Revised G.S. 7A-457(a) provides that waivers of in-court representation shall be in accordance with rules adopted by the IDS Office. The above rule restates the requirements for a valid waiver in G.S. 7A-457(a) and is intended to continue current practice and procedure on taking waivers until the IDS Office develops any additional rules or procedures. Until the IDS Office develops any such additional rules or procedures, courts can continue to use the same waiver of counsel form that has been used by the AOC (AOC-CR-227). This rule does not affect the standard in G.S. 7A-457(c) with respect to waiver of counsel at out-of-court proceedings, such as during interrogation, which the IDS Act did not revise. This rule also does not deal with waiver of retained counsel by a non-indigent person. If a person has no counsel, the court should determine whether the person wishes to waive the right to both appointed and retained counsel. In criminal cases, if the person wishes to represent himself or herself, the court must conduct the inquiry required by G.S. 15A-1242 on self-representation.

The IDS Act also did not affect the statutes that recognize that in some circumstances a person may lack the capacity to waive counsel. For example, G.S. 122C-268(d) provides that in cases in which a person is alleged to be mentally ill and subject to in-patient commitment, counsel shall be appointed if the person is indigent or refuses to retain counsel although financially able to do so. *See also* G.S. 35A-1107 (appointment of guardian ad litem for person alleged to be incompetent); G.S. 108A-105(b) (appointment of guardian ad litem for disabled adult). Similar provisions apply to minors who have a right to counsel. *See* G.S. 7B-600 and -601 (juvenile abuse and neglect proceedings); G.S. 7B-1101 (termination of parental rights where parent is a minor); G.S. 7B-2000 (juvenile delinquency proceedings).

Subsection (b): G.S. 15A-1243 provides that, in cases in which a defendant has elected to represent himself or herself, appointment of standby counsel shall be in accordance with rules adopted by the IDS Office. For non-capital criminal cases, the above rule restates the provisions on appointment of standby counsel in G.S. 15A-1243 and is intended to continue the current practice and procedure.

1.7 Withdrawal of Appointed Counsel

(a) Scope of Obligation

Unless otherwise provided by law, counsel appointed in a case subject to this part is required to continue with the representation through judgment at the trial level, discussion with the client about his or her right to appeal, and entry of notice of appeal or expiration of the time for giving notice of appeal. Nothing in these rules shall be construed as permitting or requiring an attorney of record to deviate from applicable laws of this State, the Rules of Professional Conduct administered by the North Carolina State Bar, or other legal or ethical obligations of an attorney as an officer of the court.

(b) Withdrawal

At any time during or pending the trial or retrial of a case subject to this part, a judge of a court of competent jurisdiction may, upon application of the attorney appointed to the case and for good cause shown, permit the attorney to withdraw from the case. If the judge allows the attorney to withdraw, appointment of new counsel shall be in accordance with Rule 1.5 of these rules.

(c) Contract Counsel

Withdrawal from a case by an attorney performing work under contract with the IDS Office shall be in accordance with the terms of the contract. If the contract does not specify a method of withdrawal, an attorney may withdraw in accordance with subsections (a) and (b) of this rule.

Authority: G.S. 7A-498.2(b); 7A-498.3(a), (c); 7A-498.5(c), (d); 15A-143; 15A-144

Commentary

Subsection (a): G.S. 15A-143 states that an attorney making a general appearance in a criminal case is obligated to represent the defendant "until entry of final judgment." Subsection (a) is intended to emphasize the attorney's further responsibility to advise the client concerning appeal and to enter notice of appeal if requested. This rule applies that requirement to all cases subject to this part unless otherwise provided by law. In some instances, the law may impose a greater obligation on an attorney. For example, when an attorney is appointed in an involuntary commitment proceeding, the law requires that he or she handle any hearings at the trial level and perfect and conclude any appeal. *See* G.S. 122C-270(a).

Subsection (b): This subsection restates the provisions in former Rule D.0405 of the State Bar Rules on withdrawal from a case at the trial level. If a person other than appointed counsel (such as the client, prosecutor, or IDS Director) requests that a judge of a court of competent jurisdiction remove counsel for good cause, the judge shall follow established law. *See, e.g., State v. Poole*, 305 N.C. 308, 289 S.E.2d 335 (1982); *State v. Hutchins*, 303 N.C. 321, 279 S.E.2d 788 (1981); *see also State v. Robinson*, 330 N.C. 1, 409 S.E.2d 288 (1991).

Subsection (c): This subsection is new. Although contracts entered into by the IDS Office may require that attorneys obtain a judge's approval to withdraw from a case, they potentially may provide for a different method of reassigning cases.

1.8 Contracts

The IDS Office is authorized to enter into contracts for legal representation and related services in cases in which the IDS Office is responsible for the provision and oversight of legal representation of a person. Contracts may provide for, among other things, appointment of particular counsel to handle certain cases and compensation at a specified rate. Any contracts for legal representation or related services in cases under the oversight of the IDS Office must be approved by the IDS Director.

Authority: G.S. 7A-498.2(b); 7A-498.3(a), (c), (d); 7A-498.5(c), (d), (f)

Commentary

This rule reflects the authority granted the IDS Office to contract for services in cases in which the IDS Office is responsible for the provision of legal services, and to control the expenditure of funds for quality legal representation and related services in such cases.

1.9 Payment of Appointed Counsel

(a) Compensation at Trial

Upon completion of the representation of a person by appointed counsel in the trial court in a non-capital criminal or non-criminal case, the trial judge shall, upon application, enter an order fixing the fee to which the attorney is entitled. In doing so, the judge shall allow a fee based on the factors normally considered in fixing attorneys' fees, such as the nature of the case, and the time, effort, and responsibility involved. Fees shall be fixed by the district court judge who hears the case for actions or proceedings finally determined in the district court, and by the superior court judge who hears the case for actions or proceedings originating in or heard on appeal in superior court. Even if the trial, hearing, or other proceeding is never held, preparation therefor is nevertheless compensable and, in extraordinary cases pending in superior court, the presiding judge may allow a fee for services rendered and payment for expenses incurred pending final determination of the case.

(b) Orders for Payment

Orders for the payment of compensation to appointed counsel for representation shall be entered by the judge on a form approved by the IDS Director. A certified copy of the order for the payment of fees shall be forwarded by the clerk of superior court to the Administrative Office of the Courts, Attn: Indigent Program, Financial Services Division, Courier Box 56-10-50, Raleigh, N.C. If no courier is available, a certified copy of the order shall be mailed to P.O. Box 2448, Raleigh, N.C. 27602.

(c) Fee Schedules

The IDS Director may authorize or require the use of fee schedules for the compensation of attorneys and the payment for services related to legal representation in non-capital criminal and non-criminal cases.

(d) Compensation of Contract Counsel

Compensation of attorneys performing work under contract with the IDS Office shall be paid in accordance with the terms of the contract.

(e) Outside Compensation Prohibited

Once counsel has been appointed to represent a person in a case subject to this part, counsel shall not accept any compensation for representation as appointed counsel other than that awarded by the court or the IDS Director.

Authority: G.S. 7A-458; 7A-498.5(f)

Commentary

This rule effectively continues the current practice on compensating appointed counsel in non-capital criminal and non-criminal cases. It incorporates substantial portions of former Rule D.0406 of the State Bar Rules and of G.S. 7A-458 before it was revised by the IDS Act. Representation is complete within the meaning of this rule when counsel has fulfilled the obligations set forth in Rule 1.7(a), above. Courts using fee schedules in effect before the effective date of the IDS Act should notify the IDS Office of any such schedules. Because of the sheer number of non-capital criminal and non-criminal cases handled by appointed attorneys, the IDS Office is not presently in a position to assume responsibility for determining compensation throughout the state. However, the IDS Commission and IDS Office are developing plans for assuming that responsibility as soon as feasible.

Subsection (b): In entering orders for payment, courts should continue to use a revised version of the fee application form that has been used by the AOC (AOC-CR-225).

1.10 Supporting Services

In non-capital criminal and non-criminal cases, the court may approve fees for the service of expert witnesses, investigators, and others providing services related to legal representation.

Authority: G.S. 7A-454; 7A-498.3(c); 7A-498.5(c)(6)

Commentary

The above statutes, as revised, provide that appointment and compensation of experts, investigators, and others providing services related to legal representation shall be in accordance with IDS rules. For non-capital criminal and non-criminal cases, this rule is intended to restate in general terms the current statutory and case law on such services. For capital cases, *see* Part 2, Rules 2D.1 through 2D.5.

1.11 Recoupment of Fees

(a) Generally

To the extent required by law, individuals who have been appointed counsel under this part shall continue to be responsible for repaying the fees paid to such counsel or, in the case of representation by a public defender office, the value of services rendered by counsel. The judge setting the fee to be paid or the value of services rendered shall determine the amount to be recouped if recoupment is required by law. The court shall ensure that the person potentially responsible for paying the fees is notified of the

potential liability, and that the person has a reasonable opportunity to be heard on the issue.

(b) Recoupment for Contract Services

For legal representation rendered by attorneys working under contract with the IDS Office, the value of services, and the procedures for entry of any appropriate orders or judgments, shall be determined in accordance with the terms of the contract if recoupment is required by law.

Authority: G.S. 7A-450.1 through -450.4; 7A-455; 7A-498.5(c)(8)

Commentary

For the most part, this rule is intended to continue current practice in non-capital criminal and non-criminal cases with respect to recoupment of the cost of appointed counsel. In criminal cases, recoupment is governed by G.S. 7A-455. The IDS Act made only one change to that statute. It required that the value of services reflected in a judgment against a defendant be set in accordance with rules adopted by the IDS Office. Since Rules 1.9 and 1.10 continue to leave with the judge the responsibility of setting fees for counsel and supporting services, this rule continues to leave with the judge the responsibility of setting the amount of any judgment. The Public Defender remains obligated to inform the judge of the value of legal services rendered to the defendant. The form judgment is a revised version of the same fee application form that has been used by the AOC (AOC-CR-225).

In some non-criminal cases, recoupment of fees is also required, although the procedure for recoupment differs somewhat from the procedure in criminal cases. *See* G.S. 7A-450.1 through -450.4. The IDS Act did not alter those procedures.

This rule also provides that a person potentially liable for fees should be given reasonable notice and an opportunity to be heard. In most cases covered by this part, the person will be present at the time judgment is entered, and the court can give the person an opportunity to be heard on the amount proposed to be entered.

APPENDIX C

Part 2
Rules for Providing Legal Representation in Capital Cases

This second part addresses the procedure to be followed in capital cases. The rules are authorized by the Indigent Defense Services Act of 2000 (IDS Act), S.L. 2000-144, Senate Bill 1323, and apply to cases pending on or after July 1, 2001. Fee applications for capital representation filed on or after that date will be governed by these rules.

These rules are intended to set forth a comprehensive system for providing legal representation in cases that potentially may be tried capitally or that have resulted in a sentence of death. Unlike the Rules for Continued Delivery of Services in Non-Capital Criminal and Non-Criminal Cases, described in Part 1, this part departs significantly from previous practice and procedure. The approach taken below reflects the intent of the IDS Act, which places with the Office of Indigent Defense Services (IDS Office) the responsibility for appointing and compensating counsel in capital cases.

This part is divided into four subparts, corresponding to the major areas requiring attention in capital litigation:

- Appointment and Compensation of Trial Counsel
- Appointment and Compensation of Appellate Counsel
- Appointment and Compensation of Post-Conviction Counsel
- Appointment and Compensation of Experts and Others Providing Services Related to Legal Representation

This part also includes an appendix containing standards that attorneys must meet to be considered for appointment as trial, appellate, or post-conviction counsel in capital cases.

The rules are authorized by Chapters 7A and 15A of the North Carolina General Statutes (G.S.), and by the IDS Act. The rules supercede the provisions on capital representation in Section D. of the Rules and Regulations of the North Carolina State Bar (State Bar Rules) and any provisions on capital representation in local bar plans issued pursuant to the State Bar Rules. As of July 1, 2001, those rules, which were authorized by former G.S. 7A-459, are no longer effective.

Whenever the term "IDS Director" is used in these rules and appendix, it means the Director of the Office of Indigent Defense Services or his or her designee. Whenever the term "IDS Office" is used in these rules and appendix, it means the Office of Indigent Defense Services or its designee. Whenever the term "IDS Commission" is used in these rules and appendix, it means the Commission on Indigent Defense Services or its designee.

These rules may be changed by the IDS Commission pursuant to its authority.

Part 2A
Appointment and Compensation of Trial Counsel in Capital Cases

2A.1 Coverage of this Subpart

(a) Applies to Capital Trials

This subpart applies to all capital offenses and all non-capital criminal charges brought contemporaneously with or subsequently joined with a capital offense. A "capital offense" means any first-degree murder charge or charge of murder where the degree is undesignated. The term "capital defendant" means a defendant charged with a capital offense.

(b) Authority to Implement Other Programs, Plans, and Contracts

Nothing in these rules shall prohibit assignment of otherwise qualified counsel to represent indigent defendants in capital trials pursuant to programs, plans, or contracts that may be implemented from time to time to improve quality, efficiency, and economy where such programs, plans, or contracts are approved by the IDS Director.

Authority: G.S. 7A-498.2(b); 7A-498.3(a); 7A-498.5(c)(7), (c)(8), (d)

2A.2 Appointment of Trial Counsel

(a) Provisional Appointment of Local Counsel

Upon learning that a defendant has been charged with a capital offense, the IDS Director may immediately appoint a lawyer on a provisional basis to conduct a preliminary investigation to determine whether the defendant is indigent and needs appointed counsel. Provisional counsel shall report the results of his or her investigation to the IDS Director. If the defendant has not had a first appearance in court, the IDS Director may authorize provisional counsel to attend the defendant's first appearance and advise the court whether the case is a capital case as defined by these rules and therefore subject to the appointment procedures in this subpart. Provisional counsel is authorized to take steps to protect the capital defendant's rights pending appointment of trial counsel by the IDS Director.

(b) Assignment of IDS Office

At the defendant's first appearance in district court, the court shall determine whether the defendant is indigent pursuant to paragraph 1.4 of the Rules for the Continued Delivery of Services in Non-Capital Criminal and Non-Criminal Cases, and charged with a capital offense as defined in paragraph 2A.1(a) above. If the court so finds, it shall notify the IDS Director of the need to appoint counsel for the capital defendant in accordance with these rules. If the defendant is charged with a capital offense in an indictment and his or her first appearance is in superior court, the court shall determine whether the defendant is indigent and is charged with a capital offense as defined in paragraph 2A.1(a) above. If the court so finds, the court shall ensure that the IDS Director is notified of the need to appoint counsel for the capital defendant, in accordance with these rules, by email, facsimile, or telephone.

(c) Appointment of First Trial Counsel

The IDS Director shall appoint at least one lawyer for a capital defendant as early in the process as possible. The IDS Director shall maintain a list of lawyers eligible for appointment as lead or associate counsel. The list shall consist of lawyers who are eligible to be lead or associate counsel pursuant to the procedures in Appendix 2A of these rules, and may include attorneys in private practice, public defenders and assistant public defenders, and attorneys with whom the IDS Office contracts or employs to provide representation in capital cases. If the first lawyer appointed will serve as lead trial

counsel, the IDS Director shall appoint that lawyer from the list of lawyers eligible for appointment as lead counsel. If the first lawyer appointed will serve as associate trial counsel, the IDS Director shall appoint that lawyer from the list of lawyers eligible for appointment as lead or associate counsel. Appointment orders, signed by the IDS Director, shall be distributed to the clerk of superior court, the district attorney, the appointed attorney, and the defendant.

(d) Appointment of Second Trial Counsel

The IDS Director may appoint a second lawyer for a capital defendant following notification by the first lawyer appointed that it is reasonably likely that the case will be prosecuted capitally. If a second lawyer has not been appointed prior to a hearing pursuant to Rule 24 of the General Rules of Practice at which a judge determines that the state may prosecute the case capitally, the first lawyer appointed shall immediately notify the IDS Director of the judicial determination and the IDS Director shall immediately appoint a second lawyer. The IDS Director shall maintain a list of lawyers eligible for appointment as lead or associate counsel. The list shall consist of lawyers eligible to be lead or associate counsel pursuant to the procedures in Appendix 2A of these rules, and may include attorneys in private practice, public defenders and assistant public defenders, and attorneys with whom the IDS Office contracts or employs to provide representation in capital cases. If the second lawyer appointed will serve as lead trial counsel, the IDS Director shall appoint that lawyer from the list of lawyers eligible for appointment as lead counsel. If the second lawyer appointed will serve as associate trial counsel, the IDS Director shall appoint that lawyer from the list of lawyers eligible for appointment as lead or associate counsel. The IDS Director shall consult with the first lawyer appointed about the appointment of the second lawyer. Appointment orders, signed by the IDS Director, shall be distributed to the clerk of superior court, the district attorney, the appointed attorney, and the defendant.

Authority: G.S. 7A-450(b), (b1); 7A-451(b); 7A-452(a); 7A-498.3(b), (c); 7A-498.5(d), (h)

Commentary

Subsection (a): This provision, allowing for designation of provisional counsel, is in recognition of the importance of affording counsel to capital defendants as soon as possible. The IDS Office expects that it will receive daily information from the Administrative Office of the Court's Automated Criminal Information System (ACIS) about the murder warrants issued in each county. This information is entered into ACIS automatically and immediately in those counties in which the computerized Magistrate System is installed, and manually by clerks of court in the remaining counties. Once a day, the IDS Office will receive email generated by ACIS listing all murder warrants entered into the system in the previous twenty-four hours.

Subsection (b): When a district or superior court judge finds a capital defendant indigent, he or she will notify the IDS Director by the most convenient immediate means—either email, facsimile, or telephone—of the defendant's name, the docket numbers of each of the warrants or indictments for which the defendant needs appointed counsel (including contemporaneously charged non-capital offenses), and the offenses charged. The IDS Director will approve and make available a form (AOC-CR-427) on which the judge will record the means by which the IDS Director was notified. The judge will file the form with the clerk of superior court.

Subsections (c) and (d): In capital cases, G.S. 7A-452(a) provides that, where practicable, either lead or associate defense counsel shall be a member of the bar in that judicial division.

These subsections authorize the IDS Director to appoint lead or associate trial counsel, or both. If a case is declared non-capital after the IDS Director has appointed two counsel, the IDS Director will consult with appointed counsel and may remove one counsel.

2A.3 Waiver of Counsel

(a) Standard

An indigent capital defendant who has been informed of his or her right to be represented by counsel at any in-court-proceeding may, in writing, waive the right to in-court representation by counsel. Any such waiver of counsel shall be effective only if the court finds of record that at the time of waiver the defendant acted with full awareness of his or her rights and of the consequences of the waiver. In making such a finding, the court shall follow the requirements of G.S. 15A-1242 and shall consider, among other things, such matters as the defendant's age, education, familiarity with the English language, mental condition, and the complexity of the matter.

(b) Standby counsel in capital cases

If a capital defendant has elected to proceed without the assistance of counsel, the trial judge shall immediately notify the IDS Director, who may appoint, in his or her discretion, standby counsel to assist the defendant when called upon, and to bring to the judge's attention matters favorable to the defendant upon which the judge should rule on his or her own motion.

Authority: G.S. 7A-457; 15A-1243

Commentary

Subsection (a): Revised G.S. 7A-457(a) provides that waivers of in-court representation shall be in accordance with rules adopted by the IDS Office. The above rule restates the requirements for a valid waiver in G.S. 7A-457(a) and is intended to continue current practice and procedure on taking waivers until the IDS Office develops any additional rules or procedures. Until the IDS Office develops any such additional rules or procedures, courts can continue to use the same waiver of counsel form that has been used by the AOC (AOC-CR-227). This rule does not affect the standard in G.S. 7A-457(c) with respect to waiver of counsel at out-of-court proceedings, such as during interrogation, which the IDS Act did not revise. This rule also does not deal with waiver of retained counsel by a non-indigent capital defendant. If a capital defendant has no counsel, the court should determine whether the defendant wishes to waive the right to both appointed and retained counsel. If a capital defendant wishes to represent himself or herself, the court must conduct the inquiry required by G.S. 15A-1242 on self-representation.

Subsection (b): G.S. 15A-1243 provides that, in cases in which a defendant has elected to represent himself or herself, appointment of standby counsel shall be in accordance with rules adopted by the IDS Office. For capital cases, the above rule directs the trial judge to immediately notify the IDS Director, who may appoint standby trial counsel.

2A.4 Compensation and Recoupment

(a) Compensation

Appointed counsel who represented an indigent capital defendant at trial shall submit to the IDS Director an itemized fee application on a form prescribed by the IDS Director,

showing the time counsel spent in trial representation of the defendant. Following review of the fee application, the IDS Director shall determine the amount of compensation and forward the award to the Administrative Office of the Courts for payment. If counsel is required pursuant to paragraph 2A.5(a)(iv) below to meet with the IDS Director to review the representation, the fee shall include compensation for time spent in that review. Private counsel appointed to represent an indigent capital defendant may apply for and receive interim payments in the discretion of the IDS Director. Counsel may make a written request for a review of the amount of compensation approved by the IDS Director from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

(b) Recoupment of Fees Generally

To the extent required by law, capital defendants for whom counsel has been appointed under this part shall continue to be responsible for repaying the fees paid to such counsel or, in the case of representation by a public defender office, the value of services rendered by counsel. After the IDS Director sets the fee to be paid or the value of services rendered, the IDS Director shall notify the defendant of the potential liability, and afford the defendant a reasonable opportunity to be heard on the issue. The trial judge shall then determine the amount to be recouped if recoupment is required by law.

(c) Recoupment for Contract Services

For legal representation rendered by attorneys working under contract with the IDS Office, the value of services, and the procedures for entry of any appropriate orders or judgments, shall be determined in accordance with the terms of the contract if recoupment is required by law.

Authority: G.S. 7A-450.1 through -450.4; G.S. 7A-452(b); 7A-455; 7A-458; 7A-498.1(4), (5); 7A-498.3(c), (d); 7A-498.5(c)(8), (f)

Commentary

Subsection (a): Counsel should continue to use a revised version of the capital case fee application that has been used by the AOC (AOC-CR-425) to document fee and expense applications.

Subsection (b): In capital cases, recoupment of the cost of court-appointed counsel is governed by G.S. 7A-455. The IDS Act made only one change to that statute. It required that the value of services reflected in a judgment against a defendant be set in accordance with rules adopted by the IDS Office. Since Rule 2A.4(a) authorizes the IDS Director to set fees for counsel and supporting services, this rule requires the IDS Director to notify the defendant of the potential liability and afford the defendant a reasonable opportunity to be heard on the issue, before the trial judge can set the amount of any judgment. The Public Defender is obligated to inform the IDS Director of the value of legal services rendered to the defendant. The form judgment is a revised version of the form that has been used by the AOC (AOC-CR-425).

2A.5 Conditions of Appointment

(a) Requirements

The IDS Director may set additional conditions of appointment, including requiring attorneys appointed under this subpart to:

(i) consult with the IDS Director or his or her designee at regular intervals during the pendency of the representation, as required by the IDS Director;

(ii) attend training and/or continuing legal education in the area of capital trial representation as directed by the IDS Director;

(iii) follow the procedures required in Part 2D of these rules concerning appointment and compensation of experts, and other expenses of representation; and

(iv) meet with the IDS Director following a verdict in the case and prior to final payment of counsel fees to review the course of the representation.

(b) Substitution of Counsel

For good cause, the IDS Director may request *ex parte* that a judge of a court of competent jurisdiction replace lead or associate counsel previously appointed with new counsel selected by the IDS Director.

Authority: G.S. 7A-498.1(1), (2); 7A-498.5(a), (c)(4), (c)(7), (h); 7A-498.6(b)(8)

Commentary

Paragraph 2A.5(b) permits the IDS Director to request *ex parte* that a judge remove an attorney previously appointed. It would be impossible to note all the circumstances that reasonably might cause the IDS Director to make such a request. Such circumstances might not in themselves constitute ineffective assistance of counsel. *See State v. Sweezy,* 291 N.C. 366, 371-72, 230 S.E.2d 524 (1976); *see also State v. Kuplin*, 316 N.C. 387, 396, 343 S.E.2d 793 (1986) ("Each case must be examined on an individual basis. In the absence of a constitutional violation, the decision about whether appointed counsel shall be replaced is a matter solely for the discretion of the trial court."). Reasonable tactical disagreements between the IDS Director and appointed counsel will not constitute grounds for the IDS Director to request substitution of counsel. If the judge determines that the attorney is rendering ineffective assistance of counsel or that the attorney has an impermissible conflict of interest, substitution is required as a matter of law. *See State v. Moorman*, 320 N.C. 387, 358 S.E.2d 502 (1987); *State v. James*, 111 N.C. App. 785, 433 S.E.2d 755 (1993).

Part 2B
Appointment and Compensation of Appellate Counsel in Capital Cases

2B.1 Coverage of this Subpart

(a) Applies to Capital Appeals

This subpart applies to capital appeals and all appeals from offenses joined with a capital appeal. The term "capital appeal" includes only appeals taken from a sentence of death.

(b) Authority to Implement Other Programs, Plans, and Contracts

Nothing in these rules shall prohibit assignment of otherwise qualified counsel to represent indigent defendants in capital appeals pursuant to programs, plans, or contracts that may be implemented from time to time to improve quality, efficiency, and economy where such programs, plans, or contracts are approved by the IDS Director.

Authority: G.S. 7A-498.2(b); 7A-498.3(a); 7A-498.5(c)(7), (c)(8), (d)

2B.2 Appointment of Appellate Counsel

(a) Appointment of Appellate Defender

Following entry of a judgment imposing a death sentence, the IDS Director shall appoint the Office of Appellate Defender as appellate counsel in the capital case, and in any joined non-capital case upon which the court enters judgment, if the court determines that the capital defendant is indigent. It shall not be necessary for the IDS Director to file an order appointing the Office of Appellate Defender. The appellate entries made by the court following entry of a death judgment against an indigent defendant shall reflect that appeal is taken by operation of law pursuant to G.S. 15A-2000(d)(1), and that the IDS Director has appointed the Office of Appellate Defender. The appellate entries shall be mailed or transmitted by facsimile to the Office of Appellate Defender as soon as practicable following entry of judgment.

(b) Representation by Appellate Defender; Assignment of Other Appellate Counsel

The Appellate Defender shall represent on appeal as many of the defendants with capital appeals as possible to maximize the effectiveness of the Office of Appellate Defender, consistent with the other goals and responsibilities of that office. For the defendants that the Office of Appellate Defender does not represent on appeal, the Appellate Defender shall appoint another lawyer to represent the defendant on appeal. In general, one lawyer shall be appointed to handle a capital appeal, but in unusual circumstances, the Appellate Defender, with the approval of the IDS Director, may appoint two lawyers. The Appellate Defender shall maintain a list of lawyers eligible to represent capital defendants on appeal pursuant to the procedures in Appendix 2B to these rules. The Appellate Defender shall appoint from that list pursuant to rules

approved by the IDS Director. Appointment orders, signed by the Appellate Defender, shall be distributed to the appellant, trial judge, prosecuting attorney, defense attorneys at trial, clerk of superior court for the county where the trial took place, and court reporter(s).

(c) Conflicts

If the Office of Appellate Defender is appointed to represent a capital defendant whose case would create a conflict of interest with a current or previous client of the Office of Appellate Defender, the Appellate Defender shall immediately notify the IDS Director, and the IDS Director shall appoint counsel in the new case pursuant to the rules under which the Appellate Defender would appoint counsel. If the Office of Appellate Defender is appointed to represent two or more clients between whom there is a conflict of interest, the Appellate Defender shall immediately notify the IDS Director, and the IDS Director shall appoint counsel in all cases in which a conflict exists.

Authority: G.S. 7A-450(b); 7A-498.3(b), (c); 7A-498.5(d), (h); 7A-498.8(b)(1), (b)(6)

Commentary

The superior court shall continue to use a revised version of the appellate entries form that has been used by the AOC (AOC-CR-350) to appoint the Office of Appellate Defender to represent the defendant in a capital appeal. The form will memorialize the automatic appeal of the conviction and sentence pursuant to G.S. 15A-2000(d)(1), the defendant's indigency status, the appointment of the Office of Appellate Defender by operation of these rules, and other relevant information common to all appeals of right from criminal convictions in superior court.

2B.3 Compensation and Recoupment

(a) Compensation

Appointed counsel who represented an indigent capital defendant on appeal shall submit to the IDS Director an itemized fee application on a form prescribed by the IDS Director, showing the time counsel spent in appellate representation of the defendant. Following review of the fee application, the IDS Director shall determine the amount of compensation and forward the award to the Administrative Office of the Courts for payment. If counsel is required pursuant to paragraph 2B.4(b)(iii) below to meet with the Appellate Defender or others to review the representation, the fee shall include compensation for time spent in that review. Private counsel appointed to represent an indigent capital defendant may apply for and receive interim payments in the discretion of the IDS Director. Counsel may make a written request for a review of the amount of compensation determined by the IDS Director from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

(b) Recoupment of Fees Generally

To the extent required by law, capital defendants for whom counsel has been appointed under this part shall continue to be responsible for repaying the fees paid to such counsel or, in the case of representation by a public defender or appellate defender office, the value of services rendered by counsel. After the IDS Director sets the fee to be

paid or the value of services rendered, the IDS Director shall notify the defendant of the potential liability, and afford the defendant a reasonable opportunity to be heard on the issue. The trial judge shall then determine the amount to be recouped if recoupment is required by law.

(c) Recoupment for Contract Services

For legal representation rendered by attorneys working under contract with the IDS Office, the value of services, and the procedures for entry of any appropriate orders or judgments, shall be determined in accordance with the terms of the contract if recoupment is required by law.

Authority: G.S. 7A-450.1 through -450.4; 7A-452(b); 7A-455; 7A-458; 7A-498.1(4), (5); 7A-498.3(c), (d); 7A-498.5(c)(8), (f)

Commentary

See the commentary to Rule 2A.4, above.

2B.4 Conditions of Appointment

(a) Petitions for Certiorari

If the defendant does not receive sentencing relief in the Supreme Court of North Carolina, the appointed appellate lawyer shall prepare and file in the Supreme Court of the United States a timely petition for writ of certiorari to the Supreme Court of North Carolina, unless relieved of this responsibility by the IDS Director or Appellate Defender.

(b) Other Requirements

The IDS Director or Appellate Defender may set additional conditions of appointment, including requiring attorneys appointed under this subpart to:

(i) consult with the Appellate Defender or his or her designee during the pendency of the representation, participate in practice oral arguments, and submit briefs for pre-filing review, as required by the Appellate Defender;

(ii) attend training and/or continuing legal education in the area of capital appellate representation as approved by the IDS Director; and

(iii) meet with the Appellate Defender and any others designated by the IDS Director following an appellate decision and prior to final payment of counsel fees to review the course of the representation.

(c) Substitution of Counsel

For good cause, the IDS Director may request *ex parte* that a court of competent jurisdiction replace an appellate attorney previously appointed with new counsel selected by the IDS Director.

Authority: G.S. 7A-498.1(1), (2); 7A-498.5(a), (c)(4), (c)(7), (h); 7A-498.6(b)(8); 7A-498.8(b)(3), (b)(4)

Commentary

See the commentary to Rule 2A.5(b), above.

Part 2C
Appointment of Post-Conviction Counsel in Capital Cases

2C.1 Coverage of this Part

(a) Applies to Capital Post-Conviction

This subpart applies to capital defendants whose death sentences are on direct appeal to the Supreme Court of North Carolina or have been affirmed on direct appeal by the Supreme Court of North Carolina.

(b) Authority to Implement Other Programs, Plans, and Contracts

Nothing in these rules shall prohibit assignment of otherwise qualified counsel to represent indigent defendants in capital post-conviction proceedings pursuant to programs, plans, or contracts that may be implemented from time to time to improve quality, efficiency, and economy where such programs, plans, or contracts are approved by the IDS Director.

Authority: G.S. 7A-451(c), (d); 7A-498.2(b); 7A-498.3(a); 7A-498.5(c)(7), (c)(8), (d)

2C.2 Appointment of Post-Conviction Counsel

The IDS Director shall appoint two lawyers as post-conviction counsel in each indigent capital post-conviction case following the appointment of the IDS Office by the court pursuant to G.S. 7A-451(c). In view of the time limits imposed by G.S. 15A-1415 for the filing of post-conviction motions in a capital case, the court shall immediately notify the IDS Director of the appointment of the IDS Office. The IDS Director shall maintain a list of lawyers eligible to represent capital defendants in post-conviction proceedings pursuant to the procedures in Appendix 2C of these rules. Appointment orders, signed by the IDS Director, shall be distributed to the defendant, clerk of superior court for the county where the trial took place, district attorney, attorney general, and lawyers appointed as post-conviction counsel.

Authority: G.S. 7A-450(b); 7A-451(c), (d); 7A-498.3(b), (c); 7A-498.5(d), (h)

Commentary

Pursuant to G.S. 7A-451(c), an indigent capital defendant may apply to the superior court of the district in which the defendant was indicted for appointment of post-conviction counsel. If the court finds that the defendant is indigent and desires counsel, it shall appoint the IDS Office, which shall in turn appoint two counsel to represent the defendant in post-conviction proceedings. The IDS Director will approve and make available a form to facilitate the court's appointment of the IDS Office (AOC-CR-427). The court can notify the IDS Director that it has appointed the IDS Director by mail, facsimile, or email.

2C.3 Compensation and Recoupment

(a) Compensation

Appointed counsel who represented an indigent capital defendant in post-conviction proceedings shall submit to the IDS Director an itemized fee application on a form prescribed by the IDS Director, showing the time counsel spent in post-conviction representation of the defendant. Following review of the fee application, the IDS Director shall determine the amount of compensation and forward the award to the Administrative Office of the Courts for payment. If counsel is required pursuant to paragraph 2C.4(a)(iv) below to meet with the IDS Director to review the representation, the fee shall include compensation for time spent in that review. Private counsel appointed to represent a capital defendant on post-conviction may apply for and receive interim payments in the discretion of the IDS Director. Counsel may make a written request for a review of the amount of compensation determined by the IDS Director from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

(b) Recoupment of Fees Generally

To the extent required by law, capital defendants for whom counsel has been appointed under this part shall continue to be responsible for repaying the fees paid to such counsel or, in the case of representation by a public defender or appellate defender office, the value of services rendered by counsel. After the IDS Director sets the fee to be paid or the value of services rendered, the IDS Director shall notify the defendant of the potential liability, and afford the defendant a reasonable opportunity to be heard on the issue. The trial judge shall then determine the amount to be recouped if recoupment is required by law.

(c) Recoupment for Contract Services

For legal representation rendered by attorneys working under contract with the IDS Office, the value of services, and the procedures for entry of any appropriate orders or judgments, shall be determined in accordance with the terms of the contract if recoupment is required by law.

Authority: G.S. 7A-450.1 through -450.4; 7A-452(b); 7A-455; 7A-458; 7A-498.1(4), (5); 7A-498.3(c), (d); 7A-498.5(c)(8), (f)

Commentary

See the commentary to Rule 2A.4, above.

2C.4 Conditions of Appointment

(a) Requirements

The IDS Director may set additional conditions of appointment, including requiring attorneys appointed under this subpart to:

(i) consult with the IDS Director during the pendency of the representation and submit the Motion for Appropriate Relief or other filings for pre-filing review, as required by the IDS Director;

(ii) attend training and/or continuing legal education in the area of capital post-conviction representation as approved by the IDS Director;

(iii) follow the procedures required in Part 2D of these rules concerning appointment and compensation of experts, and other expenses of representation; and

(iv) meet with the IDS Director following the end of the representation and prior to final payment of counsel fees to review the course of the representation.

(b) Substitution of Counsel

For good cause, the IDS Director may request *ex parte* that a judge of a court of competent jurisdiction replace post-conviction counsel previously appointed with new counsel selected by the IDS Director.

Authority: G.S. 7A-498.1(1), (2); 7A-498.5(a), (c)(4), (c)(7), (h); 7A-498.6(b)(8)

Commentary

See the commentary to Rule 2A.5(b), above.

Part 2D
Appointment and Compensation of Experts and Payment of Other Expenses Related to Legal Representation in Capital Cases

2D.1 Initial Application

Defense counsel shall make application to the IDS Director for authorization to retain experts or for other substantial expenses necessary to the defense of the capital defendant before applying to a court for such authorization, and before incurring a financial obligation for which defense counsel will apply to the IDS Director for payment by the IDS Office. The application shall be in writing, unless exceptional or extraordinary circumstances necessitate an oral motion. Defense counsel will be required to make at least as specific an application to retain experts as would be required by a fair but exacting trial judge applying G.S. 7A-450(a) and *Ake v. Oklahoma* and its progeny. The IDS Director may require counsel to make a more particularized application before approving or disapproving the application.

Authority: G.S. 7A-450(b); 7A-454; 7A-498.1(1); 7A-498.3(a), (c), (d); 7A-498.5(c)(6), (f)

Commentary

Routine expenses, such as typical long-distance telephone calls, are not substantial expenses within the meaning of this rule. Counsel can resolve any question about whether an expense requires prior approval of the IDS Director by communication with the IDS Director by telephone or email.

Ordinarily, counsel should submit to the IDS Director a written application for expert funding. However, in exceptional or extraordinary circumstances, counsel may apply for expert funding by telephone or email.

2D.2 Confidentiality of Application

The IDS Director will maintain the application in a confidential file open only to the IDS Office and the defense team.

Authority: G.S. 7A-498.3(a), (c); 7A-498.5(c)(6), (f)

2D.3 Disapproval of Application

If the IDS Director disapproves the application, timely written notice of disapproval of the application will be delivered to counsel. The IDS Director will maintain the notice of disapproval in a confidential file open only to the IDS Office and the defense team.

Authority: G.S. 7A-498.3(a), (c), (d); 7A-498.5(c)(6), (f)

2D.4 Application to Court

Defense counsel may apply to a court for appointment of experts or for other expenses following disapproval by the IDS Director, but counsel may not submit an application to a court that includes information not contained in the application made to the IDS Director unless exceptional or extraordinary circumstances necessitate submitting such new or additional information directly to a court. If counsel makes application to a court following the IDS Director's disapproval, counsel shall submit with its application to the court a complete copy of the IDS Director's written notice of disapproval and a complete copy of the written application made to the IDS Director. Counsel must immediately forward to the IDS Director a complete copy of any court order approving funds previously disapproved by the IDS Director and a complete copy of the application made to the court. Such court order and application will be maintained in a confidential file open only to the IDS Office and the defense team.

Authority: G.S. 7A-454; 7A-498.3(a), (c), (d); 7A-498.5(c)(6), (f)

Commentary

If, after denial of an initial application to the IDS Director for appointment or compensation of experts or other supporting services, defense counsel discovers new or additional information that is relevant to such application, counsel ordinarily should submit a new application to the IDS Director before submitting an application to a court. Counsel may submit to a court an application that contains new or additional information only in exceptional or extraordinary circumstances.

2D.5 Authority to Implement other Programs, Plans, and Contracts

Nothing in these rules shall prohibit appointment or compensation of otherwise qualified experts pursuant to programs, plans, or contracts that may be implemented from time to time to improve quality, efficiency, and economy where such programs, plans, or contracts are approved by the IDS Director.

Authority: G.S. 7A-454; 7A-498.1(1), (3); 7A-498.3(a), (c); 7A-498.5(c)(6), (d), (f)

Appendix to Part 2

The following three appendices set eligibility standards for trial, appellate, and post-conviction counsel in capital cases.

Appendix 2A
Standards for Lead and Associate Trial Counsel in Capital Cases

2A.1 (App.) Trial Qualifications and Experience

(a) Lead Counsel

To be eligible to be appointed as lead counsel in a capital case, an attorney must demonstrate that he or she has the required legal knowledge and skill necessary for representation as lead counsel in a capital case and will apply that knowledge and skill with appropriate thoroughness and preparation, and that he or she meets the requirements listed below. However, if an attorney cannot meet one or more of the requirements set forth below, the IDS Director may waive any requirement(s) pursuant to paragraph 2A.1(c) (App.) below.

A candidate for appointment must demonstrate that he or she:

(i) has at least six years of criminal or civil litigation experience; or has at least four years of concentrated criminal litigation experience as a public defender, prosecutor, or attorney in a capital defense organization;

(ii) is familiar with ethics requirements, current criminal practice and procedure in North Carolina, and capital jurisprudence established by the Supreme Court of the United States and Supreme Court of North Carolina;

(iii) has participated as trial counsel in at least ten jury trials to verdict or to hung jury;

(iv) has tried a capital case to verdict or to hung jury as lead defense counsel; or has tried two capital cases to verdict or to hung jury as associate defense counsel; or has represented to disposition at the trial level defendants in four homicides cases; and

(v) has substantial familiarity with and experience in the use of expert witnesses and scientific and medical evidence, including mental health, social history, and pathology evidence.

(b) Associate Counsel

To be eligible to be appointed as associate counsel in a capital case, an attorney must demonstrate that he or she has the required legal knowledge and skill necessary for representation as associate counsel in a capital case and will apply that knowledge and skill with appropriate thoroughness and preparation, and that he or she meets the requirements listed below. However, if an attorney cannot meet one or more of the requirements set forth below, the IDS Director may waive any requirement(s) pursuant to paragraph 2A.1(c) (App.) below.

A candidate for appointment must demonstrate that he or she:

(i) has at least three years of criminal or civil litigation experience;

(ii) is familiar with ethics requirements, current criminal practice and procedure in North Carolina, and capital jurisprudence established by the Supreme Court of the United States and Supreme Court of North Carolina;

(iii) has participated as trial counsel in at least four jury trials to verdict or to hung jury; or has spent two years in practice in a capital defense organization; and

(iv) has substantial familiarity with scientific and medical evidence, including mental health, social history, and pathology evidence.

(c) Waiver

If an attorney cannot meet one or more of the requirements set forth above, the IDS Director, upon determination that the attorney has the required legal knowledge and skill necessary for representation as lead or associate counsel in a capital case, and will apply that knowledge and skill with appropriate thoroughness and preparation, may either waive such requirement(s) or defer any requirement(s) for a reasonable time and in the interim place the attorney on the roster of qualified lead or associate counsel.

2A.2 (App.) Applications

(a) Application

An attorney who seeks to be appointed as lead or associate counsel in a capital case shall submit to the IDS Director an application on a form prescribed by the IDS Director. The application shall require the attorney to demonstrate that he or she has fully satisfied the requirements set forth above. The attorney shall specify for which Judicial Division roster(s) of qualified lead counsel and associate counsel he or she seeks to be considered. The attorney shall also identify any requirement(s) that he or she requests be waived, and shall set forth in detail his or her trial experience or other exceptional qualifications that justify waiver.

(b) Required Submissions

In support of an application, an attorney shall submit to the IDS Director:

(i) a list of all first-degree murder cases in which the attorney has appeared within the past five years, including the name of the case, the county, the trial judge, the prosecuting attorney, any co-counsel, the result or verdict, and any reported appellate decision in the case;

(ii) at least two examples of substantial written legal work product prepared by the attorney at the trial or appellate level in connection with separate felony cases;

(iii) a description of specialized criminal defense training programs attended within the past five years, such as those sponsored by the North Carolina Academy of Trial Lawyers, the North Carolina Bar Association, or the Center for Death Penalty Litigation;

(iv) the names, addresses, and phone numbers of two superior court judges, two prosecutors, and two defense attorneys familiar with the attorney's work as an advocate; and

(v) any additional material that may assist the IDS Director in evaluating the applicant's trial qualifications and experience.

(c) Waiver or Deferral of Required Submissions

If an attorney has not provided each of the above items, the IDS Director, upon determination that the attorney has the required legal knowledge and skill necessary for representation as lead or associate counsel in a capital case, and will apply that knowledge and skill with appropriate thoroughness and preparation as either lead or associate counsel, may either waive such submission(s) or defer submission of any item(s) for a reasonable time and in the interim place the attorney on the roster of qualified lead or associate counsel.

(d) Creation of Capital Trial Roster

Following review of each application to determine that it is complete, the IDS Director will investigate the contents of the submission, contact references, and determine whether the attorney is qualified for appointment as lead or associate counsel in a capital case. The IDS Director shall thereafter create and maintain a roster of attorneys qualified for and willing to accept appointments as lead and associate counsel in each Judicial Division.

(e) Appeal to the IDS Commission

If the IDS Director determines that an attorney is not qualified for appointment as lead or associate counsel in a capital case and refuses to place the attorney's name on the capital trial roster, the attorney may make a written request for a review of the IDS Director's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

2A.3 (App.) Retention and Eligibility

(a) On-Going Training

To remain eligible for appointment as lead or associate counsel in a capital case, an attorney must attend capital training sessions as prescribed by the IDS Director, and consult regularly and frequently with the IDS Director with respect to each capital case to which the attorney is appointed.

(b) Removal from Roster

The IDS Director may remove from the roster of attorneys qualified for appointment as lead or associate counsel in a capital case any attorney who has ignored requirements for appointment as lead or associate counsel; has failed to continue to demonstrate that he or she has the required legal knowledge and skill necessary for representation as lead or associate counsel; or has failed to continue to demonstrate that he or she is willing to apply that knowledge and skill with appropriate thoroughness and preparation as lead or associate counsel. If the IDS Director removes an attorney from the capital trial roster, the attorney may make a written request for a review of the IDS Director's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

Appendix 2B
Standards for Appellate Counsel in Capital Cases

2B.1 (App.) Appellate Qualifications and Experience

(a) Appellate Counsel

To be eligible to be appointed as appellate counsel on direct appeal in a capital case, an attorney must demonstrate that he or she has the required legal knowledge and skill necessary for representation as appellate counsel in a capital case and will apply that knowledge and skill with appropriate thoroughness and preparation, and that he or she meets the requirements listed below. However, if an attorney cannot meet one or more of the requirements set forth below, the IDS Director may waive any requirement(s) pursuant to paragraph 2B.1(b) (App.) below.

A candidate for appointment must demonstrate that he or she:

(i) has at least five years of criminal, appellate, or post-conviction experience; or has at least three years of concentrated criminal litigation experience as a public defender, prosecutor, or attorney in a capital defense organization; or is currently serving as the Appellate Defender or an Assistant Appellate Defender;

(ii) is familiar with ethics requirements, current criminal practice and procedure in North Carolina, and capital jurisprudence established by the Supreme Court of the United States and the Supreme Court of North Carolina;

(iii) is familiar with practice and procedure in the trial and appellate courts of North Carolina; and

(iv) has had primary responsibility for the appeal of at least five felony convictions in any state or federal court, at least three of which were on behalf of the defendant, and at least three of which were orally argued by the attorney.

(b) Waiver

If an attorney cannot meet one or more of the requirements set forth above, the IDS Director, upon determination that the attorney has the required legal knowledge and skill necessary for representation as appellate counsel in a capital case, and will apply that knowledge and skill with appropriate thoroughness and preparation, may either waive such requirement(s) or defer any requirement(s) for a reasonable time and in the interim place the attorney on the roster of qualified appellate counsel.

2B.2 (App.) Applications

(a) Application

An attorney who seeks to be appointed as appellate counsel in a capital case shall submit to the Appellate Defender an application on a form prescribed by the IDS Director. The application shall require the attorney to demonstrate that he or she has fully satisfied the requirements set forth above. The attorney shall also identify any

requirement(s) that he or she requests be waived, and shall set forth in detail his or her appellate experience or other exceptional qualifications that justify waiver.

(b) Required Submissions

In support of an application, an attorney shall submit to the Appellate Defender:

(i) at least two appellate briefs, written exclusively or primarily by the applicant, the opposing briefs, and the appellate court's decision;

(ii) a description of specialized capital or other criminal appellate advocacy, or other criminal practice program, attended in the past five years;

(iii) the names, addresses, and phone numbers of two prosecutors and two defense attorneys, current or former, including at least one appellate adversary, who are familiar with the applicant's work as an advocate; and

(iv) any additional material that may assist the IDS Director in evaluating the applicant's appellate qualifications and experience.

The applicant may submit the name, address, and phone number of one appellate judge, if the judge is familiar with the applicant's work as an advocate.

(c) Waiver or Deferral of Required Submissions

If an attorney has not provided each of the above items, the IDS Director, upon determination that the attorney has the required legal knowledge and skill necessary for representation as appellate counsel in a capital case, and will apply that knowledge and skill with appropriate thoroughness and preparation as appellate counsel, may either waive such submission(s) or defer submission of any item(s) for a reasonable time and in the interim place the attorney on the roster of qualified appellate counsel.

(d) Creation of Capital Appeals Roster

Following review of each application to determine that it is complete, the Appellate Defender will investigate the contents of the submission, contact references, and make any further investigation deemed necessary. The Appellate Defender shall then make a recommendation to the IDS Director as to whether the attorney is qualified for appointment as appellate counsel in a capital case. The IDS Director shall make the final determination as to whether an attorney should be included on the capital appeals roster. The Appellate Defender shall thereafter create and maintain a roster of attorneys qualified for and willing to accept appointments as appellate counsel.

(e) Appeal to the IDS Commission

If the IDS Director determines that an attorney is not qualified for appointment as appellate counsel in a capital case and refuses to place the attorney's name on the capital appeals roster, the attorney may make a written request for a review of the IDS Director's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

2B.3 (App.) Retention and Eligibility

(a) On-Going Training

To remain eligible for appointment as counsel on a capital appeal, an attorney must attend and successfully complete training sessions as prescribed by the Appellate Defender, and consult regularly and frequently with the Appellate Defender with respect to each capital case to which the attorney is appointed.

(b) Removal from Roster

The IDS Director may remove from the roster of attorneys qualified for appointment as appellate counsel in a capital case any attorney who has ignored requirements for appointment as appellate counsel; has failed to continue to demonstrate that he or she has the required legal knowledge and skill necessary for representation as appellate counsel; or has failed to continue to demonstrate that he or she is willing to apply that knowledge and skill with appropriate thoroughness and preparation as appellate counsel. If the IDS Director removes an attorney from the capital appeals roster, the attorney may make a written request for a review of the IDS Director's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

Appendix 2C
Standards for State Post-Conviction Counsel in Capital Cases

2C.1 (App.) State Post-Conviction Qualifications and Experience

(a) State Post-Conviction Counsel

To be eligible to be appointed as counsel on a Motion for Appropriate Relief and any appeal therefrom in a capital case, an attorney must demonstrate that he or she has the required legal knowledge and skill necessary for representation as post-conviction counsel in a capital case and will apply that knowledge and skill with appropriate thoroughness and preparation, and that he or she meets the requirements listed below. However, if an attorney cannot meet one or more of the requirements set forth below, the IDS Director may waive any requirement(s) pursuant to paragraph 2C.1(b) (App.) below.

A candidate for appointment must demonstrate that he or she:

(i) has at least five years criminal or civil trial experience; or has at least five years criminal or civil appellate experience; or has at least five years state or federal post-conviction experience; or has at least three years of concentrated criminal litigation experience as a public defender, prosecutor, or attorney in a public or private capital defense organization; or is currently in practice in a capital defense organization;

(ii) is familiar with ethics requirements, current criminal practice and procedure in North Carolina, and capital jurisprudence established by the Supreme Court of the United States and the Supreme Court of North Carolina;

(iii) is familiar with the practice and procedure of the trial and appellate courts of North Carolina, including the practice and procedure for filing a Motion for Appropriate

Relief, and with the practice and procedure of the federal courts with regard to federal habeas corpus petitions;

(iv) has had primary responsibility for representing a party in at least three criminal or civil appeals, or criminal post-conviction proceedings; and

(v) has substantial familiarity with and experience in the use of expert witnesses and scientific and medical evidence, including mental health, social history, and pathology evidence.

(b) Waiver

If an attorney cannot meet one or more of the requirements set forth above, the IDS Director, upon determination that the attorney has the required legal knowledge and skill necessary for representation as post-conviction counsel in a capital case, and will apply that knowledge and skill with appropriate thoroughness and preparation, may either waive such requirement(s) or defer any requirement(s) for a reasonable time and in the interim place the attorney on the roster of qualified post-conviction counsel.

2C.2 (App.) Applications

(a) Application

An attorney who seeks to be appointed as post-conviction counsel in a capital case shall submit to the IDS Director an application on a form prescribed by the IDS Director. The application shall require the attorney to demonstrate that he or she has fully satisfied the requirements set forth above. The attorney shall also identify any requirement(s) that he or she requests be waived, and shall set forth in detail his or her criminal or civil litigation, appellate and/or post-conviction experience, or other exceptional qualifications that justify waiver.

(b) Required Submissions

In support of an application, an attorney shall submit to the IDS Director:

(i) at least two examples of substantial written legal work product prepared by the attorney in connection with separate cases, or at least two appellate briefs, written exclusively or primarily by the applicant, the opposing briefs, and the appellate court's decision in the case;

(ii) a description of specialized trial, appellate, or post-conviction capital defense training programs attended in the past five years;

(iii) the names, addresses, and phone numbers of two prosecutors and two defense attorneys, current or former, including at least one adversary, who are familiar with the applicant's work as an advocate; and

(iv) any additional material that may assist the IDS Director in evaluating the applicant's post-conviction qualifications and experience.

The applicant may submit the name, address, and phone number of one judge, if the judge is familiar with the applicant's work as an advocate.

(c) Waiver or Deferral of Required Submissions

If an attorney has not provided each of the above items, the IDS Director, upon determination that the attorney has the required legal knowledge and skill necessary for representation as post-conviction counsel in a capital case, and will apply that knowledge and skill with appropriate thoroughness and preparation as post-conviction counsel, may either waive such submission(s) or defer submission of any item(s) for a reasonable time and in the interim place the attorney on the roster of qualified post-conviction counsel.

(d) Creation of Post-Conviction Roster

Following review of each application to determine that it is complete, the IDS Director will investigate the contents of the submission, contact references, and determine whether the attorney is qualified for appointment as post-conviction counsel in a capital case. The IDS Director shall thereafter create and maintain a roster of attorneys qualified for and willing to accept appointments as post-conviction counsel.

(e) Appeal to the IDS Commission

If the IDS Director determines that an attorney is not qualified for appointment as post-conviction counsel in a capital case and refuses to place the attorney's name on the capital post-conviction roster, the attorney may make a written request for a review of the IDS Director's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

2C.3 (App.) Retention and Eligibility

(a) On-Going Training

To remain eligible for appointment as counsel on an initial Motion for Appropriate Relief and any appeal therefrom, an attorney must attend and successfully complete capital training sessions as prescribed by the IDS Director, and consult regularly and frequently with the IDS Director with respect to each capital case to which the attorney is appointed.

(b) Removal from Post-Conviction Roster

The IDS Director may remove from the roster of attorneys qualified for appointment as post-conviction counsel in a capital case any attorney who has ignored requirements for appointment as post-conviction counsel; has failed to continue to demonstrate that he or she has the required legal knowledge and skill necessary for representation as post-conviction counsel; or has failed to continue to demonstrate that he or she is willing to apply that knowledge and skill with appropriate thoroughness and preparation as post-conviction counsel. If the IDS Director removes an attorney from the capital post-conviction roster, the attorney may make a written request for a review of the IDS Director's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

APPENDIX D

Part 3
Rules for Providing Legal Representation in Non-Capital Criminal Appeals and Non-Criminal Appeals

This third part addresses the procedure to be followed when a person is entitled to appointed counsel on appeal to the Appellate Division from adverse decisions in the Trial Division in both non-capital criminal proceedings and non-criminal proceedings. The rules are authorized by the Indigent Defense Services Act of 2000 (IDS Act), S.L. 2000-144, Senate Bill 1323, and apply to cases pending on or after July 1, 2001. Fee applications for appellate representation filed on or after that date will be governed by these rules.

The rules supercede the provisions on appellate representation in Section D. of the Rules and Regulations of the North Carolina State Bar (State Bar Rules) and any provisions on appellate representation in local bar plans issued pursuant to the State Bar Rules. As of July 1, 2001, those rules, which were authorized by former G.S. 7A-459, are no longer effective.

Whenever the term "IDS Director" is used in these rules, it means the Director of the Office of Indigent Defense Services or his or her designee. Whenever the term "IDS Office" is used in these rules, it means the Office of Indigent Defense Services or its designee. Whenever the term "IDS Commission" is used in these rules, it means the Commission on Indigent Defense Services or its designee.

These rules may be changed by the IDS Commission pursuant to its authority.

3.1 Coverage of this Part

This part applies to cases in which a person is entitled to appointed appellate counsel pursuant to G.S. 7A-451 on appeal to the Appellate Division from an adverse ruling in the Trial Division, other than a judgment imposing a sentence of death or a non-capital judgment joined with a judgment imposing a sentence of death.

Authority: G.S. 7A-451(b); 7A-452; 7A-498.3(a)

Commentary

The bulk of the cases governed by this subsection will be indigent non-capital criminal appeals. However, G.S. 7A-451(a) identifies sixteen types of "actions and proceedings" in which persons are entitled to appointed counsel.

Where a right to appellate review of an adverse ruling is authorized by statute in any of these sixteen actions and proceedings, a person is entitled to appointed appellate counsel. Subsection (b) of G.S. 7A-451 reads in relevant part as follows:

> (b) In each of the actions and proceedings enumerated in subsection (a) of this section, entitlement to the services of counsel begins as soon as feasible after the indigent is taken into custody or service is made upon him of the charge, petition, notice or other initiating process. Entitlement continues through any critical stage of the action or proceeding, including, if applicable: . . . (6) Review of any judgment or decree pursuant to G.S. 7A-27, 7A-30(1), 7A-30(2), and Subchapter XIV of Chapter 15A of the General Statutes.

Three of the four statutory references in subsection (6) are specific. G.S. 7A-30(1) and -30(2) extend a person's right to counsel to appeals of right from decisions of the North Carolina Court of Appeals to the Supreme Court of North Carolina based either on a substantial constitutional question or on a dissent in the Court of Appeals. Subchapter XIV of Chapter 15A governs motions for appropriate relief and appeals of

right from criminal convictions returned in the Trial Division, including appeals from superior court to the Appellate Division.

G.S. 7A-27, the fourth statutory reference in G.S. 7A-451(b), broadly concerns "appeals of right" from the Trial Division, and contains five subsections. Subsection (a) mandates that appeals in death cases go directly to the Supreme Court of North Carolina. Subsection (b) directs that appeals from "any final judgment of a superior court" other than those in death cases or those based on a guilty or no contest plea, go directly to the Court of Appeals. Subsection (c) directs that civil district court appeals go directly to the Court of Appeals. Subsection (d) concerns appeals from certain interlocutory orders in civil cases. Subsection (e) states that "[f]rom any other order or judgment of the superior court from which an appeal is authorized by statute, appeal lies of right directly to the Court of Appeals."

3.2 Appointment of Appellate Counsel

(a) Appointment of the Office of Appellate Defender

When a person enters notice of appeal in a case subject to this part, the court shall appoint the Office of Appellate Defender to represent the person in the Appellate Division, except that, in cases subject to G.S. 122C-270(e) and 122C-289, the district court shall appoint as appellate counsel of record the attorney who represented the person in district court. These rules, including provisions relating to standards and compensation, govern all other aspects of appointment of counsel appointed under the foregoing exception.

(b) Transmittal of Judgment and Forms

Following the appointment of the Office of Appellate Defender to represent a person in a case subject to this part, the clerk of superior court shall immediately send to the Office of Appellate Defender, by United States mail or by facsimile, a copy of the judgment or decree from which the appeal was taken, as well as any written appellate entries or rulings the court makes with respect to the appeal.

(c) Assignment of Counsel by the Appellate Defender

If the Appellate Defender determines that, to insure quality appellate representation, a person's appeal should not be assigned to the Office of Appellate Defender, the Appellate Defender shall assign the person's case to private counsel or a public defender or assistant public defender listed on the roster of qualified appellate counsel maintained by the Appellate Defender pursuant to paragraph 3.4 below and rules approved by the IDS Director. Such counsel is thereafter appellate counsel of record.

(d) Conflicts

If the Office of Appellate Defender is appointed to represent a person whose case would create a conflict of interest with a current or previous client of the Office of Appellate Defender, the Appellate Defender shall immediately notify the IDS Director, and the IDS Director shall appoint counsel in the new case pursuant to the rules under which the Appellate Defender would appoint counsel. If the Office of Appellate Defender is appointed to represent two or more persons between whom there is a conflict of interest, the Appellate Defender shall immediately notify the IDS Director, and the IDS Director shall appoint counsel in all cases in which a conflict exists.

(e) Notice of Assignment and Request for Record

Following the Appellate Defender's decision to assign an appeal to other counsel, or following the IDS Director's assignment of counsel in case of a conflict, the assigning authority shall immediately notify assigned counsel of the appointment, and shall also notify the clerk of superior court, the court reporter(s) or other custodian(s) of the recorded proceedings, and the adverse parties of the name, address, and telephone number of assigned counsel. The Office of Appellate Defender shall transmit to assigned appellate counsel a copy of the documents forwarded to the Office of Appellate Defender by the clerk of superior court pursuant to paragraph 3.2(b) above, and shall request that the clerk transmit to assigned counsel the complete file maintained by the clerk in the case.

Authority: G.S. 7A-450(b); 7A-498.3; 7A-498.5(d), (h); 7A-498.8(b)(1), (b)(6)

Commentary

In all actions and proceedings in which courts previously appointed appellate counsel, the court shall appoint the Office of Appellate Defender.

3.3 Compensation of Appellate Counsel

(a) Setting of Fee

Assigned private appellate counsel of record shall be compensated in an amount determined by the IDS Director following consultation with the Appellate Defender, except that the IDS Director shall not consult with the Appellate Defender concerning the fee to be paid to counsel assigned pursuant to paragraph 3.2(d) above. If counsel is required pursuant to paragraph 3.4(f)(iii) below to meet with the Appellate Defender to review the representation, the fee shall include compensation for time spent in that review.

(b) Fee Application

After a person's appeal becomes final, assigned private counsel shall submit to the Appellate Defender, or to the IDS Director in a conflict case, an itemized fee application on a form prescribed by the Appellate Defender, showing the time counsel spent in appellate representation of the person. Following review of the fee application, the Appellate Defender shall forward the application to the IDS Director with a recommendation concerning the amount to be paid. The IDS Director shall fix the fee to be paid and forward the award to the Administrative Office of the Courts for payment. Assigned private appellate counsel may apply for interim payments.

(c) Recoupment of Fees Generally

To the extent required by law, persons who have been appointed counsel under this part shall continue to be responsible for repaying the fees paid to such counsel or, in the case of representation by a public defender or appellate defender office, the value of services rendered by counsel. After the IDS Director sets the fee to be paid or the value of

services rendered, the IDS Director shall notify the person potentially responsible for paying the fees of the potential liability, and afford the person a reasonable opportunity to be heard on the issue. The trial judge shall then determine the amount to be recouped if recoupment is required by law.

(d) Recoupment for Contract Services

For legal representation rendered by attorneys working under contract with the IDS Office, the value of services, and the procedures for entry of any appropriate orders or judgments, shall be determined in accordance with the terms of the contract if recoupment is required by law.

Authority: G.S. 7A-450.1 through -450.4;7A-452(b); 7A-455; 7A-458; 7A-498.1(4), (5); 7A-498.3(c), (d); 7A-498.5(c)(8), (f); 7A-498.8(b)

Subsection (b): The Appellate Defender will make available to counsel a form approved by the Appellate Defender (AOC-CR-426) to document fee and expense applications.

Subsection (c): In appellate cases, recoupment of the cost of court-appointed counsel is governed by G.S. 7A-455. The IDS Act made only one change to that statute. It required that the value of services reflected in a judgment against a defendant be set in accordance with rules adopted by the IDS Office. Since Rules 3.3(a) and (b) authorize the IDS Director to set fees for appellate counsel, this rule requires the IDS Director to notify the person potentially responsible for paying the fees of the potential liability and afford the person a reasonable opportunity to be heard on the issue, before the trial judge sets the amount of any judgment. The Public Defender and Appellate Defender are obligated to inform the IDS Director of the value of legal services rendered to a defendant. The form judgment is a new form (AOC-CR-426) that is similar to the form previously used by the AOC.

3.4 Standards for Appellate Counsel

(a) Maintenance of Roster

The Appellate Defender shall maintain a roster of attorneys who are qualified and willing to accept appointment by the Appellate Defender or IDS Director to represent persons in the Appellate Division pursuant to these rules.

(b) Qualifications

To be eligible for appointment to represent persons in the Appellate Division, an attorney must demonstrate that he or she is proficient in legal writing and oral advocacy, has the required legal knowledge and skill necessary for appellate representation, and will apply that knowledge and skill with appropriate thoroughness and preparation.

(c) Submission of Application

An attorney who desires to be on the roster of qualified appellate counsel shall submit to the Appellate Defender an application on a form prescribed by the Appellate Defender, accompanied by the following materials:

(i) a complete resume of the applicant's educational and legal experience;

(ii) four samples of the applicant's legal writing, which may include pleadings, memoranda of law, or appellate briefs;

(iii) three letters of recommendation from attorneys licensed in North Carolina for five or more years, or from professors of law familiar with the applicant's legal writing and oral advocacy skills;

(iv) unless the applicant is currently serving as the Appellate Defender or an Assistant Appellate Defender, a listing of three cases in which the applicant represented an appellant to judgment in the Appellate Division; and

(v) any additional materials that may assist the Appellate Defender in evaluating the applicant's appellate qualifications and experience.

(d) Waiver

If an attorney cannot supply one or more of the submissions set forth in paragraph (c), the Appellate Defender, upon demonstration that the attorney has the required legal knowledge and skill necessary for representation as appellate counsel, and will apply that knowledge and skill with appropriate thoroughness and preparation, may either waive such submission(s) or defer such submission(s) for a reasonable time and in the interim place the attorney on the roster of qualified appellate counsel.

(e) Review of Application and Creation of Appellate Roster

Following receipt of the application to be on the roster of qualified appellate counsel, the Appellate Defender shall consider the submitted materials, conduct such investigation as is appropriate, and determine whether the attorney is qualified for appointment as appellate counsel in a non-capital criminal or non-criminal case. The Appellate Defender shall notify the applicant in writing whether he or she will be placed on the roster of qualified appellate counsel. If the Appellate Defender determines that an attorney is not qualified for appointment as appellate counsel in a non-capital criminal or non-criminal case and refuses to place the attorney's name on the appellate roster, the attorney may make a written request for a review of the Appellate Defender's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

(f) Conditions of Appointment

The Appellate Defender or IDS Director may set additional conditions of appointment, including requiring attorneys appointed under this subpart to:

(i) consult with the Appellate Defender or his or her designee during the pendency of the representation, participate in practice oral arguments, and submit briefs for pre-filing review, as required by the Appellate Defender;

(ii) promptly notify the Appellate Defender by mail, facsimile, or email upon the filing of each brief or substantive motion or memorandum in the case, include in the notification a copy of the Questions Presented in each brief, and upon request by the Appellate Defender, transmit to the Appellate Defender a copy of the entire brief, motion, or memorandum, or portions thereof; and

(iii) meet with the Appellate Defender or his or her designee following an appellate decision and prior to final payment of counsel fees to review the course of the representation.

(g) Retention of Eligibility

To remain eligible for appointment as counsel in a non-capital criminal or non-criminal appeal, an attorney must attend and successfully complete any training sessions prescribed by the Appellate Defender.

Authority: G.S. 7A-450(b); 7A-498.1(1), (2); 7A-498.5(c)(2), (c)(4), (h); 7A-498.6(b)(8); 7A-498.8(b)(3), (b)(4)

3.5 Substitution of Counsel

For good cause, the Appellate Defender or IDS Director may request *ex parte* that a judge of a court of competent jurisdiction replace appellate counsel previously appointed with new counsel selected by the Appellate Defender or IDS Director.

Authority: G.S. 7A-498.1(1), (2); 7A-498.5(c)(4), (h); 7A-498.6(b)(8); 7A-498.8(b)

Commentary

This rule permits the Appellate Defender or IDS Director to request *ex parte* that a judge remove an attorney previously appointed. It would be impossible to note all the circumstances that reasonably might cause the Appellate Defender or IDS Director to make such a request. Such circumstances might not in themselves constitute ineffective assistance of counsel. *See State v. Sweezy,* 291 N.C. 366, 371-72, 230 S.E.2d 524 (1976); *see also State v. Kuplin*, 316 N.C. 387, 396, 343 S.E.2d 793 (1986) ("Each case must be examined on an individual basis. In the absence of a constitutional violation, the decision about whether appointed counsel shall be replaced is a matter solely for the discretion of the trial court."). Reasonable tactical disagreements between the Appellate Defender and appointed counsel, or between the IDS Director and appointed counsel, will not constitute grounds for the Appellate Defender or IDS Director to request substitution of counsel. If the judge determines that the attorney is rendering ineffective assistance of counsel or that the attorney has an impermissible conflict of interest, substitution is required as a matter of law. *See State v. Moorman*, 320 N.C. 387, 358 S.E.2d 502 (1987); *State v. James*, 111 N.C. App. 785, 433 S.E.2d 755 (1993).

3.6 Removal from Roster

Following consultation with the IDS Director, the Appellate Defender may remove from the roster of attorneys qualified for appointment as appellate counsel any attorney who has ignored requirements for appointment as appellate counsel; has failed to continue to demonstrate that he or she has the required legal knowledge and skill necessary for representation as appellate counsel; or has failed to continue to demonstrate that he or she is willing to apply that knowledge and skill with appropriate thoroughness and preparation as appellate counsel. If the Appellate Defender removes an attorney from the appellate roster, the attorney may make a written request for a review of the Appellate Defender's decision from a subcommittee of the IDS Commission designated by the IDS Commission to conduct such review.

Authority: G.S. 7A-498.1(1), (2); 7A-498.5(c)(4), (h); 7A-498.8(b)

3.7 Authority to Implement other Programs, Plans, and Contracts

Nothing in these rules shall prohibit assignment of otherwise qualified counsel to represent indigent defendants on appeal pursuant to programs, plans, or contracts that may be implemented from time to time to improve quality, efficiency, and economy where such programs, plans, or contracts are approved by the IDS Director.

Authority: G.S. 7A-498.1; 7A-498.3(a), (c); 7A-498.5(c), (d), (f)

APPENDIX E

Supplement

This supplement contains all revisions to the Rules of the Commission on Indigent Defense Services that have been adopted by the IDS Commission since July 1, 2001.

Rule 1.5 Appointment Procedure (Revised Effective November 16, 2001)

(b) Districts with a Public Defender Office

(1) No later than November 1, 2001, in judicial districts with a public defender office, the Public Defender shall submit to the IDS Director a proposed plan for the appointment of counsel in all cases subject to this part. The proposed plan shall provide for the making of appointments under the oversight of and pursuant to procedures adopted by the Public Defender.

(2) In developing the proposed plan, the Public Defender shall consult with the IDS Director and with the judicial district bench and bar in which the public defender's office is located. The IDS Director shall thereafter submit the proposed plan to the IDS Commission, which may approve the plan as submitted, modify it, or reject it. The plan adopted by the IDS Commission shall become the plan for appointment of counsel in that judicial district.

(3) After the Commission has adopted the initial plan for a judicial district with a public defender office, the IDS Director may, after consulting with the Public Defender, modify the plan and the requirements and procedures for appointing counsel in that judicial district as necessary to effectuate the purposes of the IDS Act. If any modifications being considered by the IDS Director substantially change the plan, the IDS Director shall submit the proposed changes to the IDS Commission for approval.

(4) Until a Public Defender's plan is approved by the IDS Commission, the court shall continue to appoint counsel in accordance with current procedure.

(5) The Public Defender shall not be appointed to represent, and shall not assign counsel to represent, a juvenile alleged to be abused, neglected, or dependent. In cases in which the guardian ad litem program operated by the Administrative Office of the Courts is unable to represent the juvenile, the court shall continue to appoint counsel for juveniles pursuant to G.S. 7B-1202.

(f) Authority to Implement Other Programs, Plans, and Contracts

Nothing in these rules shall prohibit assignment of otherwise qualified counsel to represent indigent defendants pursuant to programs, plans, or contracts that may be implemented from time to time to improve quality, efficiency, and economy where such programs, plans, or contracts are approved by the IDS Director. Nothing in these rules shall preclude the IDS Commission from adopting and enforcing rules that supercede a plan for appointment of counsel in any district.

Rule 1.9 Payment of Appointed Counsel (Revised Effective February 15, 2002)

(a) Compensation at Trial

(1) Upon completion of the representation of a person by appointed counsel in the trial court in a non-capital criminal or non-criminal case, the trial judge shall, upon application, enter an order fixing the fee to which the attorney is entitled. In doing so, the judge shall review the amount of time claimed by the attorney, and shall approve an appropriate amount of time based on the factors normally considered in fixing attorneys' fees, such as the nature of the case, and the effort and responsibility involved.

(2) Effective April 1, 2002, once the judge approves an appropriate amount of time pursuant to subsection (1), above, the hourly rate for attorney compensation in such cases in both district and superior court, for both in-court and out-of-court time, shall be $65 per hour. For cases in which an attorney claims and the court approves less than one hour of time, the fee shall be $65.

(3) Even if the trial, hearing, or other proceeding is never held, preparation therefore is nevertheless compensable and, in extraordinary cases pending in superior court, the presiding judge may allow a fee for services rendered and payment for expenses incurred pending final determination of the case. In such cases, the time approved and hourly rate paid shall be set pursuant to subsections (1) and (2), above.

(4) Fees shall be fixed by the district court judge who hears the case for actions or proceedings finally determined in the district court, and by the superior court judge who hears the case for actions or proceedings originating in or heard on appeal in superior court.

(5) This section does not preclude districts from compensating attorneys in the above cases based on methods other than hours per case, such as per case fee schedules or per session rates, or based on an hourly rate that differs from that set forth in subsection (2), above, provided that the alternative compensation method or rate is approved by the IDS Director. Any district using or proposing an alternative compensation method shall notify the IDS Director, and the IDS Director may approve the method used or proposed provided it is consistent with the purposes of the IDS Act.

Authority: G.S. 7A-458; 7A-498.5(f)

Rule 2B.2 Appointment of Appellate Counsel (Revised Effective January 18, 2002 and February 15, 2002)

(c) Conflicts

If the Office of Appellate Defender is appointed to represent a capital defendant whose case would create a conflict of interest with a current or previous client of the Office of Appellate Defender, the Appellate Defender shall immediately notify the IDS Director, and the IDS Director shall appoint counsel in the new case pursuant to the rules under which the Appellate Defender would appoint counsel. If the Appellate Defender is appointed to represent co-appellants, the Appellate Defender may appoint the Office of the Appellate Defender to represent a co-appellant and may appoint counsel for the remaining co-appellants so long as the Appellate Defender previously has not undertaken representation of a co-appellant.

Rule 3.2(d) Appointment of Appellate Counsel (Revised Effective January 18, 2002 and February 15, 2002)

(d) Conflicts

If the Office of Appellate Defender is appointed to represent a person whose case would create a conflict of interest with a current or previous client of the Office of Appellate Defender, the Appellate Defender shall immediately notify the IDS Director, and the IDS Director shall appoint counsel in the new case pursuant to the rules under which the Appellate Defender would appoint counsel. If the Appellate Defender is appointed to represent co-appellants, the Appellate Defender may appoint the Office of the Appellate Defender to represent a co-appellant and may appoint counsel for the remaining co-appellants so long as the Appellate Defender previously has not undertaken representation of a co-appellant.

APPENDIX F

Memorandum

To: Indigent Defense Attorneys
Re: Attorney Fee and Expense Applications
From: Office of Indigent Defense Services
Date: January 2002

This is an update to the memo sent by IDS to all attorneys in our database as of October 2001. The changes include a provision specifying that handwritten time sheets will no longer be accepted, a clarification to IDS policy regarding interim fee applications, and an adjustment to the mileage rate (to 26 cents or the current state rate).

I. The Attorney Fee and Expense Application:

An attorney fee application that is directed to the IDS Office should be comprised of three parts: 1) one copy of the appropriate AOC-CR application form; 2) two copies of the itemized time sheets; and 3) any required receipts.

A. The Application Forms:

There are 2 forms available for use by private attorneys requesting compensation from the Office of Indigent Defense Services for attorney fees and expenses in indigent cases:[1]

- AOC-CR-425 (Capital Case Fee Application, Rev. 7/01): An applicant must complete this form for payment in homicide cases (other than second-degree murder) at the trial level, as well as capital appeals and post-conviction, and submit it to the IDS Office.
- AOC-CR-426 (Non-Capital Criminal and Non-Criminal Appeals Fee Application, New 7/01): An applicant must complete this form for payment in non-capital criminal and non-criminal appeals, and submit it to the IDS Office.

B. The Itemized Time Sheets:

- An applicant must attach to his or her fee application an itemized billing record which provides sufficient detail regarding counsel's services in the case to demonstrate that the claim for compensation is reasonable. At a minimum, the itemized billing record must reflect attorney time broken down according to date, description of services, and amount of time in hours and tenths of an hour.
- Time sheets must be computer generated. Handwritten time sheets will not be accepted.

C. The Attached Receipts:

- See section IV. below.

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[1] An applicant seeking compensation for non-capital criminal and non-criminal cases at the trial level should complete AOC-CR-225 (Trial Level Fee Application, Rev. 7/01), and submit it to the presiding district or superior court judge.

II. Presumptive Hourly Attorney Fees:

A. Capital Cases:

The presumptive hourly attorney fee for in-court and out-of-court time in capital cases at the trial, appellate, and post-conviction levels is $85 per hour, for both in-court and out-of-court time.

- For fee purposes, a trial-level case is considered "capital" if it began as a "first-degree murder charge or charge of murder where the degree is undesignated." *See* Rules of the Commission on Indigent Defense Services, Part 2, Rule 2A.1(a) (2001). Thus, for example, a case in which the defendant is initially charged with first-degree murder will be compensated at the $85 per hour "capital" rate throughout the trial stage, even if the defendant subsequently enters a plea to second-degree murder.
- An appellate case is considered "capital" only if it is the direct appeal of an actual sentence of death.
- A post-conviction case is considered "capital" only if the defendant is under an actual sentence of death.

B. Non-Capital Criminal and Non-Criminal Appeals:

- The presumptive hourly rate for an appeal of a capitally-tried first-degree murder case that resulted in a sentence of life without parole is $70 per hour.
- The presumptive hourly rate for all other appellate cases is $60 per hour.

C. Deviations from the Presumptive Rate:

If there are exceptional circumstances an applicant believes justify a higher hourly rate in a specific case, he or she should submit a detailed written description of those circumstances. The IDS Office will consider that documentation in arriving at a fair hourly rate for the case.

In a few cases prior to July 1, 2001, judges have agreed in advance to pay attorneys more than the presumptive rate for a particularly difficult or unusual case. The IDS Office will honor those agreements.

III. Attorney Interim and Final Fees:

A. Interim Fees:

Assuming the following conditions have been met, an attorney may submit an application for interim fees, which the IDS Director may grant in his discretion. However, attorneys are encouraged not to file for interim fees as a regular billing practice; instead, interim fee applications should be filed only in cases involving a genuine hardship to the applicant.

1. Capital Cases:

   Absent exceptional circumstances, the IDS Office will only process interim attorney fee requests in capital cases when one of the following

two conditions has been met: 1) the interim fee application covers a time period of 3 or more months; or 2) the interim fee application involves a payment amount of $3,000.00 or more.

2. Non-Capital Appeals:
Absent exceptional circumstances, fee applications in non-capital appeals should not be submitted until the brief has been filed.

B. Final Fees:
When submitting an application for final fees and expenses, please include the name of the presiding trial judge on the application or itemized billing records. In addition, please provide a statement of all experts used in the case, and the amount those experts have been authorized and paid. (See Section V. below).

In capital cases, the IDS Office may request a conference with the attorney prior to final payment of attorney fees and expenses. If such a conference is held, counsel will be compensated for his or her time spent in that review.

IV. Reimbursable Expenses:

A. Prior Approval Not Required:
The following necessary expenses are reimbursable without prior approval from the IDS Office. If exceptional circumstances warrant the expenditure of higher amounts, the applicant should seek pre-approval from the IDS Office before incurring the expense.

1. **In-State Travel:**[2]
   - **a.** Mileage on Privately-Owned Vehicles: $0.26 per mile or the current State rate for out of county travel only.
   - **b.** Rental Vehicles: Absent special circumstances, if you choose to rent a vehicle for case-related travel, you will be reimbursed for the lesser of the following: 1) the cost of the rental vehicle plus gasoline; or 2) the mileage reimbursement you would have received if you had driven your personal vehicle. You must attach a receipt to be reimbursed for rental car expenses.
   - **c.** Meals: Meals will only be reimbursed if there is an overnight stay. Meals will then be reimbursed on the following per diem basis and receipts are not required:

Breakfast	$6.50
Lunch	$8.50
Dinner	$14.50

   - **d.** Lodging: The actual costs of over-night lodging, not to exceed $55.50. In addition, actual taxes incurred are reimbursable. A valid hotel receipt is required, and credit card receipts are not accepted.

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[2] Reimbursement rates for travel-related expenses are based on the current travel allowances for State employees. *See* G.S. 138-6 (Supp. 2000).

e. Other: Any other travel-related expenses (e.g., parking) must be supported by receipts.

2. **Long-Distance Telephone Calls**
The actual costs of case-related long-distance telephone calls will be reimbursed in full. If total long-distance costs exceed $20.00, the applicant must submit supporting documentation.

3. **Photo-Copying:**
In-house copying costs are reimbursable at a rate not to exceed $0.15 per page.

4. **Computerized Legal Research:**
- The actual case-related costs of computerized legal research (e.g., Lexis-Nexis and Westlaw) will be reimbursed only if receipts are provided.
- Courtsearch, NC 123, DMV and DOC searches, etc.: The actual costs of any such computerized searches will be reimbursed only if receipts are provided. If actual costs are not incurred, you will be compensated for your time according to your hourly rate, but will not be compensated any amount per search.

5. **Other Expenses:**
   a. **Paralegal Time:**
   IDS will compensate an attorney for his or her paralegal's time as a reimbursable expense, at a rate of $25.00 per hour. The fee application must be accompanied by an itemized billing record setting forth the paralegal's time. Work performed by law students working on a part-time or temporary basis will not be reimbursed.
   b. **Miscellaneous:**
   For all "other expenses" that exceed $10.00 (e.g., postage, facsimile charges, etc.), an applicant must submit receipts and/or detailed documentation.
   c. **Overhead:**
   Normal overhead expenses, such as case notebooks, paper, push pins, etc., will not be reimbursed.

B. **Prior Approval Required:**
Necessary expenses associated with out-of-state travel are reimbursable only with prior approval from the IDS Office.
   a. Travel Costs: Reasonable and pre-approved travel costs will be reimbursed with receipts.
   b. Meals: Meals will only be reimbursed if there is an overnight stay. Meals will then be reimbursed on the following per diem basis and receipts are not required:
   Breakfast $6.50

Lunch	$8.50
Dinner	$16.50

c. Lodging: The actual costs of over-night lodging, not to exceed $66.00. In addition, actual taxes incurred are reimbursable. A valid hotel receipt is required, and credit card receipts are not accepted.

V. Expert Services:

A. Prior Authorization Required:

Prior authorization is required for the use of any expert services in any case under the direct oversight of the IDS Office – i.e., first-degree murder or undesignated degree of murder cases at the trial level, all capital and non-capital appeals, and capital post-conviction proceedings. Attorneys and experts are expected to monitor any expert spending, and absent exceptional circumstances, the IDS Office will not be able to compensate experts for amounts in excess of the prior authorization.

To obtain prior authorization, the attorney of record should mail or fax a written request for funds to the IDS Office, or designated consultant.

The IDS Office will honor any Court authorizations for expert funding that were obtained before July 1, or those that result from any appeal to a Judge from a denial by the IDS Office. *See* Rules of the Commission on Indigent Defense Services, Rule 2D.4 (2001).

B. The Expert Fee and Expense Application:

- All expert bills in all cases under the direct oversight of the IDS Office should be submitted directly to the IDS Office, and not to the Administrative Office of the Courts or the State Controller's Office.
- Applications will be accepted directly from the expert, or from the attorney of record on behalf of the expert.
- The application must include: 1) a copy of the funding authorization from the IDS Office or a Court; and 2) the expert's itemized billing records.

C. Lay Witness Fees:

- The IDS Office cannot compensate lay witnesses for their time or expenses. If you are seeking compensation for a lay witness, please complete AOC-CR-235 ("Witness Attendance Certificate"), and submit it to the Clerk or Judge as required by G.S. 7A-314.

Memorandum

To: Indigent Defense Experts
Re: Expert Fee and Expense Applications
From: Office of Indigent Defense Services
Date: January 2002

This is an update to the memo sent by IDS to all experts in our database as of October 2001. The changes include an adjustment to the mileage rate (to 26 cents or the current state rate), and a provision specifying that handwritten time sheets will no longer be accepted.

Please note that prior funding authorization from the IDS office is required. Please get a copy of this authorization from the attorney you are working with before commencing work on a case. Absent truly exceptional circumstances, the IDS Office will not compensate experts for amounts in excess of the prior authorization.

I. Expert Services:

A. Prior Authorization Required:

- Prior authorization is required for the use of any expert services in any case under the direct oversight of the IDS Office – i.e., first-degree murder or undesignated degree of murder cases at the trial level, all capital and non-capital appeals, and capital post-conviction proceedings. Attorneys and experts are expected to monitor any expert spending, and absent exceptional circumstances, the IDS Office will not compensate experts for amounts in excess of the prior authorization.
- Unless otherwise indicated on the IDS Expert Authorization form, the maximum amount authorized includes both fees and necessary expenses.
- To obtain prior authorization, the attorney of record should mail or fax a written request for funds to the IDS Office, or designated consultant.
- The IDS Office will honor any Court authorizations for expert funding that were obtained before July 1, or those that result from any appeal to a Judge from a denial by the IDS Office. *See* Rules of the Commission on Indigent Defense Services, Rule 2D.4 (2001).

B. Interim and Final Fees:

- All expert fee applications should indicate whether the request is for interim or final payment.
- The IDS Office will only process interim expert fee requests when one of the following two conditions has been met: 1) the interim fee application covers a time period of 2 or more months; or 2) the interim fee application involves a payment amount of $1,000.00 or more. Assuming those conditions have been met, an expert may submit an application for interim fees, which the IDS Director may grant in his discretion.

C. The Expert Fee and Expense Application:

- All expert bills in all cases under the direct oversight of the IDS Office should be submitted directly to the IDS Office, and not to the Administrative Office of the Courts or the State Controller's Office.
- Applications will be accepted directly from the expert, or from the attorney of record on behalf of the expert.

- An expert fee application that is directed to the IDS Office should be comprised of three parts: 1) one copy of the funding authorization from the IDS Office or a Court; 2) two copies of the itemized time sheets; and 3) any required receipts.
- The expert's itemized time sheets must provide sufficient detail regarding the expert's services in the case to demonstrate that the claim for compensation is reasonable. At a minimum, the time sheets must reflect the expert's time broken down according to date, description of services, and amount of time in hours or parts thereof.
- Time sheets must be computer generated. Handwritten time sheets will not be accepted.

II. Reimbursable Expenses:

A. Prior Approval Not Required:

The following necessary expenses are reimbursable without prior approval from the IDS Office. If exceptional circumstances warrant the expenditure of higher amounts, the applicant should seek pre-approval from the IDS Office before incurring the expense.

1. In-State Travel:[1]

a. Mileage on Privately Owned Vehicles: $0.26 per mile or the current state rate for out of county travel only.

b. Rental Vehicles: Absent special circumstances, if you choose to rent a vehicle for case-related travel, you will be reimbursed for the lesser of the following: 1) the cost of the rental vehicle plus gasoline; or 2) the mileage reimbursement you would have received if you had driven your personal vehicle. You must attach a receipt to be reimbursed for rental car expenses.

c. Meals: Meals will only be reimbursed if there is an overnight stay. Meals will then be reimbursed on the following per diem basis and receipts are not required:

Breakfast	$6.50
Lunch	$8.50
Dinner	$14.50

d. Lodging: The actual costs of over-night lodging, not to exceed $55.50. In addition, actual taxes incurred are reimbursable. A valid hotel receipt is required, and credit card receipts are not accepted.

e. Other: Any other travel-related expenses (e.g., parking) must be supported by receipts.

2. Long-Distance Telephone Calls

The actual costs of case-related long-distance telephone calls will be reimbursed in full. If total long-distance costs exceed $20.00, the applicant must submit supporting documentation.

---

[1] Reimbursement rates for travel-related expenses are based on the current travel allowances for State employees. *See* G.S. 138-6 (Supp. 2000).

3. **Photo-Copying:**
In house copying costs are reimbursable at a rate not to exceed $0.15 per page.

4. **Computerized Research:**
- The actual case-related costs of computerized legal research (e.g., Lexis-Nexis and Westlaw) will be reimbursed only if receipts are provided.
- Courtsearch, NC 123, DMV and DOC searches, etc.: The actual costs of any such computerized searches will be reimbursed only if receipts are provided. If actual costs are not incurred, you will be compensated for your time according to your hourly rate, but will not be compensated any amount per search.

5. **Other Expenses:**
   a. **Miscellaneous:**
   For all "other expenses" that exceed $10.00 (e.g., postage, facsimile charges, etc.), an applicant must submit receipts and/or detailed documentation.
   b. **Overhead:**
   Normal overhead expenses, such as case notebooks, paper, push pins, etc., will not be reimbursed.

B. **Prior Approval Required:**
Necessary expenses associated with out-of-state travel are reimbursable only with prior approval from the IDS Office.
   a. Travel Costs: Reasonable and pre-approved travel costs will be reimbursed with receipts.
   b. Meals: Meals will only be reimbursed if there is an overnight stay. Meals will then be reimbursed on the following per diem basis and receipts are not required:

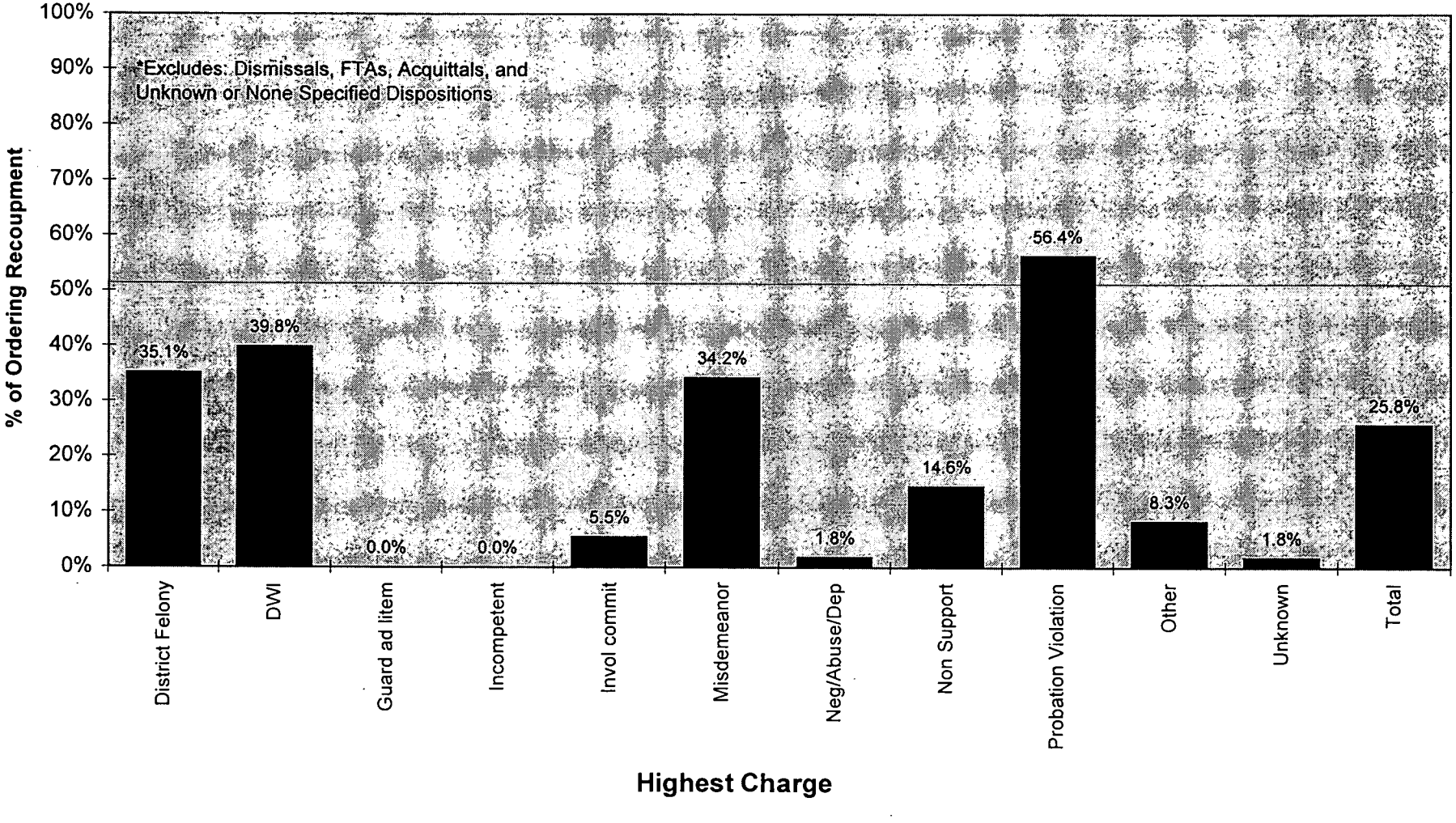
Breakfast	$6.50
Lunch	$8.50
Dinner	$16.50

   c. Lodging: The actual costs of over-night lodging, not to exceed $66.00. In addition, actual taxes incurred are reimbursable. A valid hotel receipt is required, and credit card receipts are not accepted.

APPENDIX G

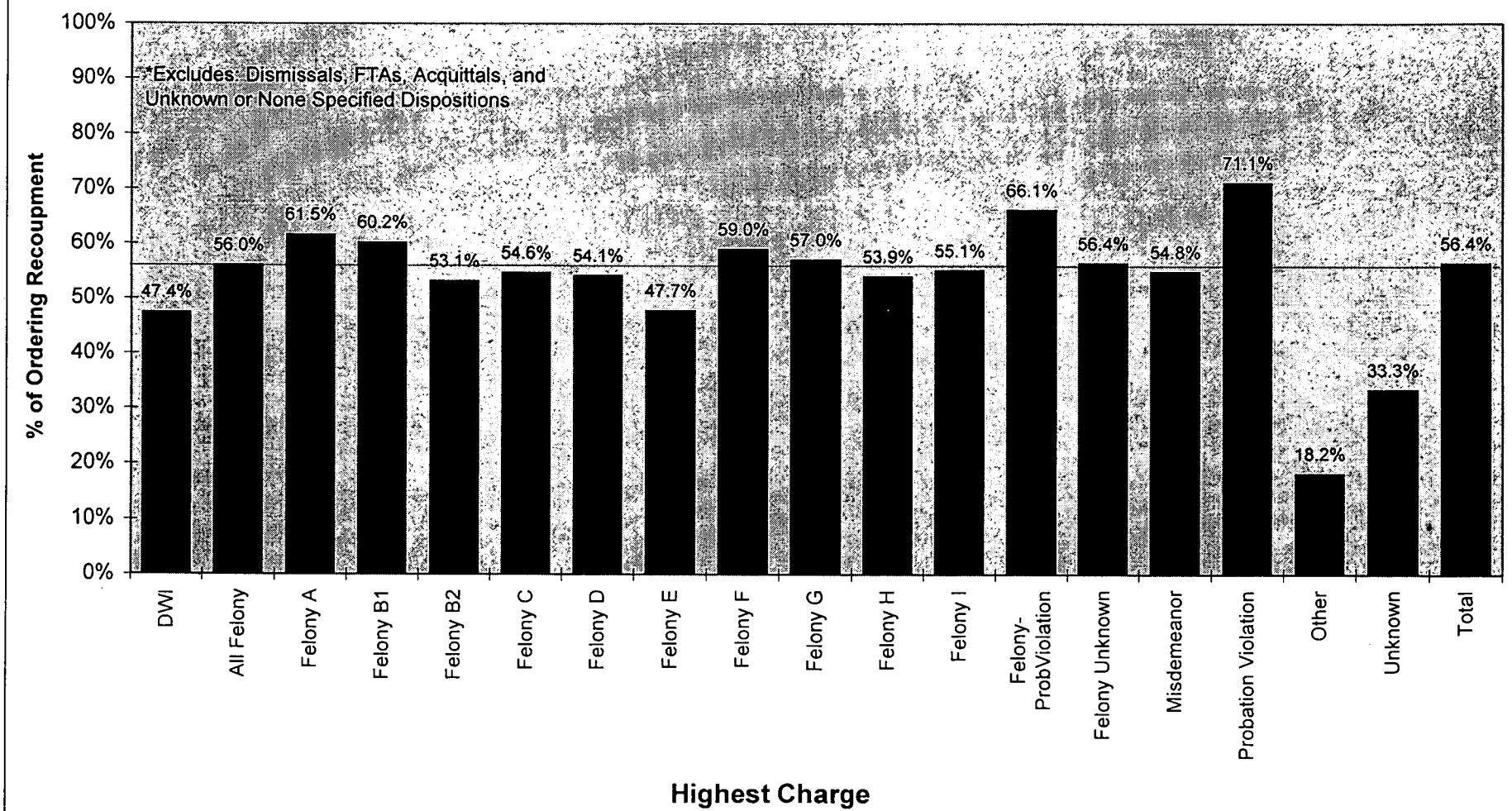
FY02 1 st Quarter District Court Fee Apps: Percent Ordering Recoupment

(Sample Counties, Select Dispositions*)



FY02 1st Quarter Superior Court Fee Apps: Percent Ordering Recoupment

(Select Dispositions*)



APPENDIX H

COST AND CASE DATA ON REPRESENTATION OF INDIGENTS

July 1, 2000 – June 30, 2001

	Number of Cases*	Total Cost	Average Per Case
Assigned Private Counsel			
Capital offense cases	1,159	$11,272,810	$9,726
Adult cases (other than capital)	119,712	35,536,744	297
Juvenile cases	16,979	3,828,369	225
Guardian ad Litem for juveniles	975	298,241	306
Totals	**138,825**	**50,936,164**	**367**
Guardian ad Litem Services Program		**7,520,837**	
Public Defender Offices			
District 3A	2,847	749,068	263
District 3B (Carteret County)	479	279,795	584
District 12	3,187	1,269,076	398
District 14	8,355	1,403,025	168
District 15B	1,845	727,558	394
District 16A	1,698	545,809	321
District 16B	2,784	1,001,332	360
District 18	7,212	1,995,940	277
District 26	11,950	2,848,228	238
District 27A	5,204	1,118,987	215
District 28	4,187	938,721	224
Totals	**49,748**	**12,877,539**	**259**
Appellate Defender Office		**1,091,839**	
Special Counsel at State Mental Health Hospitals		**674,721**	
Support Services			
Transcripts, records, and briefs		711,483	
Professional examinations		2,762	
Expert witness fees		1,891,960	
Investigator fees		869,034	
Total		**3,475,239**	
Set-Off Debt Collection		**92,402**	
Indigent Defense Services		**179,459**	
Deferred Obligations		**493,051**	
Capital Case Pilot Program		**352,240**	
GRAND TOTAL		**$77,693,491**	

* The number of "cases" shown for private assigned counsel is the number of payments (checks) made by the Administrative Office of the Courts for appointed attorneys. For public defender offices, the number of "cases" is the number of indigents whose cases were disposed of by public defenders during the 2000-01 year.

ASSIGNED PRIVATE COUNSEL*
Cases and Expenditures
July 1, 2000 – June 30, 2001

	Number of Cases	Expenditures
District 1		
Camden	44	$ 20,638
Chowan	187	58,471
Currituck	198	184,495
Dare	468	287,609
Gates	89	31,034
Pasquotank	580	172,163
Perquimans	118	28,288
District Totals	**1,684**	**782,698**
District 2		
Beaufort	957	299,856
Hyde	68	40,247
Martin	476	115,260
Tyrrell	58	12,347
Washington	164	28,931
District Totals	**1,723**	**496,641**
District 3A		
Pitt	1,217	497,195
District Totals	**1,217**	**497,195**
District 3B		
Carteret	213	108,778
Craven	1,113	429,720
Pamlico	112	42,263
District Totals	**1,438**	**580,761**
District 4A		
Duplin	780	338,978
Jones	114	35,260
Sampson	991	320,701
District Totals	**1,885**	**694,939**
District 4B		
Onslow	2,623	809,591
District Totals	**2,623**	**809,591**
District 5		
New Hanover	5,331	2,051,747
Pender	683	272,536
District Totals	**6,014**	**2,324,283**

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

ASSIGNED PRIVATE COUNSEL*
Cases and Expenditures
July 1, 2000 – June 30, 2001

	Number of Cases	Expenditures
District 6A		
Halifax	1,335	968,015
District Totals	**1,335**	**968,015**
District 6B		
Bertie	247	132,925
Hertford	522	268,929
Northampton	350	189,174
District Totals	**1,119**	**591,028**
District 7A		
Nash	1,542	576,322
District Totals	**1,542**	**576,322**
District 7B-C		
Edgecombe	1,105	368,909
Wilson	1,192	573,910
District Totals	**2,297**	**942,819**
District 8A		
Greene	295	77,013
Lenoir	1,197	476,577
District Totals	**1,492**	**553,590**
District 8B		
Wayne	1,865	516,829
District Totals	**1,865**	**516,829**
District 9		
Franklin	614	269,642
Granville	747	286,188
Vance	912	343,792
Warren	294	83,717
District Totals	**2,567**	**983,339**
District 9A		
Caswell	522	141,783
Person	1,252	329,884
District Totals	**1,774**	**471,667**

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

ASSIGNED PRIVATE COUNSEL*
Cases and Expenditures
July 1, 2000 – June 30, 2001

	Number of Cases	Expenditures
District 10		
Wake	14,075	3,711,506
District Totals	**14,075**	**3,711,506**
District 11A		
Harnett	2,379	786,695
Lee	982	309,893
District Totals	**3,361**	**1,096,588**
District 11B		
Johnston	2,488	919,876
District Totals	**2,488**	**919,876**
District 12		
Cumberland	3,782	2,116,542
District Totals	**3,782**	**2,116,542**
District 13		
Bladen	882	291,589
Brunswick	1,635	773,655
Columbus	1,125	471,514
District Totals	**3,642**	**1,536,758**
District 14		
Durham	1,669	900,675
District Totals	**1,669**	**900,675**
District 15A		
Alamance	2,659	983,022
District Totals	**2,659**	**983,022**
District 15B		
Chatham	766	170,205
Orange	1,680	340,181
District Totals	**2,446**	**510,386**
District 16A		
Hoke	154	91,001
Scotland	255	322,415
District Totals	**409**	**413,416**

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

ASSIGNED PRIVATE COUNSEL*
Cases and Expenditures
July 1, 2000 – June 30, 2001

	Number of Cases	Expenditures
District 16B		
Robeson	1,826	842,460
District Totals	**1,826**	**842,460**
District 17A		
Rockingham	2,290	858,011
District Totals	**2,290**	**858,011**
District 17B		
Stokes	541	259,697
Surry	1,333	365,148
District Totals	**1,874**	**624,845**
District 18		
Guilford	4,166	2,288,386
District Totals	**4,166**	**2,288,386**
District 19A		
Cabarrus	2,066	604,939
District Totals	**2,066**	**604,939**
District 19B		
Montgomery	579	186,360
Moore	2,127	597,769
Randolph	2,023	802,424
District Totals	**4,729**	**1,586,553**
District 19C		
Rowan	2,447	917,478
District Totals	**2,447**	**917,478**
District 20A		
Anson	987	259,772
Richmond	2,703	1,062,600
District Totals	**3,690**	**1,322,372**
District 20B		
Stanly	999	372,075
Union	2,619	997,840
District Totals	**3,618**	**1,369,915**

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

ASSIGNED PRIVATE COUNSEL*
Cases and Expenditures
July 1, 2000 – June 30, 2001

	Number of Cases	Expenditures
District 21		
Forsyth	7,361	2,349,089
District Totals	**7,361**	**2,349,089**
District 22		
Alexander	761	231,930
Davidson	3,656	1,222,306
Davie	609	196,159
Iredell	2,479	757,338
District Totals	**7,505**	**2,407,733**
District 23		
Alleghany	150	32,785
Ashe	398	159,453
Wilkes	1,187	414,530
Yadkin	531	121,234
District Totals	**2,266**	**728,002**
District 24		
Avery	306	101,807
Madison	219	115,559
Mitchell	195	64,008
Watauga	557	234,213
Yancey	268	136,019
District Totals	**1,545**	**651,606**
District 25A		
Burke	1,331	395,262
Caldwell	1,986	457,517
District Totals	**3,317**	**852,779**
District 25B		
Catawba	2,427	932,420
District Totals	**2,427**	**932,420**
District 26		
Mecklenburg	9,944	3,444,923
District Totals	**9,944**	**3,444,923**
District 27A		
Gaston	892	633,183
District Totals	**892**	**633,183**

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

ASSIGNED PRIVATE COUNSEL*
Cases and Expenditures
July 1, 2000 – June 30, 2001

	Number of Cases	Expenditures
District 27B		
Cleveland	1,732	471,175
Lincoln	623	240,179
District Totals	**2,355**	**711,354**
District 28		
Buncombe	1,445	520,773
District Totals	**1,445**	**520,773**
District 29		
Henderson	2,017	669,363
McDowell	762	354,616
Polk	276	79,783
Rutherford	1,540	530,350
Transylvania	434	221,090
District Totals	**5,029**	**1,855,202**
District 30A		
Cherokee	408	186,271
Clay	54	29,331
Graham	183	77,494
Macon	453	168,778
Swain	221	113,727
District Totals	**1,319**	**575,601**
District 30B		
Haywood	1,119	620,095
Jackson	489	259,959
District Totals	**1,608**	**880,054**
STATE TOTALS	**138,825**	**50,936,164**

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles.

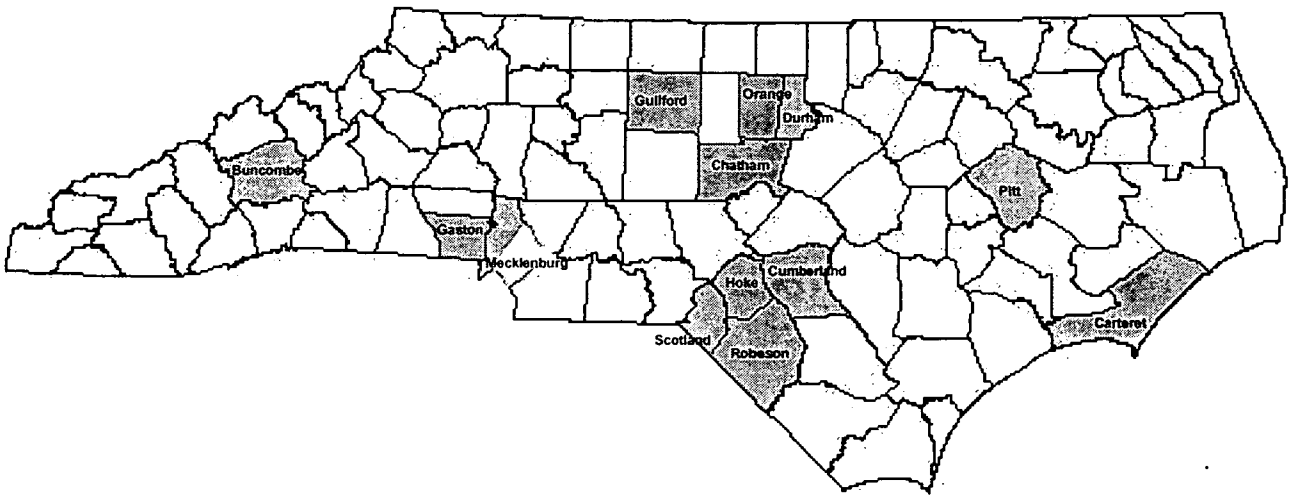
FY03 & FY04 Cost Savings:

PD Office Expansion Options

N.C. Indigent Defense Services Office

April 2002

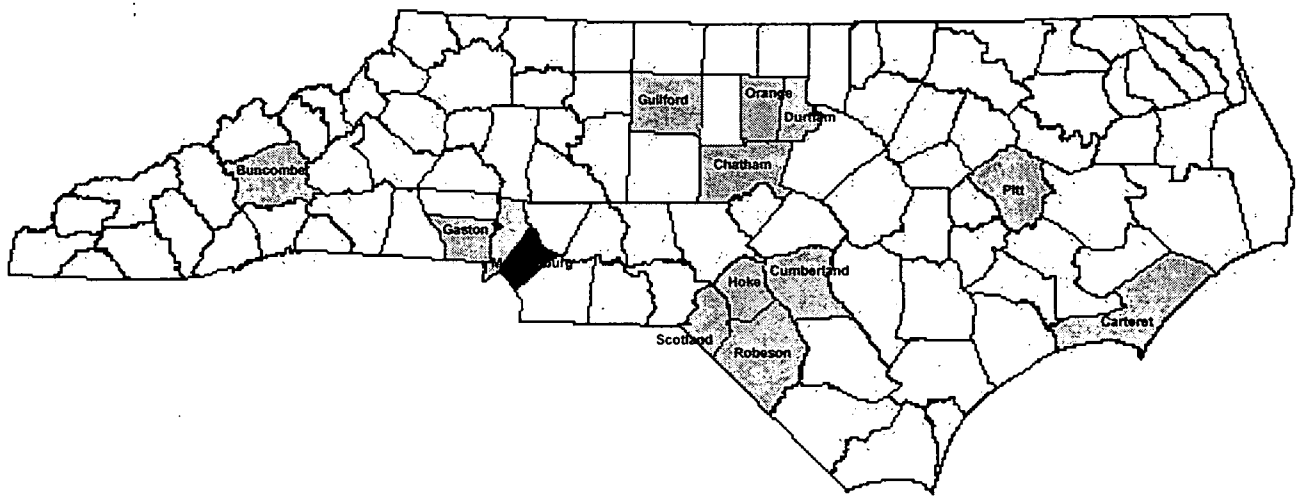
Current PD Offices



	FY03	FY04
Cost Savings	**$3.3 M**	**$3.3 M**

PD Office Expansion: Option 1

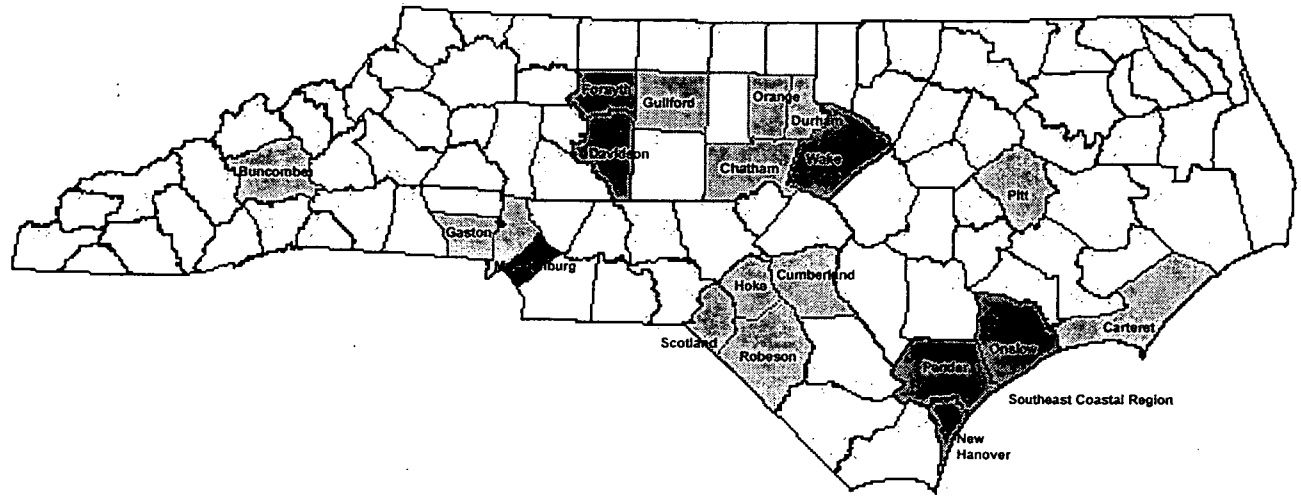
≈ 28% of Indigent Cases



	FY03	FY04	Both FY03/04	New Attorneys	New Support Staf
Mecklenburg Expanded	**$156 K**	**$364 K**	**$ 519 K**	**10**	**5**

PD Office Expansion: Option 2

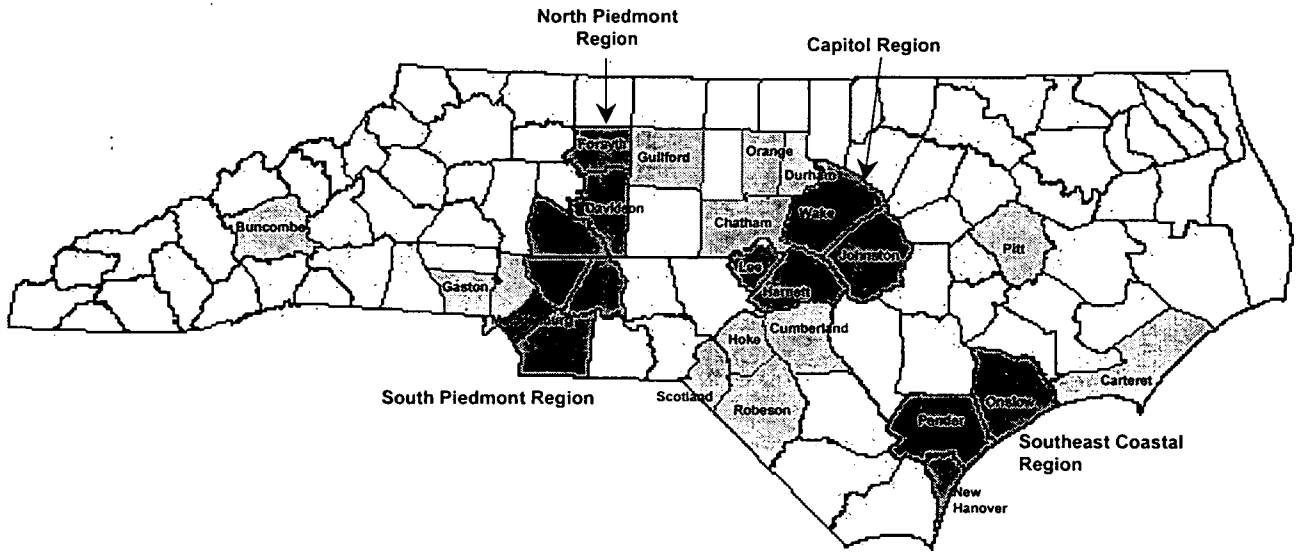
≈ 40% of Indigent Cases



	FY03	FY04	Both FY03/04	New Attorneys	New Support Staf
SE Coastal Region	$ 96 K	$ 548 K	$ 646 K	14	6
Davidson & Forsyth	$ 144 K	$ 660 K	$ 804 K	21	10
Mecklenburg Expanded	$156 K	$364 K	$ 519 K	10	5
Wake	$ 106 K	$ 639 K	$ 745 K	24	12
Total	$ 502 K	$ 2.2 M	$ 2.7 M	69	33

PD Office Expansion: Option 3

≈ 46% of Indigent Cases



	FY03	FY04	Both FY03/04	New Attorneys	New Support Staf
SE Coastal Region	$ 96 K	$ 548 K	$ 646 K	14	6
North Piedmont Region	$ 261 K	$ 660 K	$ 921 K	21	10
South Piedmont Region	$251 K	$843 K	$ 1.1 M	26	13
Capitol Region	$ 178 K	$ 9049 K	$ 1.1 M	33	17
Total	$ 785 K	$ 3.0 M	$ 3.7 M	95	46

DEPARTMENT OF JUSTICE

Budget Summary—State Appropriations

	2000-01	2001-02	2002-03
Certified Budget	$ 76,947,824	$73,142,775	$73,785,584
Actual Expenditures	$72,348,850	NA	NA
# Employees	1,248.7	1,228.2	1,229.2

- 7% of FY 03 budget is $5.2 million
- 11% is $8.1 million

2002-03 Budget* by Major Functional Areas

Program	Budget	% of Total
Administration	$2,398,219	3.2
Criminal Justice Training & Standards	$8,195,482	11.1
Legal Services	$21,008,078	28.5
SBI	$42,183,805	57.2

* Net receipts/revenues

2002-03 Budget by Purpose

- 78% of expenditures support salary/benefits cost ($69.5 million)
- 11% of expenditures are for purchased services ($$10.3 million)
- $200,000 Pass-through funding to Legal Education Assistance Foundation (LEAF)

Major Changes in 2001-03 Budget by General Assembly

- Reduced G.F. appropriation by $1.5 million to offset under-budgeted receipts/revenues
- NR reduction of $922,018 for vehicle replacement
- Eliminated the Office of Inspector General – 9 positions; $500,000
- $75,000 expansion funding for LEAF funding - to $200,000 R
- Redirected/reduced DARE funding – eliminated 6 positions; $325,000
- $260,000 expansion funding for collection of traffic law enforcement statistics

New Reductions/Reversions for 2001-02 by Governor

Total is $4.7 million; Major cuts are:

- $2.8 Million: lapsed salary and other personal services items in Operating Budget (Original Cuts at 6.45%)

- $1.2 Million- settlement funds involving the construction of the SBI laboratory

- $365,000 - unresolved

Preliminary Cuts Proposed to Governor at 7 to 11% for 2002-03
Proposed reductions range from 6.8% ($5.0 million) to 9.6% ($7.1 million)

- $2.5 million: Lapsed salaries
- $387,000 – $1,250,000: Eliminate up to 18 vacant positions and 15 occupied positions
- $19,800 NR – eliminate dues for National Association of Attorney Generals
- $50,000 NR – withhold SBI lab accreditation payment
- $625,333 – use tobacco settlement funds to pay state match for Medicaid Fraud Unit
- $100,000 – eliminate CLE program for DOJ/public lawyers
- $523,500 NR – unspecified operating cost reductions
- $50,000 NR – delay one SBI training academy for up to one year
- $617,000 NR – SBI vehicle replacement and uniform allowance
- $300,000 NR – overtime
- $300,000 R – increase receipts via a rate increase for DCI-CJIN terminals
- $40,000 R – increase receipts by eliminating background check fee exemptions for prospective lawyers and adoptive parents
- $19,800 R – increase receipts in SBI lab

SUMMARY OF DEPARTMENT OF JUSTICE DEVELOPED
REDUCTION OPTIONS, STATE APPROPRIATIONS ONLY, FOR FY 2002-03

DOJ

		Percentage Reduction				
		7%	8%	9%	10%	11%
1	**Lapse Salary Adjustments**	(2,500,000)	(2,500,000)	(2,500,000)	(2,500,000)	**(2,500,000)**
	This is a non recurring cut that would reduce line items like overtime, temporary wages and contracts. Lapse salary funds would then be transferred as needed for those needs.					
2	**Inspector General Elimination**	(42,895)	(42,895)	(42,895)	(42,895)	**(42,895)**
	The General Assembly eliminated the Inspector General program in FY 01/02. This amount represents the remaining balance of the program.					
3	**Elimination of Vacant Positions**	(307,329)	(419,660)	(541,457)	(654,077)	**(735,020)**
	Eliminate 8 vacant positions (7%), 2 additional. (8%), 4 additional. (9%), 2 additional. (10%), 1 additional. (11%). Positions include benefits.					
4	**Reduce Temporary Agency Personnel Services**	(200,415)	(200,415)	(200,415)	(200,415)	**(200,415)**
	Non-recurring reduction for temporary clerical and support staff.					
5	**RIF Positions**	-	(65,354)	(256,790)	(284,222)	**(435,065)**
	Eliminates 3 positions (8%), 7 additional. (9%), 1 additional. (10%), and 4 additional. (11%) Includes benefits and severance payments.					

6

SUMMARY OF DEPARTMENT OF JUSTICE DEVELOPED
REDUCTION OPTIONS, STATE APPROPRIATIONS ONLY, FOR FY 2002-03

DOJ

		Percentage Reduction				
		7%	8%	9%	10%	11%
6	**Attorney General Association Reduction**	(19,800)	(19,800)	(19,800)	(19,800)	**(19,800)**
	Dues for the National Association of Attorneys General are withheld for one year. This is a non recurring reduction. If this were a permanent reduction, the NC Attorney General would not be able to participate multi state legal actions (e.g. Price fixing, health cost reimbursements, etc.).					
7	**Utilize Tobacco Receipts for Medicaid Unit Match**	(625,333)	(625,333)	(625,333)	(625,333)	**(625,333)**
	The DOJ Medicaid fraud unit has an annual budget of $2.5M which requires 25% state match or $625,333. This recommendation replaces state appropriations with Tobacco Settlement Funds.					
8	**Reduce Learning Resource College Support**	(100,000)	(100,000)	(100,000)	(100,000)	**(100,000)**
	This eliminates continuing legal education (CLE) program for public lawyers. CLE credits could still be obtained through the Bar Association. or area law schools. Also includes Lexis publishing contract.					
9	**Operational Expenditure Reductions**	(523,500)	(523,500)	(523,500)	(523,500)	**(523,500)**
	One-time non-recurring reduction in various supply and equipment line items.					

SUMMARY OF DEPARTMENT OF JUSTICE DEVELOPED
REDUCTION OPTIONS, STATE APPROPRIATIONS ONLY, FOR FY 2002-03

DOJ

		Percentage Reduction				
		7%	8%	9%	10%	11%
10	**Hold FY 02/03 Lab Accreditation Payment**	(50,000)	(50,000)	(50,000)	(50,000)	**(50,000)**
	A national accreditation authority CALEA payment is withheld for one year. This group provides accreditation for the SBI crime laboratory.					
11	**Delay Training Academy Cycle**	(50,000)	(50,000)	(50,000)	(50,000)	**(50,000)**
	SBI training academy is delayed for one year to provide a non recurring reduction.					
12	**Automobile Reduction**		(300,000)	(500,000)	(500,000)	**(500,000)**
	Non recurring reduction from SBI automobiles.					
13	**Uniform Allowance Reduction**		(117,200)	(117,200)	(117,200)	**(117,200)**
	One year reduction in uniform allowance					
14	**Overtime Reductions**			(100,000)	(300,000)	**(300,000)**
	One time reduction in SBI overtime - would result in less SBI overtime hours. This is a non-recurring, one year reduction.					
15	**SBI Special Funds Reductions**	-	(50,000)	(150,000)	(378,000)	**(378,000)**
	Reduces drug purchase funds for SBI agents. This is a one-time, non-recurring reduction.					
16	**Rate Increase for DCI-PIN Terminals**	(300,000)	(300,000)	(300,000)	(300,000)	**(300,000)**
	The SBI Division of Criminal Information (DCI) proposes a 33% avg. monthly rate increase for the criminal. justice network, effective January 2003.					

SUMMARY OF DEPARTMENT OF JUSTICE DEVELOPED
REDUCTION OPTIONS, STATE APPROPRIATIONS ONLY, FOR FY 2002-03

DOJ

		Percentage Reduction				
		7%	8%	9%	10%	11%
17	**Reduce Background Check Exemptions**	(40,000)	(40,000)	(40,000)	(40,000)	**(40,000)**
	Exemptions from the $14 NC Data fingerprint check for prospective lawyers and adoptive parents is eliminated. This would effect approx. 1,024 prospective lawyers and 1,735 adoptive parents.					
18	**Rate Increase for SBI Lab Fees**	(100,000)	(100,000)	(100,000)	(100,000)	**(100,000)**
	The SBI Labs propose increasing fees and budgeted receipts by $100,000, which can offset the need for appropriations. This issue would require additional study.					
	TOTAL DOJ REDUCTION	(4,859,272)	(5,504,157)	(6,217,390)	(6,785,442)	(7,017,228)
	Percent of FY 02/03 Authorized Budget	7%	7%	8%	9%	9%

EXECUTIVE SUMMARY

REPORT ON THE EFFECTIVENESS OF THE SENTENCING SERVICES PROGRAM

Submitted Pursuant to S.L. 2001-424, Section 22.3

N.C. Administrative Office of the Courts
P.O. Box 2448
Raleigh, NC 27602

(919) 733-7107

April 2002

EXECUTIVE SUMMARY

REPORT ON THE EFFECTIVENESS OF THE SENTENCING SERVICES PROGRAM

Submitted Pursuant to S.L. 2001-424, Section 22.3

N.C. Administrative Office of the Courts
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April 2002

I. Introduction

The 2001 General Assembly requested the Judicial Department to report on "the effectiveness of the Sentencing Services Program under structured sentencing and the criminal case docketing system" by April 1, 2002. (S.L. 2001-424, sect. 22.3.) The legislature also requested certain specific quantitative and analytical information: [p. 1][1]

1. Data on the number of plans prepared, the recommendations included in those plans, the actual sentences imposed in those cases, and an analysis of the extent to which judges impose sentences using recommendations from plans;

2. Data on the number of plans initiated but not presented to the court, including the reason the plan was not completed or presented; and

3. The results of a survey on the impact of sentencing plans on judicial decisions, to be conducted by the Research, Planning, and Budget Development Section of the Judicial Department or another entity separate from the Sentencing Services Program. The survey shall include superior court judges, district attorneys, public defenders, and defense attorneys.

II. Origins, Theoretical Basis and Current Operations

Statutory Basis of Sentencing Services Program [pp. 1-3]

The legislature established the Community Penalties Program in 1983, with a statutory purpose of providing "the judicial system with community based sentences to be used in lieu of and at less cost than imprisonment." In the 1999 session, the legislature changed Community Penalties' name to "Sentencing Services" and enhanced the program's ability to assist judges and other court officials to make "the most effective use of available resources," with a particular emphasis on local "community corrections programs."

Theoretical Approach [pp. 3-5]

The Sentencing Services program relies on the results of extensive U.S. and Canadian correctional research as a basis for its plan recommendations. The following are some of the key findings of that research:

- The use of prison alone, without appropriate treatment, actually increases the risk of recidivism.
- The right treatment, in addition to the right level of supervision and control, reduces recidivism.
- Treating low-risk offenders as if they were high-risk offenders increases their rate of recidivism.
- Treating high-risk offenders as if they were low-risk offenders increases their rate of recidivism.

All Sentencing Services programs use two validated risk assessment instruments to identify the appropriate levels of punishment and treatment for each offender.

Operational Description of the Sentencing Services Program [pp. 5-6]

Organizational structure. Sentencing Services operates as a partnership among the AOC, a network of not-for-profit agencies, and state and county-operated programs and provides services to all 46 Superior Court Districts. The Office of Sentencing Services (OSS) in the AOC serves as a link between each judicial district's office and the Director of the AOC. OSS provides training, technical services, information, coordination and contract management to all of the non-AOC programs, as well as direct supervision of its ten state-operated programs.

Operations. Programs receive referrals from judges, defense attorneys, defendants, and prosecutors. The primary method by which sentencing information reaches judges and other court officials is the written sentencing plan. Pursuant to G.S. 7A-771(3a), a sentencing plan contains the following:

- a detailed assessment and description of the offender's background,
- available information about past criminal activity,
- a matching of the specific offender's needs with available resources, and
- if appropriate, the program's recommendations regarding an intermediate sentence.

[1] Throughout this summary reference will be made to the page in the full report from which the information was extracted.

III. Analysis of Sentencing Services' Work Load and Plan Recommendations

Sentencing Service Work Load Measures, January 1 – June 30, 2001 [pp. 7-12]

There were 2,583 plans in open status at some time during the six-month study period. By the end of the study period, 1,767 plans (cases) had been disposed, either through plan presentation in court or through events resulting in plans not being used or not completed. The following information addresses parts one and two of the special provision. Plan disposition information is presented in Table 1. Table 2 details the events resulting in plans not being completed or plans not being presented.

Table 1. Sentencing Plans Disposed – January 1, 2001 – June 30, 2001

Sentencing Information Presented	Number
Sentencing Plans Presented in Court	1,042
Sentencing Plans Used Again in a Subsequent Hearing	15
Court Reports Presented in Court	55
Six-month Subtotal – Sentencing Information Presented	**1,112**

Sentencing Information Not Presented	Number
Plans Prepared but Not Presented	68
Cases Initiated but No Plans Completed (defendant withdrew)	587
Six-month Subtotal – Sentencing Information Not Presented	**655**
Total Six-month Sentencing Plans Disposed	**1,767**

Table 2. Events Resulting in No Plan Being Completed or Plans Not Being Presented	Cases Initiated But No Plans Completed[2]		Plans Prepared But Not Presented	
Attorney Decision to Decline Plan Preparation	21	4%	1	1%
No Response from Attorney/Defendant	248	42%	1	1%
Defendant Absconded/Failed to Appear	14	2%	1	1%
Defendant Received New Charges	8	1%	-	0%
Defendant Ineligible/Too High Risk	31	5%	5	7%
Defendant In Prison	9	2%	-	0%
Defendant Pleading Not Guilty	25	4%	4	6%
Defendant Accepted Plea Bargain	93	16%	9	13%
Not Enough Time for Plan Preparation	27	5%	-	0%
Charges Dismissed/No True Bill	36	6%	30	44%
Other/Missing Data	75	13%	17	25%
Total	**587**	100%	**68**	100%

Sentencing Services' Recommendations and Judges' Orders [pp. 12-23]

Table 3 shows that programs recommended only suspended sentences in 87% (929) of 1,068 sentencing episodes. Plans recommending some form of punishment other than or in addition to an active sentence constitute 96% (1,023) of the study sample.[3] Programs recommended Division of Prisons resources (i.e., active) as the preferred option in 4% (45) of the cases.

In the following discussion, "congruence" is defined as the matching of a program's recommendation with a judge's order. In Table 3, full congruence is shown on the diagonal from the upper left to the bottom right. For example, for the 929 cases in which the program recommended a suspended sentence, the judge ordered a suspended sentence in 734 (79%) of them. For the 45 cases in which the programs recommended only prison options, the judge ordered an active sentence in 29 cases (64%) and an active sentence along with a suspended

[2] For a large number of these defendants, the only program activity was sending the referral form (Form AOC-CR-613) and/or letter(s) attempting to contact the defendant or the defendant's counsel. No interview was conducted and no plan was initiated.
[3] The sum of the suspended and suspended/active categories equals 1,023.

sentence in 12 cases (27%). In the 94 cases for which the program offered both Division of Prisons and suspended options, the judge chose suspended in 65% (61) of the cases, active in 27% (25), and both a suspended and an active sentence in 9% (8). When a judge orders a suspended sentence, 92% of the time the program has recommended a suspended sentence (734 of 799), and in another 8% the program has given both suspended and active options (61 of 799).[4]

Table 3. Comparison of Recommendations and Orders

		Type of Punishment Ordered			
		Active	Suspended and Active	Suspended	**Total Sentencing Episodes with Punishment Recommendations**
Type of Punishment Recommended	Active	29	12	4	**45**
	Suspended or Active	25	8	61	**94**
	Suspended	154	41	734	**929**
	Total Sentencing Episodes with Punishment Orders	**208**	**61**	**799**	**1,068**

Specific punishments and special conditions. Data from the study illustrate clearly the extent to which judges value treatment recommendations from Sentencing Services. The following areas showed the highest percentages of judges' orders reflecting program recommendations: [pp. 15-21]

- For residential programs--81%.
- For day reporting centers--84%.
- For community-based treatment--78%.
- For substance abuse counseling--89%.
- For sex offender counseling--85%.
- For SOAR (a sex offender program operated by the Division of Prisons)--71%.
- For a private facility under contract to the Department of Correction (Evergreen, Right Turn, etc.)--73%.

Seventy-seven percent of the community residential placements ordered by judges were pursuant to a site-specific recommendation by a sentencing services program from among 48 of the 62 different programs named in sentencing plans. When judges order a residential program recommended in a sentencing plan, they know that the program has already accepted the defendant and that a place is reserved for that individual. In the 57 sentencing episodes in which judges chose a residential placement other than the one proposed by Sentencing Services (or when none was proposed), they ordered only eight different programs, choosing mainly from just two of these eight 81% of the time, with DART-Cherry in 29 of the 57 (51%), and the IMPACT program in 17 of the 57 (30%).

This matching of the appropriate program to the offender makes the best use of local resources, as well as decreases the likelihood of subsequent recidivism. In finding the most appropriate program, sentencing services staff use Sentencing Services' automated resource database, which contains information about programs across the State, as well as in other states.

Table 4 gives the distribution of judges' orders for intermediate punishments for I/A cell felony defendants served by Sentencing Services and for felons in I/A cells in the Sentencing Commission's 1999-2000 data. As the table shows, when judges have information for defendants served by Sentencing Services, they order

[4] Due to rounding, these two categories add to 100%. The third category, when the judge orders a suspended sentence when Sentencing Services recommends an active, had four cases, representing 0.5%.

residential programs and day reporting centers much more and rely on split sentences and intensive probation much less than is the norm, thus reserving prison cells and probation resources for more serious offenders. Table 4 illustrates that the judges' use of sentencing plans does encourage their use of a wider variety of the community correctional resources available, which is one of the mandates of the Sentencing Services Program. [pp. 17-21]

Table 4. Types of Intermediate Punishment Ordered by Judges

Source of Data	Intensive	Special Probation (Split Sentence)	IMPACT/ Residential	Day Reporting Center	Electronic House Arrest	Total
Sentencing Commission[1]	5,205 54%	2,675 28%	463 5%	631 7%	696 7%	9,670
Sentencing Services[2]	230 40%	42 7%	155 27%	124 22%	24 4%	575

1. FY 1999-2000 I/A felony data.
2. Six-month sample -- I/A felons, January - June 2001.

Risk and judges' orders for treatment. Data from the study indicate that when judges order treatment in the absence of a sentencing plan recommendation, they may be ordering it for a group of offenders who, on average, are less involved with drugs or alcohol, and have lives less disrupted by drug use or from mental health issues, than is the group for whom sentencing plans recommended treatment, yet judges did not order it. These findings were based on scores on the Adult Substance Use Survey (ASUS), which is an instrument that programs use to assess the effects of alcohol and drugs upon an offender's life. The following information illustrates the relationship between the average "global" (summary) scale scores of defendants, the programs' recommendations, and the judges' orders: [pp. 21-23]

- Scale scores were the lowest (25), indicating the least need for treatment, where treatment was not recommended or ordered.
- Scale scores were the highest (57) where treatment was recommended and ordered.
- However, offenders for whom treatment was recommended, but not ordered, had higher scale scores (52) and thus were in greater need of treatment than those offenders for whom treatment was ordered, but not recommended (score of 39).

Use of suspended sentences. The Level of Service Inventory – Revised (LSI-R) is an instrument that programs use to assess a defendant's risk of reoffending while under supervision in the community. Results similar to those for treatment were found based on the LSI-R risk scores and the judges' ordering of suspended sentences. That is, those for whom a suspended sentence was both recommended and ordered had the lowest risk scores, and those for whom a suspended sentence was neither recommended nor ordered had the highest risk scores. However, those for whom a suspended sentence was recommended but not ordered had risk scores lower than those for whom a suspended sentence was not recommended but was ordered. This analysis reveals the potential value of Sentencing Services' information to judges, as they decide for each I/A defendant whether or not to incarcerate.

IV. AOC Survey of Superior Court Judges, Prosecutors and Defense Counsel [pp. 24-39]

The following section provides information about part three of the special provision.

Methodology, Sampling, and Response Rates. The survey was conducted by the AOC's Research and Planning Section. Surveys (reproduced in Appendices C and D) were sent to all Superior Court Judges, all District Attorneys, all Public Defenders, and a random sample of private defense lawyers. District Attorneys and Public Defenders received copies to give to up to three lawyers in their offices most familiar with the Program. The response rate was excellent, with 58% of all surveys returned. To ensure that results would be based on knowledge about current operations, only individuals who indicated familiarity with the Program within the last year were included for analysis.

Summary of Results. Tables with detailed results are in Appendix F of the full report.

Superior Court Judges: Judges gave a mixed assessment. On the positive side:

- 85% indicated relying on information in a sentencing plan during the last year to help make a sentencing decision
- 70% percent agreed that plans increase available reliable sentencing information
- 67% indicated receiving plans in enough time for sentencing decisions
- 64% felt that use of the program does *not* delay case processing inappropriately
- 49% reported good communication between the Program and court personnel

In some other questions, however, judges reported less extensive use or utility of sentencing plans.

- 53% believed that most of the time, the sentencing plan provides options or recommendations that they would have made or used even without the plan
- 53% did not think that plans recommend prison where appropriate
- 51% did *not* believe that the Program provides information on alternatives to incarceration that they were not already aware of
- 39% did not think that the Program is a wise use of public funds (37% felt it is)

Prosecutors: District Attorneys gave an overall negative assessment and seem to perceive a defense-oriented bias in Sentencing Services. Several noted that they did not refer defendants because it is not their job, with 64% indicating that referral is the defense attorney's responsibility. However, the prosecutors' assessment was not all negative.

- 61% indicated sufficient time to develop plans under criminal case docketing
- A minority reported favorably on the Program in all questions, for example:
  - 12 prosecutors (17%) agreed that sentencing plans improve the appropriateness of the sentence
  - 14 (20%) agreed that the Program helps ensure that defendants will receive needed treatment (e.g., for substance abuse)
  - 7 (10%) agreed that the Program is more useful since legislation changed it from "Community Penalties" to "Sentencing Services"

Nonetheless, the prevailing view among prosecutors was not favorable:

- 87% did not think that plans recommend imprisonment when appropriate
- 64% reported *not* receiving plans in time to use them when making decisions; comments noted that the sentencing plan is frequently received in court when the case is about to be heard, after being "released" by the defense attorney
- 64% did not think that the Program is a wise use of public funds

Defense Counsel: Defense counsel gave a favorable assessment. For example:

- 78% indicated that plans increase reliable information available to the judge
- 62% *disagreed* that the Program has little or no impact on judicial decisions
- 57% think sentencing plans improve the appropriateness of the sentence
- 55% agreed that the Program is a wise use of public funds

Discussion of Selected Results

Impact on judicial decisions: The discussion on pages 35-36 of the full report, comparing the recommendations made in sentencing plans to the sentencing decisions of judges, included survey data relevant to how sentencing plans impact judicial decisions.

Referrals and offenders who need treatment: The most common reason judges offered for making referrals to the Program was that the defendant had unusual needs, usually referring to substance abuse and/or mental health issues. Almost half of judges, 48%, indicated that plans help ensure that defendants will receive needed treatment.

Sentencing plans and active sentences; perceived bias: Considerable comment from judges and prosecutors related to whether plans recommend imprisonment when appropriate, with 53% of judges and 87% of prosecutors indicating that sentencing plans do not do so. Judges indicated need for an active sentence as one

of their most common reasons for not referring defendants to Sentencing Services. Prosecutors were more vocal in statements about plans not recommending prison.

Many respondents perceive a pro-defense bias. The reasons could include: (a) Disagreement between the sentencing specialist and judge or prosecutor on what is most appropriate. Judges fairly often impose an active sentence when none was recommended. (b) The Program, or individual offices, may not have fully made the philosophical and practical transition in the last few years from the old to the new statutory scheme. The Program, once closely aligned with the defense, may still have residual defense alliances. (c) To some extent, the survey responses probably reflect lingering perceptions among court officials of a bias away from prison sentences, even when such bias is not present. Active prison time is sometimes recommended, and in some cases, judges impose a more lenient sentence. Regardless of the reasons, one implication is that among a considerable portion of the officials involved in these cases, the Program suffers some lack of credibility as a reliable source of objective information.

V. Other Assessments of Effectiveness

Reduction in the Need for Additional Prison Beds

As of April 1, 2002, the prison population exceeded the current expanded operating capacity. The Sentencing Commission projects that by the end of fiscal year 2004-2005, even with new prison construction, the prison population will still exceed its capacity unless additional steps are taken to increase capacity or to reduce prison commitments. [pp. 40-45]

A Governor's Crime Commission study, as well as a comparison of Sentencing Services' data with data from the Sentencing Commission, reveals that Sentencing Services helps reduce prison commitments by encouraging judges to order fewer active sentences, and helps to reduce subsequent recidivism through the matching of the offender to appropriate resources in the community.

- Sentencing Services defendants (74%) received suspended sentences more often than did the offenders in the Sentencing Commission data (65%).
- Particularly for the higher prior record levels, the percentage of Sentencing Services defendants receiving suspended sentences differed markedly compared to the suspended rates of all defendants from the Sentencing Commission data: (a) Class G, Level IV (64% versus 34%); (b) Class H, Level IV (58% versus 38%); (c) Class I, Level IV (79% versus 47%); (d) Class I, Level V (71% versus 33%); and (e) Class I, Level VI (50% versus 35%), respectively.
- These higher prior record level cells are ones in which judges scrutinize the decision whether to incarcerate most closely and are more reluctant to sentence such offenders to the community, without additional supporting information.
- When one offender is diverted from prison to intermediate probation for one year, the cost savings is $19,980 per year.
- When compared by risk level, the rearrest rate was lower for those with a sentencing plan than for those without a plan, for all but the lowest risk defendants (where there was no difference). [pp. 43-44]

Probation violation cases. Programs reported receiving 104 probation violation cases during January through June 2001. Judges were the main referral sources for these defendants. Probation revocations continue to be a principal contributor to increased prison commitments. Of the 23,241 prison entries between 9/1/2000 and 8/31/2001, 51% were due to probation revocations. Given that 76% of Sentencing Services offenders during the study period who did not receive an active sentence at their revocation hearing are either still on probation or completed probation without serving any active prison time, increased probation violation referrals to sentencing services programs appear to be a promising area for additional prison cost savings. [pp. 44-45]

Case Costs and Case Production [pp. 45-49]

The AOC has undertaken a number of measures to reduce overall case costs, which have shown an effect in the plan costs for all plans prepared through the first eight months of fiscal year 2001-02. Compared with last fiscal year, the average cost per plan prepared (including administrative costs) has dropped by $737 per plan, to $2,018. This fiscal year, the program is projected to prepare the largest number of plans in its 20-year history (2,226).

Criminal Case Docketing

Pursuant to G.S. 7A-49.4, each superior court district is to have a criminal case docketing plan to guide the calendaring of criminal cases in that district. In the implementation of this provision, a wide variety of criminal case docketing plans have been put in place. The survey of court officials revealed that sentencing services programs work satisfactorily under the criminal case docketing plans in most districts. [p. 49]

- 67% of judges, 61% of district attorneys, and 52% of defense attorneys agreed that there is sufficient time for the development of a sentencing plan under the criminal case docketing system.
- 64% of judges, 34% of district attorneys, and 81% of defense attorneys disagreed with the statement that use of the Sentencing Services Program delays case processing inappropriately.

VI. Conclusions and Strategies For The Future

The Sentencing Services Program, as created by statute, helps to implement the purposes of sentencing (G.S. 15A-1340.12) and the purposes of the Criminal Justice Partnership Act (G.S. 143B-272 – 272.19). The data in this report demonstrate that: [pp. 50-52]

- When judges have more quality information, there is a significantly higher probability that they will impose a suspended sentence, which saves the State the cost of incarceration and makes better use of the programs provided by the Partnership.
- Punishment, control and treatment at levels that are appropriate for a given offender increase the likelihood that the offender will not recidivate.
- Reduced recidivism means reduced future crime and lessens the need for additional prison beds.

As the Sentencing Services Program continues to evolve, several initiatives currently underway will improve the quality of sentencing plans, increase the quantity of plans produced, and enhance the relationships between the Program and court officials. These are described more fully in the complete report, and include marketing, training, plan production, and working with NCVAN to provide more victim information in plans.

Although the initiatives described above are already bringing positive results for the Program, other strategies need to be developed, particularly to address concerns confirmed or discovered during the preparation of this report. These include:

- Discussing with appropriate court and legislative officials a strategy to modify the Sentencing Services Act to include automatic referral of certain types of cases, particularly with defendants in higher prior record levels or with probation violations, where such referrals would likely reduce incarceration costs.
- Engaging in further discussion with court officials about any credibility issues that exist and taking steps to alleviate their concerns.
- Discussing with judges the ordering of specific treatment resources where treatment is indicated.
- Becoming more completely integrated into criminal case processing at the district level.
- Seeking adjustments in local program plans to ensure timely delivery of completed sentencing plans.
- Ensuring that defendants for whom plans are prepared meet the statutory requirements of eligibility.
- Discussing with judges their recommendation of specific resources within the Division of Prisons, when the results of the assessment indicate that such resources could be beneficial to the defendant.

This report has laid out some of the benefits of the Sentencing Services Program. At minimum, there is more information available to judges at sentencing and a better utilization of available correctional resources, in alignment with the Program's statutory purpose. In addition, as the Program diverts defendants from prison and reduces future recidivism, as research has shown, the potential cost savings are great. With the average cost per sentencing plan at $2,018 (as of 02/28/02), the Sentencing Services Program can provide 12 sentencing plans for the price of one medium custody prison bed.

The effectiveness of the Sentencing Services Program cannot be measured by numbers alone or by stakeholder opinions alone. As the transition of this program continues from its historical legislative framework to the complete implementation of its current statutory mission, it is likely that future reports will reveal a higher level of credibility, an increased degree of involvement in criminal case processing at the district level, and a higher demand by court officials for the plans that Sentencing Services delivers.

Cataloged on shelf

REPORT ON THE EFFECTIVENESS OF THE SENTENCING SERVICES PROGRAM

Submitted Pursuant to S.L. 2001-424, Section 22.3

N.C. Administrative Office of the Courts
P.O. Box 2448
Raleigh, NC 27602

(919) 733-7107

April 2002

REPORT ON SENTENCING SERVICES
Justice and Public Safety
May 1, 2002

Table 6. Sentencing Plans Disposed -- January 1, 2001 - June 30, 2001

Sentencing Information Presented	Number
Sentencing Plans Presented in Court	1,042
Sentencing Plans Used Again in a Subsequent Hearing	15
Court Reports Presented in Court	55
Subtotal - Sentencing Information Presented	**1,112**

Sentencing Information Not Presented	Number
Plans Prepared but Not Presented	68
Cases Initiated but No Plans Completed (defendant withdrew)	587
Subtotal - Sentencing Information Not Presented	**655**
Total Sentencing Plans Disposed	**1,767**

Table 7. Events Resulting in No Plan Being Completed or Plans Not Being Presented	Cases Initiated But No Plans Completed		Plans Prepared But Not Presented	
Attorney Decision to Decline Plan Preparation	21	4%	1	1%
No Response from Attorney/Defendant	248	42%	1	1%
Defendant Absconded/Failed to Appear	14	2%	1	1%
Defendant Received New Charges	8	1%	-	0%
Defendant Ineligible/Too High Risk	31	5%	5	7%
Defendant In Prison	9	2%	-	0%
Defendant Pleading Not Guilty	25	4%	4	6%
Defendant Accepted Plea Bargain	93	16%	9	13%
Not Enough Time for Plan Preparation	27	5%	-	0%
Charges Dismissed/No True Bill	36	6%	30	44%
Other/Missing Data	75	13%	17	25%
Total	**587**	100%	**68**	100%

Table 10. Comparison of Recommendations and Orders

Type of Punishment Recommended	Type of Punishment Ordered: Active	Suspended/ Active	Suspended	Total Sentencing Episodes with Punishment Recommendations
Active	29	12	4	**45**
Suspended/ Active	25	8	61	**94**
Suspended	154	41	734	**929**
Total Sentencing Episodes with Punishment Orders	**208**	**61**	**799**	**1,068**

Figure 4. Percent of Suspended Sentence Recommendations Ordered

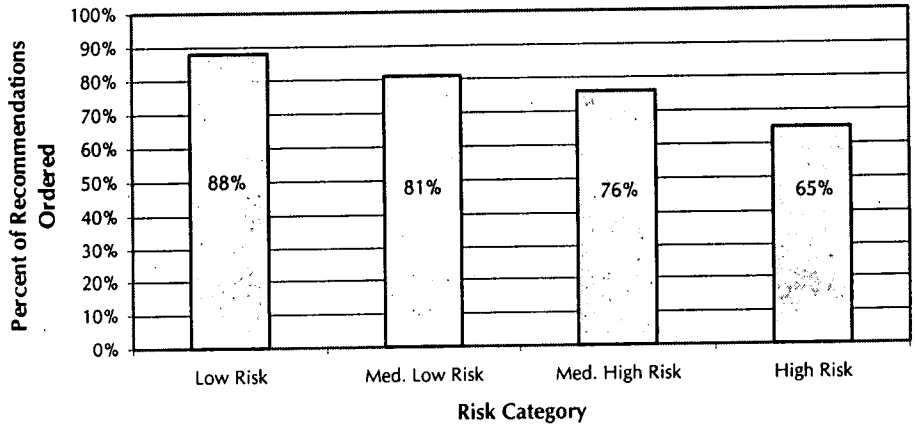


Figure 5. Relationship Between LSI-R Risk Scores and Suspended Sanctions Recommended and Ordered

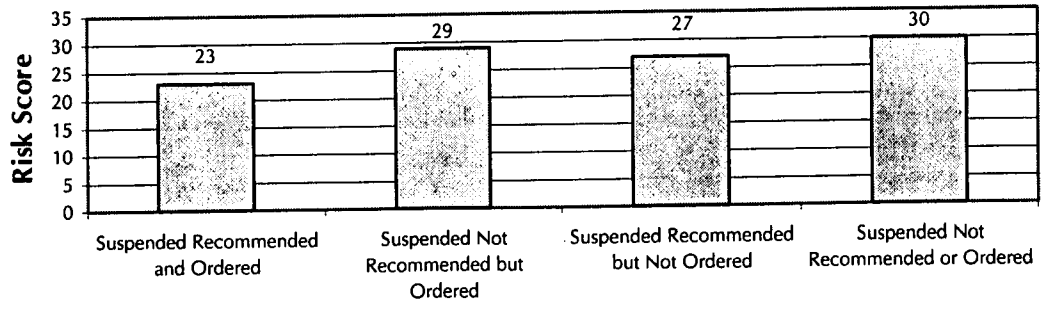


Table 11. Comparison of Punishments & Conditions Recommended to Punishments & Conditions Ordered

	Number of Times: Recommended by Program (A)	Ordered by Judge (B)	Recommended and Ordered in Same Sentence (C)	Percentage of : Program Recommendations Ordered by Judge (C/A)	Judicial Orders Recommended by Program (C/B)
Intermediate Punishment Options	**1,479**	**1,113**	**707**	**48%**	**64%**
Special Probation (split sentence)	143	183	47	33%	26%
Intensive Probation	525	430	272	52%	63%
Electronic House Arrest	120	67	30	25%	45%
Residential Program	394	253	206	52%	81%
Day Reporting Center	297	180	152	51%	84%
Intermediate or Community Punishment with Community-Based Program Options					
Treatment	**1,299**	**788**	**618**	**48%**	**78%**
Mental Health Counseling	314	233	159	51%	68%
Sex Offender Counseling	32	33	28	88%	85%
Substance Abuse Counseling	517	296	262	51%	89%
Family Counseling	15	12	9	60%	75%
TASC	181	83	61	34%	73%
Other Treatment	240	131	99	41%	76%
Education/Work/Other	**1,469**	**1,379**	**783**	**53%**	**57%**
H.S. Diploma/GED	251	153	114	45%	75%
Employment	248	143	94	38%	66%
Community Service Work	268	394	148	55%	38%
Vocational Rehabilitation	68	35	31	46%	89%
Other Special Conditions	200	143	93	47%	65%
Restitution	434	511	303	70%	59%
Active Punishment with Prison-Based Program Options	**205**	**244**	**60**	**29%**	**25%**
SOAR (sex offender)	10	7	5	50%	71%
DART (substance abuse)	49	86	13	27%	15%
Private Facility	61	33	24	39%	73%
Mental Health Counseling	26	22	3	12%	14%
Work Release	10	65	5	50%	8%
Academic/Vocational Education	3	4	0	0%	0%
Vocational Rehabilitation	14	13	4	29%	31%
Other	32	14	6	19%	43%

Table 12.	Types of Intermediate Punishment Ordered by Judges					
Source of Data	Intensive	Special Probation Split Sentence	IMPACT/ Residential	Day Reporting Center	Electronic House Arrest	Total
Sentencing Commission[1]	5,205 54%	2,675 28%	463 5%	631 7%	696 7%	9,670
Sentencing Services[2]	230 40%	42 7%	155 27%	124 22%	24 4%	575

1. FY 1999-2000 I/A felony data.
2. Six-month sample -- I/A felons, January - June 2001.

Figure 6. Relationship Between ASUS Scores and Substance Abuse/Mental Health Treatment Recommended and Ordered

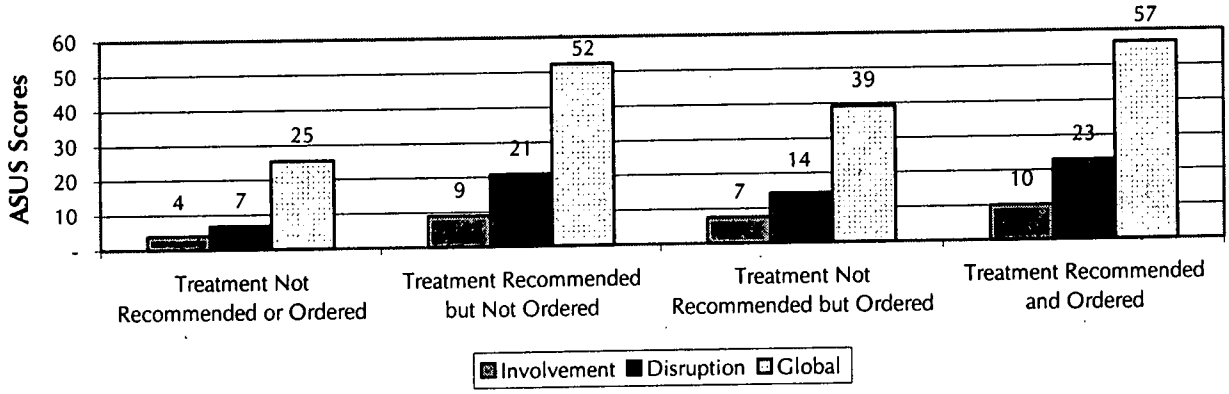


Table 16. Comparison of Sentencing Commission Data (SAPAC) to Sentencing Services' Defendant Population (SS)-- Percentage of Suspended Sentences in I/A Cells

	Prior Record Level											
	I		II		III		IV		V		VI	
Points	0 pts		1-4 pts		5-8 pts		9-14 pts		15-18 pts		19+ pts	
Offense Class	SAPAC (1)	SS (2)	SAPAC	SS	SAPAC	SS	SAPAC	SS	SAPAC	SS	SAPAC	SS
E	75%	85%	62%	54%								
F	70%	82%	60%	59%	47%	62%						
G	82%	86%	72%	78%	47%	48%	34%	64%				
H	93%	94%	74%	85%	55%	66%	38%	58%	33%	32%		
I							47%	79%	33%	71%	35%	50%

(1) Source: SAPAC. FY 99-00 (latest data available)

(2) Source: OSS. Six -month data - January 1, 2001 - June 30, 2001.

Table 17. Rearrest Rates Based on Risk Level

Risk Category	Sentencing Services' Study ------- Rearrest Rate	Sentencing Commission Data ------- Intermediate Probation Rearrest Rate	Sentencing Services' Study ------- Rearrest Rate With Plan	Sentencing Services' Study ------- Rearrest Rate Without Plan
High Risk	47%	50%	44%	50%
Medium High Risk	33%	--	32%	34%
Medium Risk	--	29%		
Medium Low Risk	26%	--	21%	32%
Low Risk	16%	17%	16%	16%

Figure 9. Sentencing Plans Prepared

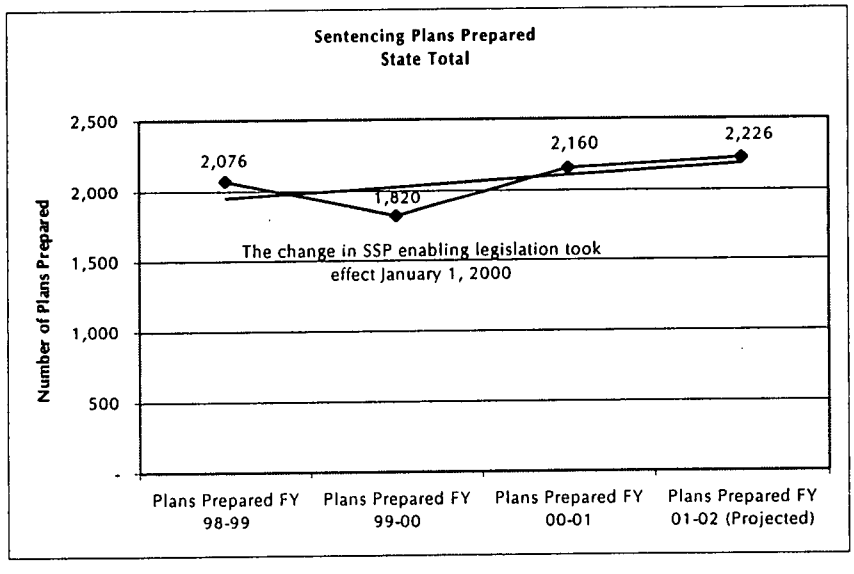


Table 18. FY 00-01 Sentencing Services Program Activity and Expenditures

District	FY 00-01 Expenditures (State $)	FY 00-01 Plans Prepared[1]	FY 00-01 Cost per Plan[2]
1	$ 88,176	51	$ 1,994
2	94,744	36	3,233
3A	124,677	48	2,993
3B	128,242	43	3,661
4A&B	189,936	64	3,418
5	133,088	104	1,571
6A&B	113,561	46	3,031
7A&B/C	151,752	55	3,179
8A&B	109,279	43	2,930
9	116,332	54	2,483
9A	60,789	62	1,206
10	171,591	52	3,801
11A&B	201,855	124	1,875
12	209,456	96	2,513
13	55,812	41	1,572
14	181,524	109	1,918
15A	143,977	88	2,008
15B	95,680	50	2,207
16A	123,638	31	4,896
16B	104,734	42	2,875
17A	100,887	43	2,705
17B	66,432	27	2,840
18	295,044	87	3,904
19A	100,508	40	2,897
19B	133,652	15	10,937
19C	120,835	53	2,628
20A&B	168,876	22	8,842
21	160,990	56	3,312
22	135,849	40	3,913
23	80,907	34	2,745
24	89,107	24	4,282
25A&B	181,273	99	2,109
26	210,326	142	1,706
27A&B	198,419	99	2,308
28	178,548	67	3,270
29	150,270	45	3,847
30A&B	143,575	37	4,471
Total	**$5,114,341**	**2,169**	**$ 2,755**
Minimum	55,812	15	1,206
Maximum	295,044	142	10,937

[1] Includes all plans prepared in cases disposed during FY 00-01

[2] Includes administrative and support costs

Table 19. FY 01-02 Sentencing Services Program Expenditures and Activity through February 28, 2002

Compiled for the 8-Month Period Ending: 02/28/02

District	Budget [1]	Amount Expended through 02/28/02	% Expended through 02/28/02	FY 01-02 Plans Prepared through 02/28/02	FY 00-01 Plans Prepared through 02/28/01[2]	Cost per Plan[3]
1	$83,534	$55,162	66%	18	33	$3,547
2	94,380	62,920	67%	43	25	1,785
3-A	124,677	81,782	66%	75	31	1,253
3-B	106,112	70,741	67%	32	23	2,793
4A&B	189,937	133,599	70%	82	38	1,854
5	147,177	98,118	67%	84	65	1,398
6A&B	104,397	69,598	67%	44	36	1,957
7A&B/C	151,753	103,882	68%	51	32	2,326
8A&B	109,952	66,461	60%	36	26	2,143
9	116,451	75,396	65%	29	34	2,992
9A	64,487	42,991	67%	32	42	1,624
10	171,592	118,590	69%	48	31	2,817
11A&B	205,257	133,600	65%	70	85	2,188
12	216,363	134,124	62%	84	55	1,838
13	62,040	37,732	61%	45	29	963
14	181,524	124,014	68%	124	42	1,142
15A	124,929	83,286	67%	50	65	2,083
15B	96,857	46,075	48%	49	37	1,132
16A	120,299	80,199	67%	36	12	2,727
16B	81,356	50,579	62%	32	30	1,901
17A	116,747	69,754	60%	64	19	1,244
17B	72,172	40,938	57%	26	20	1,829
18	295,045	196,387	67%	83	61	2,709
19A	105,773	60,071	57%	59	26	1,185
19B	94,721	63,147	67%	23	9	3,589
19C	125,468	75,651	60%	45	27	1,943
20A&B	158,833	85,648	54%	31	10	3,291
21	155,292	97,882	63%	29	48	3,914
22	124,118	76,948	62%	33	22	2,733
23	74,409	43,612	59%	18	22	2,867
24	95,661	62,588	65%	32	15	2,230
25A&B	181,280	117,183	65%	51	69	2,642
26	240,420	145,902	61%	106	86	1,568
27A&B	193,602	121,036	63%	86	55	1,631
28	165,497	110,331	67%	46	44	2,960
29	149,531	98,668	66%	44	29	2,575
30A&B	132,713	75,197	57%	24	26	3,715
Total	**$5,034,352**	**$3,209,795**		**1,864**	**1,359**	**$2,018**
Min	62,040		48%	18		963
Max	295,045		70%	124		3,914

No.	Notes
(1)	State funds only; the amount of match is not used in these calculations
(2)	This information is provided for the purpose of comparison with the same time period in the prior fiscal year
(3)	Cost per plan prepared, in State dollars, through February 28, 2002, including administrative and support costs.

Distribution of Surveys

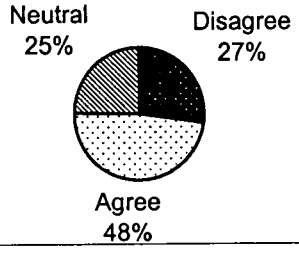
Group	Surveys mailed	Returned as undeliverable	Completed Surveys Returned	Useable Surveys[1]
Judges	125	N/A	93 (74%)	81 (65%)
District Attorneys	117	N/A	73 (62%)	69 (59%)
Public Defenders	33	N/A	20 (61%)	19 (58%)
Private Defense	200	5	88 (45%)	64 (32%)
TOTAL	**475**	**5**	**274**	**233**

[1] Surveys were not included in analysis if the respondent indicated **either** that s/he was unfamiliar with the sentencing services program and/or that s/he had not been involved in a case that utilized the Sentencing Services Program **in the last year**.

Judges' Responses Favorable to Sentencing Services Program

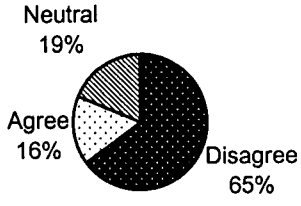
Question 14

Sentencing Services Program helps to ensure that defendants will receive needed treatment (i.e., substance abuse treatment)



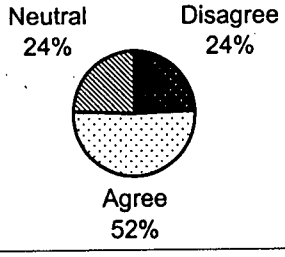
Question 15

Use of the Sentencing Services Program delays case processing inappropriately



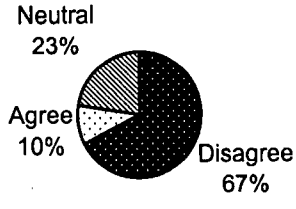
Question 16

Communication between Sentencing Services Specialists and appropriate court personnel is good



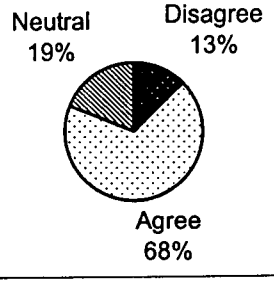
Question 17

I do NOT receive sentencing plans in sufficient time for them to be of use in making judicial decisions



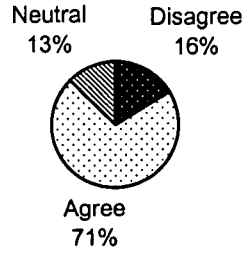
Question 22

There is sufficient time for the development of a sentencing plan under the criminal case docketing system



Question 23

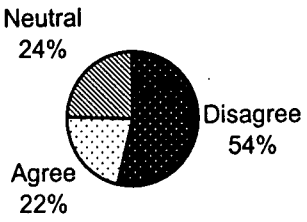
The sentencing plan increases the amount of reliable information available at sentencing



Judges' Responses Less Favorable to Sentencing Services Program

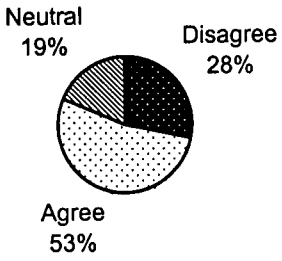
Question 19

Sentencing plans recommend imprisonment when it is appropriate



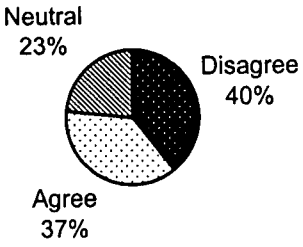
Question 27

Most of the time, the sentencing plan provides information about the defendant that I would have had anyway



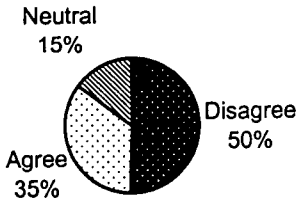
Question 28

The use of State funds to support the Sentencing Services Program is a wise use of public funds



Question 29

The Sentencing Services Program provides information on alternatives to incarceration that I was not aware of

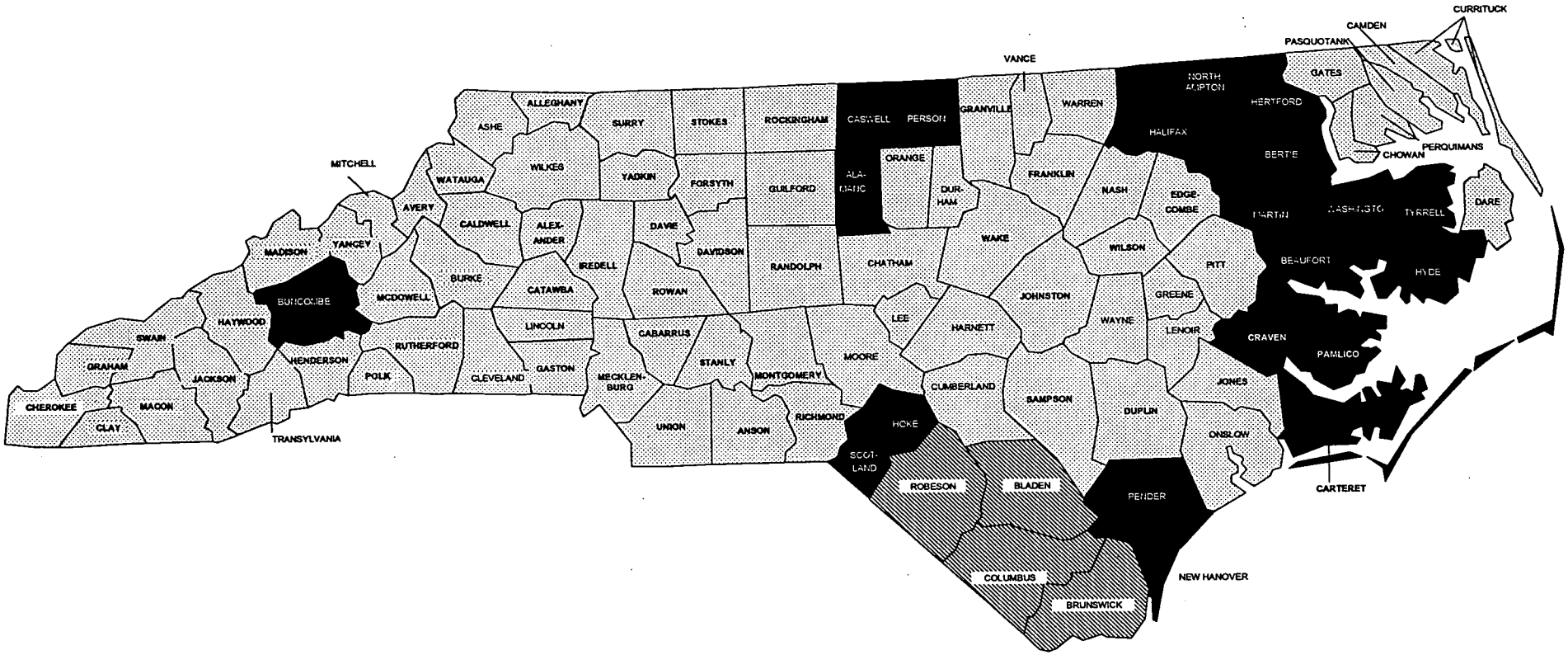


Appendix
Types of Sentencing Services Programs

District	State	County	NonProfit	Parent NPO
1			1	1
2	1			
3A			1	
3B	1			
(1) 4A			1	1
(2) 4B			1	
5	1			
(1) 6A	1			
(2) 6B	1			
(1) 7A			1	1
(2) 7B/C			1	
(1) 8A			1	
(2) 8B			1	
9			1	1
9A	1			
10			1	1
(1) 11A			1	1
(2) 11B			1	
12			1	1
13		1		
14			1	1
15A	1			
15B			1	1
16A	1			
16B		1		
17A			1	1
17B			1	
18			1	1
19A			1	1
19B	1			
19C			1	
(1) 20A			1	1
(2) 20B			1	
21			1	
22			1	1
23			1	
24			1	1
(1) 25A			1	1
(2) 25B			1	
26			1	1
(1) 27-A			1	1
(2) 27-B			1	
28	1			
29			1	1
(1) 30A			1	
(2) 30B			1	
TOTAL	**10**	**2**	**34**	**19**

Each (1)-(2) pair represents one program serving two districts and funded as a single program

Types of Sentencing Services Programs



Nonprofit

County

State

Joan

33,188

NCDOC Daily Unit Population Averages

DOP Facilities and Contracted Out Totals: 05/01/2001 - 04/30/2002 (excluding IMPACT totals as of 01/01/1999)

2001	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	2002
1	31866	32023	31840	31896	32172	32384	32546	32503	32203	32306	32536	32550	1
2	31991	31975	31818	31844	32127	32368	32657	32457	32179	32288	32478	32534	2
3	31937	31924	31842	31999	32075	32521	32602	32414	32137	32230	32431	32720	3
4	32049	31878	31789	31966	32039	32479	32558	32371	32094	32179	32382	32687	4
5	32004	31843	31768	31923	32130	32641	32543	32501	32053	32170	32371	32885	5
6	31938	31997	31846	31877	32096	32585	32520	32484	32005	32308	32529	32843	6
7	31891	31953	31800	31850	32237	32536	32668	32615	31938	32270	32488	32788	7
8	31859	32072	31753	32006	32194	32486	32644	32559	31897	32429	32632	32737	8
9	31966	32043	31711	31957	32141	32450	32789	32520	32024	32374	32560	32702	9
10	31912	31990	31700	32092	32111	32611	32735	32479	31942	32333	32511	32841	10
11	32022	31968	31826	32052	32106	32559	32687	32426	32096	32273	32455	32803	11
12	31977	31935	31778	31995	32263	32659	32629	32603	32056	32255	32433	32927	12
13	31924	32074	31881	31931	32237	32606	32593	32551	31998	32441	32604	32865	13
14	31876	32029	31828	31921	32396	32564	32689	32739	31961	32387	32573	32817	14
15	31817	32154	31780	32085	32344	32516	32671	32669	31937	32509	32686	32772	15
16	31959	32101	31749	32046	32289	32481	32815	32622	32112	32453	32647	32751	16
17	31930	32055	31713	32140	32235	32616	32770	32560	32086	32399	32598	32899	17
18	32064	32039	31868	32104	32207	32577	32711	32528	32255	32360	32565	32873	18
19	32017	32012	31832	32055	32346	32665	32662	32692	32208	32349	32534	32959	19
20	31972	32081	31947	32014	32310	32605	32639	32629	32161	32513	32694	32908	20
21	31954	32029	31895	31983	32449	32552	32734	32678	32109	32462	32641	32907	21
22	31943	31998	31846	32120	32403	32505	32681	32635	32085	32572	32754	32796	22
23	32072	31958	31789	32069	32348	32480	32640	32584	32200	32516	32712	32766	23
24	32006	31896	31763	32172	32305	32623	32596	32537	32158	32465	32662	32934	24
25	32094	31836	31884	32133	32294	32574	32528	32495	32284	32425	32613	32911	25
26	32041	31799	31826	32082	32446	32679	32485	32446	32232	32402	32567	33044	26
27	31985	31841	31927	32045	32407	32622	32462	32396	32176	32496	32715		27
28	31950	31789	31871	32024	32543	32568	32539	32392	32131	32426	32718		28
29	31905	31949	31816	32169	32488	32516	32471	32347	32109		32689		29
30	31959	31899	31771	32116	32435	32470	32556	32317	32244		32631		30
31	31913		31751	32227		32594		32255	32171		32579		31
AVG	**31961**	**31971**	**31813**	**32029**	**32272**	**32551**	**32627**	**32516**	**32105**	**32378**	**32580**	**32816**	**32294**

NCDOC Office of Research and Planning - Data as of 04/27/2002

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

REVISED POPULATION PROJECTIONS
FISCAL YEAR 2001/2002 to FISCAL YEAR 2010/2011

Prepared in Conjunction with
the Department of Correction's Research and Planning Office

RELEASED: DECEMBER 2001

INTRODUCTION:

The attached table shows ten-year prison population projections by fiscal year. The prison population projections were completed in two parts. The Sentencing Commission prepared prison population projections for all offenders sentenced on or after July 1, 2001 (new population). The Department of Correction prepared projections for all offenders in prison as of June 30, 2001 (stock population). The final combined projections take into account the decline of the stock population (structured sentencing releases, parole releases, and "max-outs") and the buildup of the new inmate population (new sentences, probation revocations, parole revocations, and post-release supervision revocations). Added to these figures is the estimated number of "safekeepers" and DWI offenders held in the state prison system.

ASSUMPTIONS:

- All Fair Sentencing Act (FSA) and pre-FSA prisoners will serve the same percentage of their Active sentence as the percentage served by comparable prisoners paroled in FY 2000/2001.

- On average, all Structured Sentencing Act (SSA) felons will serve 109 percent of their minimum Active sentences and all SSA misdemeanants will serve 94 percent of their Active sentences (the actual percentages served by offenders released during FY 2000/01).

- Rates of Active sentences will match rates during FY 2000/01 for all SSA offenders. Overall, 35 percent of felons received an Active sentence, with an average estimated time served of 42 months. These rates assume no changes in judicial or prosecutorial behavior regarding convictions.

- Probation revocation rates will match rates during FY 2000/01.

CHANGES FROM PREVIOUS PROJECTIONS:

The 2002 revised population projections are very consistent with the previous year's projections.

The projections for FY 2002-2004 are only slightly higher than projected last year, with some minimal decreases projected in the later years.

- While the Sentencing Commission's *Forecasting Advisory Group* found no reason to adjust the projected growth rate for misdemeanor convictions, the group adjusted downward the projected growth rate for felony convictions for the first two years of the projection period. This downward adjustment was based on current population trends for high-risk age groups, the effect a downturn in the economy might have on future population trends, and the impact of the State's budget crisis on court operations.[1]

	Felony		Misdemeanor	
Time Period	Previous Growth Rate	Adjusted Growth Rate	Previous Growth Rate	Adjusted Growth Rate
2001 to 2002	2%	1%	1%	1%
2002 to 2003	2%	1%	1%	1%
2003 to 2004	2%	2%	1%	1%
2004 to 2005	2%	2%	1%	1%
2005 to 2006	2%	2%	1%	1%

- Prison population projections are and will continue to be affected by parole practices, due to a still-sizeable inmate population of FSA and pre-FSA offenders. On October 31, 2001, there were 7,319 FSA and pre-FSA offenders in prison, representing about 22 percent of the state's inmates.

- This projection does not include impact from any legislative changes that occurred in the 2001 Long Session since the ratified bills either created new offenses for which there are no historical data or amended penalties for existing offenses with elements that could not be modeled.

PROJECTED PRISON POPULATION:

Projected Prison Population and Capacity

The population projected by the Commission's simulation model for June 30, 2001 was **32,154**. The actual average population for June 2001 was **31,971**, a difference of **183** prison beds (or less than one percent). The first table and the following chart present the projected prison population and capacity for FY 2001/02 through FY 2010/11.

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[1] The *Forecasting Advisory Group* convenes annually and consists of representatives from the Sentencing Commission, Administrative Office of the Courts, Department of Correction, Department of Juvenile Justice and Delinquency Prevention, State Bureau of Investigation, Governor's Crime Commission, and Office of State Planning. The group forecasts growth rates after reviewing recent crime trends, arrest trends, court filing trends, state demographic trends, and prison admission trends.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

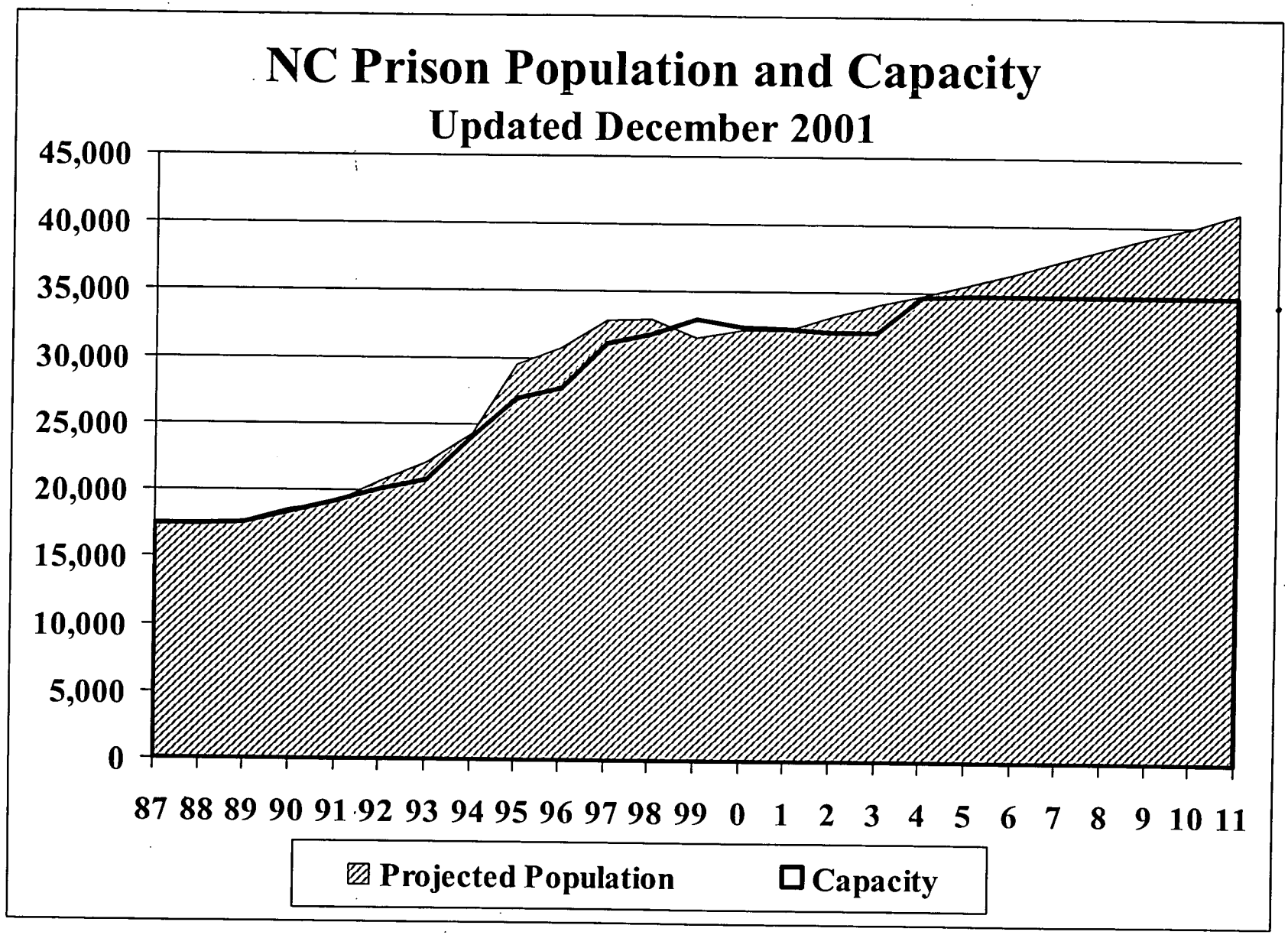
PRISON POPULATION PROJECTIONS:
UPDATED DECEMBER 2001

PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S RESEARCH AND PLANNING OFFICE

FISCAL YEAR	PREVIOUS PROJECTION as of June 30	**REVISED PROJECTION as of June 30**	*ESTIMATE OF EXPANDED OPERATING PRISON CAPACITY* [1]	*ESTIMATE OF STANDARD OPERATING PRISON CAPACITY* [2]
02	33,141	**33,188**	32,087	28,627
03	33,954	**34,129**	32,087	28,627
04	34,738	**34,840**	34,679	31,219
05	35,682	**35,647**	34,847	31,387
06	36,590	**36,485**	34,847	31,387
07	37,560	**37,405**	34,847	31,387
08	38,483	**38,306**	34,847	31,387
09	39,400	**39,203**	34,847	31,387
10	40,309	**40,077**	34,847	31,387
11	—	**41,052**	34,847	31,387

[1] Expanded Operating Capacity (EOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell, the number of cells that house two inmates, and the number of inmates in dormitories operating at varying percentages beyond their Standard Operating Capacity (SOC) which is rounded up to the closest double bunk configuration.

[2] Standard Operating Capacity (SOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell plus the number of inmates who can be housed in dormitories by dividing the gross square feet of each dormitory by 50 square feet and rounding to the closest double bunk configuration.



SOURCE: NC Sentencing and Policy Advisory Commission and NC Department of Correction

Notes: Prison population and capacity figures were prepared in conjunction with the NC Department of Correction's Research and Planning Office. Prison capacity figures reflect Expanded Operating Capacity.

Updated prison capacity projections were provided by the Department of Correction's Division of Prisons in December 2001. These projections include both the Expanded Operating Capacity (EOC) and the Standard Operating Capacity (SOC) of all prison facilities. Based on these figures, the projected prison population will supercede expanded operating prison capacity in FY 2001/02.

Projected Prison Population by Offense Class

The Sentencing Commission also provides data on the distribution of the projected prison population of felons by offense class, as shown in the second table. This distribution might serve as an indication of changing custody level needs.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

PRISON POPULATION PROJECTIONS:
UPDATED DECEMBER 2001

PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S RESEARCH AND PLANNING OFFICE

DISTRIBUTION OF THE PROJECTED PRISON POPULATION BY OFFENSE CLASS FELONIES ONLY

Offense Class	Average Estimated Time Served in Months[1]	Percent by Fiscal Year		
		2002	2006	2011
A	600	3.9	4.5	5.1
3 Strikes	600	0.0	0.0	0.1
B1	302	4.9	6.0	7.1
B2	201	5.8	8.0	9.7
C	99	20.3	22.3	21.8
D	81	16.0	15.2	14.5
A-D SUBTOTAL	**138**	**50.9**	**56.0**	**58.3**
E	30	6.1	6.3	5.9
F	23	7.6	7.2	6.7
G	19	11.5	10.9	10.5
E-G SUBTOTAL	**22**	**25.2**	**24.4**	**23.1**
H	10	17.1	13.6	12.9
I	7	4.5	4.1	3.9
H-I SUBTOTAL	**10**	**21.6**	**17.7**	**16.8**
Unknown	N/A	2.4	2.1	1.8
TOTAL	**42**	**100.0**	**100.0**	**100.0**

NOTE: Percentages may not add to 100% due to rounding.

[1] For analysis purposes, the sentence length imposed for convictions resulting in life or death sentences is estimated at 600 months.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

REPORT TO THE NORTH CAROLINA GENERAL ASSEMBLY
in compliance with
SESSION LAW 2001-424, SECTION 25.8, STRUCTURED SENTENCING STUDY

May 2002

I. Introduction

The General Assembly passed the Structured Sentencing Act in 1993, with the laws governing sentencing in the state taking effect for all offenses committed on or after October 1, 1994. Since that time, there have been some changes to the structured sentencing laws, with the most notable changes occurring during the 1995 Session of the General Assembly: sentence lengths for Classes B2 through D felonies were increased by 16%, an active sentence was included as a dispositional alternative for Class H felons in Prior Record Levels I and II, and a new misdemeanor class (Class A1) was created to handle more serious misdemeanor assaults. During the 1997 Session, the General Assembly also increased penalties for drug sales.

Structured sentencing is based upon a number of underlying principles: public safety, truth in sentencing, consistency and certainty in sentencing, the prioritized use of correctional resources, and sentencing policies which are balanced with sufficient correctional resources. With these goals in mind, structured sentencing laws are achieving the results that were anticipated at its inception. More serious, violent, repeat offenders are incarcerated, while less serious, non-violent offenders with little or no criminal history are sentenced to intermediate or community sanctions. Imprisoned offenders, in compliance with truth in sentencing, serve at least 100% of their minimum active sentence imposed.

A rational sentencing structure and high quality court and correction data allow the North Carolina Sentencing and Policy Advisory Commission to provide long-range correctional population projections. These projections, presented annually to the General Assembly, forecast future correctional needs and assist legislators to better plan penal policies and manage correctional resources. For the past several years, projections have consistently shown a rise in the prison population which has pointed to a need for additional prison resources.

In January, 2001, the Sentencing Commission in conjunction with the Department of Correction's Research and Planning Office submitted prison population projections to the General Assembly which showed that there would be a shortage of prison beds as of June 30, 2002 and that 7,600 additional prison beds would be needed by Fiscal Year 2010. During the 2001 Session, the General Assembly approved the building of three prisons. It was also during the 2001 Session that the General Assembly passed legislation which mandated:

In exercising its statutory responsibility under Article 4 of Chapter 164 of the General Statutes to monitor and review the criminal justice and corrections system, the North Carolina Sentencing and Policy Advisory Commission shall study and review the State's sentencing laws in view of the projected growth in the prison population by 2010. Areas of review may include the classification of offenses and offenders, the relationship of the sentence and the sentence length to the offense, and the sentence dispositions available to judges. The Commission shall also analyze the parole-eligible population in terms of offense committed, sentence, and time served in comparison to inmates sentenced under structured sentencing. The Commission shall develop alternatives for consideration by the General Assembly. The alternatives presented by the Commission should ensure that sentencing laws appropriately penalize offenders for the nature and degree of harm caused by the offense while identifying inconsistencies in the structured sentencing law or in its application. The Commission's alternatives shall be consistent with the purposes of sentencing as stated in G.S. 15A-1340.12.

The North Carolina Sentencing and Policy Advisory Commission shall report its findings to the 2001 General Assembly no later than the convening of the 2002 Regular Session of the 2001 General Assembly. (Session Law 2001-424, Section 25.8.)

The Sentencing Commission responded by forming two subcommittees to study the areas of review that were noted in the mandate: offense and offender classification and sentence duration and disposition. Final reports of the subcommittees' work were submitted to the full Commission on January 11, 2002. At that time the Commission discussed and voted on all the issues presented by the subcommittees. The issues supported by a majority vote form the basis of the alternatives presented in this report. The full Commission adopted the final report at its meeting on March 15, 2002.

The alternatives developed, while offering ways to slow the projected increase in the need for prison beds, are offered with full consideration of public safety and the principles of structured sentencing. These are alternatives presented for consideration by the General Assembly, not necessarily recommendations by the North Carolina Sentencing and Policy Advisory Commission.

The first section of the report provides a short summary of all the alternatives presented to the General Assembly by the Commission. The main body of the report describes each of these alternatives, organized into the categories of: offense classification, offender classification, sentence duration, and sentence disposition. Each alternative is accompanied by commentary and the projected ten-year impact on the state's correctional population. The next section of the report provides statistical information on a comparative analysis of prison time served by Structured Sentencing offenders compared to parole eligible pre-Structured Sentencing offenders. Finally, the appendix to the report provides additional information including statistical data for the alternatives discussed.

II. Summary of Alternatives

The North Carolina Sentencing and Policy Advisory Commission, in response to the mandate contained in Section 25.8 of Session Law 2001-424, presents the following as alternatives to be considered by the General Assembly in lieu of construction of additional prisons:

1. **Reclassify statutory rape or sexual offense of a person who is 13, 14, or 15 years old by a defendant who is more than four years but less than six years older (G.S. 14-27.7A(b)) from Class C to Class F.**

2. **Punish habitual felons three classes higher than the offense classification for the principal offense, but in no case higher than Class C, and require an active sentence.**

3. **Restructure the prior record level point ranges in order to expand the points in Prior Record Level I and to even out the remaining ranges.**

   a. Alternative 1. One prior record point, thereby including offenders with a prior countable misdemeanor conviction or a status point.

   b. Alternative 2. Two prior record points, thereby including offenders with a prior Class H or I felony conviction, two prior countable misdemeanor convictions, or a prior countable misdemeanor conviction and a status point.

4. **Make the increase in sentence lengths between prior record levels more proportionate using a set percentage (15%) increment. The current sentence lengths in Prior Record Level I in each offense class would remain unchanged, serving as an anchor, while the sentence lengths between each subsequent prior record level would be increased by 15% in all classes except Classes H and I, which would remain unchanged.**

5. **Reallocate three months from the minimum sentence of Classes B1 through E to the maximum sentence, for the purpose of increasing the period of imprisonment following revocation of post-release supervision from nine months to twelve months. Also increase the period of post-release supervision from nine months to twelve months.**

6. **Amend the definition of special probation by removing the six month limitation for the active portion of the sentence, resulting in the time served being up to one-fourth of the maximum sentence imposed.**

III. Description of Alternatives

Offense Classification Alternatives

1. **Reclassify statutory rape or sexual offense of a person who is 13, 14, or 15 years old by a defendant who is more than four years but less than six years older (G.S. 14-27.7A(b)) from Class C to Class F.**

Commentary: The Commission reviewed frequently convicted offenses, offenses reclassified by the General Assembly since the enactment of structured sentencing, and offenses identified by individual members, to see if they were properly classified according to the Offense Classification Criteria. Members identified the offense of statutory rape or sexual offense of a person who is 13, 14, or 15 years old (G.S. 14-27.7A) for further consideration. They focused on subsection (b), which requires that the victim be 13, 14, or 15 years old and the defendant be more than four but less than six years older than the victim. This offense is a Class C felony. Class C felonies are those which reasonably tend to result in or do result in serious long-term personal injury or serious long-term or widespread societal injury, such as second degree rape or sexual offense, assault with a deadly weapon with intent to kill inflicting serious injury, first degree kidnapping, and child abuse inflicting serious injury. Several members stated that in their experience the defendant and the victim were usually both teenagers and the relationship was consensual; their age is the element that triggers the offense. The Commission decided that this offense would be more appropriately classified as a Class F felony where offenses reasonably tend to result in or do result in significant personal injury or serious societal injury. However, the Commission also decided that statutory rape or sexual offense of a person who is 13, 14, or 15 years old by a defendant at least six years older (G.S. 14-27.7A(a)) should remain a Class B1 felony.

IMPACT OF ALTERNATIVE ON PRISON POPULATION

Alternative 1: ***Reclassify statutory rape or sexual offense of a person who is 13, 14, or 15 years old by a defendant who is more than four but less than six years older (G.S. 14-27.7A(b)) from Class C to Class F.***

FISCAL YEAR	ESTIMATED IMPACT
1	1
2	-1
3	-5
4	-5
5	-9
6	-15
7	-17
8	-21
9	-24
10	-29

Notes

1. *Disposition*: Estimates assume that judges will continue to impose active punishments for these cases.

2. *Estimated Sentence Length*: Since these cases have been reclassified to new cells on the felony punishment chart, the sentence length at the midpoint of the new cells was used as the basis for determining the estimated time to be served.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2000/2001 Felony Simulation Data

2. **Punish habitual felons three classes higher than the offense classification for the principal offense, but in no case higher than Class C, and require an active sentence.**

Commentary: All habitual felons are punished as Class C felons regardless of the class of their principal offenses. While the concept of punishing habitual felons more severely is fully embraced by the Commission, it was decided that it would be more consistent with the principles of structured sentencing to make the punishment more proportionate to the principal offense. Qualifying offenders who are convicted of offenses in Classes C through F would continue to be punished as Class C felons while offenders convicted of offenses in Classes G, H, and I, which are primarily property offenses, would be punished in the classes below Class C. Because these offenders are classified as habitual felons, the Commission proposes retaining the exception to structured sentencing and requiring an active sentence regardless of the recommended disposition in the felony punishment chart. The Commission decided not to change the requirements for qualifying as an habitual felon or the prosecutor's discretion to charge a defendant as an habitual felon.

IMPACT OF ALTERNATIVE ON PRISON POPULATION

Alternative 2: ***Punish habitual felons three classes higher than the offense classification for the principal offense, but in no case higher than Class C, and require an active sentence.***

FISCAL YEAR	ESTIMATED IMPACT
1	1
2	-52
3	-233
4	-548
5	-949
6	-1,306
7	-1,547
8	-1,686
9	-1,800
10	-1,879

Notes

1. *Disposition*: Estimates assume mandatory active sentences.

2. *Estimated Sentence Length*: Since these cases have been reclassified to new cells on the felony punishment chart, the sentence length at the midpoint of the new cells was used as the basis for determining the estimated time to be served.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2000/2001 Felony Simulation Data

Offender Classification Alternative

3. **Restructure the prior record level point ranges in order to expand the points in Prior Record Level I and to even out the remaining ranges.**

Commentary: The Commission focused on two inconsistencies with the current prior record levels and ranges: (1) Prior Record Level I does not necessarily represent the true first offender, and (2) the point ranges for each prior record level are not consistent.

(1) Prior Record Level I appears to apply to an offender with no prior record; however, an offender with a prior Class 2 or 3 misdemeanor conviction or a prior Chapter 20 misdemeanor conviction (other than impaired driving, impaired driving in a commercial vehicle, and misdemeanor death by vehicle offenses) may also be in this level because points are not assigned for those prior convictions. The Commission proposes expanding Prior Record Level I to include:

a. Option 1. One prior record point, thereby including offenders with a prior countable misdemeanor conviction or a status point.

b. Option 2. Two prior record points, thereby including offenders with a prior Class H or I felony conviction, two prior countable misdemeanor convictions, or a prior countable misdemeanor conviction and a status point.

(2) Prior Record Level IV covers six points while the other levels cover four points. The Commission proposes making Levels II through V consistent by covering four points each, regardless of how many points are covered in Level I.

PRIOR RECORD LEVEL OPTIONS

PRIOR RECORD LEVEL	OPTION 1	OPTION 2
I	0-1	0-2
II	2-5	3-6
III	6-9	7-10
IV	10-13	11-14
V	14-17	15-18
VI	18+	19+

IMPACT OF ALTERNATIVE ON PRISON POPULATION

Alternative 3: ***Restructure the prior record level point ranges in order to expand the points in Prior Record Level I and to even out the remaining ranges. Make Prior Record Levels II through V consistent by covering four points each. Expand Prior Record Level I to include:***

Option 1: ***<u>one</u> prior record point.***

Option 2: ***<u>two</u> prior record points.***

FISCAL YEAR	ESTIMATED IMPACT Option 1	ESTIMATED IMPACT Option 2
1	-296	-625
2	-393	-914
3	-435	-1,026
4	-487	-1,129
5	-545	-1,255
6	-628	-1,414
7	-685	-1,543
8	-725	-1,659
9	-766	-1,754
10	-802	-1,840

<u>Notes</u>

1. *Disposition*: Estimates assume that a case moving to a new prior record level will be treated like all other cases in the new prior record level in terms of the type of disposition imposed.

2. *Estimated Sentence Length*: The relative location of the minimum sentence within the current sentencing range was calculated and applied to the new sentencing range to determine the estimated minimum sentence. For example: an offender falls in Class G with Prior Record Level II and receives a minimum sentence of 14 months. The relative location of his minimum sentence falls in the 50th percentile of the sentencing range for this cell on the felony punishment chart. Given the assumption, if this offender is reclassified to Prior Record Level I, the estimated minimum sentence imposed would fall in the 50th percentile of the Class G, Prior Record Level I range, resulting in an estimated minimum sentence of 12 months.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2000/2001 Felony Simulation Data

Sentence Duration Alternative

4. **Make the increase in sentence lengths between prior record levels more proportionate using a set percentage (15%) increment. The current sentence lengths in Prior Record Level I in each offense class would remain unchanged, serving as an anchor, while the sentence lengths between each subsequent prior record level would be increased by 15% in all classes except Classes H and I, which would remain unchanged.**

Commentary: The Commission looked at the proportionality of sentence lengths in the presumptive range of the felony punishment chart, both between offense classes and across prior record levels. Although a disproportionate increase in sentence lengths between offense classes was identified, Commission members felt this increase was appropriate given the nature of the offenses assigned to each class. The Commission, however, was concerned with the fact that the increase in sentence lengths from one prior record level to the next was not consistent within the Felony Punishment Chart. Because the methodology of using a percentage increase across prior record levels best restores proportionality to the felony grid, the Commission adopted it.

The Commission, however, expressed concern that, by using the 15% proportional increase in Classes H and I, sentence lengths in Prior Record Levels II through VI would become too short. Commission members discussed the current sentence lengths for these classes, the types of offenses included in these classes, and the large volume of offenders convicted of these offenses. In response to concerns raised by members, the Commission voted to retain current penalty ranges in Offense Classes H and I.

Under this alternative, sentence lengths in 45% of the Felony Punishment Chart grid cells would be reduced. Sentence lengths in the other 55% of the grid cells would remain the same or increase. Of the felony convictions in FY 2000/01, less than 14% would have been sentenced in grid cells with reduced sentences; the other 86% of the felony convictions would have been sentenced in grid cells where sentence lengths would be either increased or unchanged.

IMPACT OF ALTERNATIVE ON PRISON POPULATION

Alternative 4: ***Make the increase in sentence lengths between prior record levels more proportionate using a set percentage (15%) increment. The current sentence lengths in Prior Record Level I in each offense class would remain unchanged, serving as an anchor, while the sentence lengths between each subsequent prior record level would be increased by 15 percent in all classes except Classes H and I, which would remain unchanged.***

FISCAL YEAR	ESTIMATED IMPACT
1	36
2	66
3	30
4	-22
5	-127
6	-337
7	-561
8	-752
9	-932
10	-1,084

Notes

1. *Estimated Sentence Length*: Except for Classes H and I, the sentencing ranges in Prior Record Levels II through VI would be changed by this alternative. The relative location of the minimum sentence within the current sentencing range was calculated and applied to the new sentencing range to determine the estimated minimum sentence. For example: an offender falls in Class G with Prior Record Level II and receives a minimum sentence of 14 months. The relative location of his minimum sentence falls in the 50th percentile of the sentencing range for this cell on the felony punishment chart. Given the assumption, the estimated sentence length would fall in the 50th percentile of the modified sentencing range of Class G, Prior Record Level II resulting in a sentence of 13.5 months.

5. **Reallocate three months from the minimum sentence of Classes B1 through E to the maximum sentence, for the purpose of increasing the period of imprisonment following revocation of post-release supervision from nine months to twelve months. Also increase the period of post-release supervision from nine months to twelve months.**

Commentary: The Commission reviewed the current post-release supervision provisions. Post-release supervision is a nine month mandatory period of supervision for Classes B1 through E felons following their release from prison after serving at least their minimum sentence imposed. The period of revocation from post-release supervision is built into the maximum sentence. The primary purpose of post-release supervision is to monitor and assist in the reintegration of this specific group of offenders. Post-release supervisees are monitored by Division of Community Correction probation officers. It is very probable that this option would require additional community resources, including a need for an increase in probation officers.

If an offender is on post-release supervision and is revoked by the Post-Release Supervision and Parole Commission, the offender would return to prison for a period of twelve months instead of the current nine month period. The Commission decided that there would be merit to extending the term of supervision to twelve months in order to lengthen the period of reintegration and monitoring provided to offenders following their release from prison.

IMPACT OF ALTERNATIVE ON PRISON POPULATION

Alternative 5: ***Reallocate three months from the minimum sentence of Classes B1 through E to the maximum sentence for the purpose of increasing the period of imprisonment following revocation of post-release supervision from nine months to twelve months. Also increase the period of post-release supervision from nine months to twelve months.***

FISCAL YEAR	ESTIMATED IMPACT
1	6
2	-96
3	-195
4	-249
5	-309
6	-380
7	-447
8	-509
9	-549
10	-591

Notes

1. Many offenders who will be placed on post-release supervision have yet to be released from prison. Therefore, these projections are based on preliminary post-release supervision and revocation data from the Department of Correction, which may affect the projected impact of this alternative. It is assumed that the post-release supervision revocation rate will remain the same as it was in FY 2000/2001.

2. The length of prison time imposed for revocation was changed from nine months (current law) to 12 months (as proposed).

Sentence Disposition Alternative

6. **Amend the definition of special probation by removing the six month limitation for the active portion of the sentence, resulting in the time served being up to one-fourth of the maximum sentence imposed.**

Commentary: Special probation (split sentence), which is an intermediate sanction, is presently defined as a period of active confinement followed by a period of probation. The current statute states that the active portion of the sentence cannot exceed six months or one-fourth of the maximum sentence imposed, whichever is less. The Commission believed that, by amending the definition to remove the six month limitation, judges might be more amenable to giving an offender special probation rather than an active sentence when an Intermediate sanction is authorized. Commission members also discussed that a change in the definition of special probation may lead to a more frequent use of extraordinary mitigation as a judge could impose special probation with a longer active sentence than is currently authorized. This amended definition would currently impact only a limited number of grid cells, those which have an Intermediate option and in which the maximum sentence could be more than twenty-four months.

Since the simulation model only projects active cases and does not project the utilization of specific Intermediate punishments, it is not possible to estimate the prison bed savings that would result from this option.

NC PRISON POPULATION COMPARED TO PRISON BED CAPACITY
(WITH AND WITHOUT CHANGES IN SENTENCING LAWS)

Fiscal Yr. Ending	Inmate Pop. Projection*	DOC **Expanded** Prison Capacity**	Prison Beds Over/Under **w/no change**	Net Bed Impact SC Alt. W/ Option 1***	Option 2	Prison Beds Over/Under W/ Option 1	Prison Beds Over/Under W/Option 2
6/30/2003	34,129	32,087	*-2,042*	***-191***	***-521***	*-1,851*	*-1,521*
6/30/2004	34,840	34,679	*-161*	***-368***	***-914***	*207*	*753*
6/30/2005	35,647	34,847	*-800*	***-744***	***-1363***	*-56*	*563*
6/30/2006	36,485	34,847	*-1,638*	***-1195***	***-1868***	*-443*	*230*
6/30/2007	37,405	34,847	*-2,558*	***-1713***	***-2443***	*-845*	*-115*
6/30/2008	38,306	34,847	*-3,459*	***-2250***	***-3038***	*-1,209*	*-421*
6/30/2009	39,203	34,847	*-4,356*	***-2717***	***-3549***	*-1,639*	*-807*
6/30/2010	40,077	34,847	*-5,230*	***-3090***	***-3962***	*-2,140*	*-1,268*
6/30/2011	41,052	34,847	*-6,205*	***-3393***	***-4303***	*-2,812*	*-1,902*
6/30/2012	NA	34,847	*NA*	***-3643***	***-4585***	*NA*	*NA*

*Population Projections by Sentencing and Policy Advisory Commission, December 2001
**DOC Expanded Capacity as of Dec. 13, 2001 (includes 2,592 beds authorized in 2001 minus beds closed)
***Net Bed Impact, as projected by the Sentencing Commission, if all five Commission alternatives were authorized by the General Assembly. Alternatives were presented May 1, 2002 in report titled "Report on Study of Structured Sentencing" Option 1 and 2 are options for implementing changes in prior record level. FRD 5/1/02

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — May 1, 2002

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Tony Gibbons	ReDirections of Rockingham Co.
Susie Gnann	Fayetteville Area Sentencing Cente Inc
Joyce Kuhn	Orange Chatham Alternative Sentencing, Inc
Lao Rubbot	CJPC
Judge Craig Brown	Durham
Riley Butler	Durham Sentencing Serv DCPA, Inc.
Doug Lance	District 27 Sentencing Services
John Kennedy	AOC - Director
Peg Dorer	Conference of D.As
Marie Kj	OSBM
Josh Brinson	DOJ

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 5-1-02

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

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NELS ROSELAND	NC DOJ
LEE ALLEN	NC DOJ
JERI WHITE	NC AOC
LeAnn Wallace	NC AOC
Gregg Stahl	AOC
Steve Shaber	Poyner & Spruill
Melissa Lovell	DOJ
Kristi Hyman	DOJ
Bill Huggins	11TH JUDICIAL DISTRICT RE-ENTRY
Dot Ehlers	11th Judicial District ReEntry
Louise Davis	10th Jud. Dist., ReEntry Inc

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 5-1-02

Name of Committee **Date**

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NAME	FIRM OR AGENCY AND ADDRESS
Sandy Pearce	DOC
Rick Kane	AOC
Christy P. McPhatter	Sentencing Servs Prog - Judicial Districts 3A, 7+8
Jerry Leonard	Sentencing Services - 9th Judicial District
Donald E. Jones	AOC/OSS
Jim Newell	OSBM
Anne White	MNNC
Dan McKee	MNNC
Nick Holt	OSBM
Michelle Frazier	NC Bar Assoc.
S. Katzenelson	Sentencing Comm.

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 5-1-02

Name of Committee **Date**

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Toni Shope	Cabarrus & Rowan Sentencing Services
Pamela Nancy	DAVIE, DAVIDSON, IREDELL, ALEXANDER SENTENCING SERVICES
Clement Brown	Neuse River Sentencing Services
Ginny Hevener	NC Sentencing + Policy Advisory Commission
George Wilson	North Carolina Central University Sentencing Services
John Madler	NC Sentencing Commission
John McHugh	GOV OFFICE

JOINT APPROPRIATIONS SUBCOMMITTEE
ON JUSTICE AND PUBLIC SAFETY
Wednesday May 8, 2002
9:00 a.m., Room 415 LOB

AGENDA

I. CALL TO ORDER

Co-Chairs: Sen. Scott Thomas
Sen. Allen Wellons
Co-Chairs: Rep. R. Phillip Haire, Presiding
Rep. Bill Culpepper
Vice Chair: Sen. Frank Ballance, Jr.

II. PRESENTATIONS

Opening Remarks by Chairs

Department of Juvenile Justice and Delinquency Prevention

- Proposed Closings of Youth Development Center Beds and Two Detention Centers in FY 2003
- Youth Development Centers – Long Range Plan

George Sweat, Secretary
Department of Juvenile Justice and Delinquency Prevention

Administrative Office of the Courts

- Dispute Settlement Centers Report

Don McKee, Executive Director
Mediation Network of North Carolina

- Court Ordered Arbitration Programs

Elisa Wolper, Fiscal Analyst
Fiscal Research Division

Department of Correction

- Inmate Community Work Crew Program—Overview and DOC's Preliminary Budget Reduction Proposal

  Jim Mills, Fiscal Analyst
  Fiscal Research Division

- Impact of Closing Community Correction Programs

  Elisa Wolper, Fiscal Analyst
  Fiscal Research Division

- Substance Abuse Treatment Programs—Overview and Governor's Preliminary Reduction Proposals

  Elisa Wolper
  Jim Mills
  Fiscal Research Division

Other Topics

- Non-Profit Organizations in Justice and Public Safety Departments

  Denise Thomas, Fiscal Analyst
  Fiscal Research Division

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

JOINT APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The Joint Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, May 8, 2002**, at 9:00 a.m. in Room 415 LOB. Two (2) Senators were present. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. Larry Justus
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. John Hall	Rep. Wayne Sexton

A Visitors' Registration Sheet is attached and made part of these minutes.

Rep. Haire called the meeting to order and recognized new Senate Co-Chairs , Senator Scott Thomas and Sen. Allen Wellons.

Rep. Haire then introduced Sec. George Sweat, Department of Juvenile Justice and Delinquency Prevention for his presentation to the committee. Sec. Sweat began with a focus on a plan for reducing Youth Development Center Beds and relocating two Detention Centers. **(Handout #1 with Attached Budget Summary).**

In answer to Rep. Culpepper's question regarding a report several weeks ago from the Sentencing Commission which indicated that the projected population would go up, Sec. Sweat stated that the population was 707 this year and projected to be 873 by the next fiscal year. Rep Culpepper then asked about bed reduction with the closing of Samarkand and Sec. Sweat stated that it would reduce them down to 73 beds. Mike Schweitzer, DJJ Director of Youth Development added that there were currently 201 beds in service and they would eliminate all but 73 to house the female population. Rep. Culpepper asked again about the total bed capacity for the entire juvenile justice system to which Sec. Sweat replied that 638 beds will be the standard operating capacity (688 with seg. beds added). Rep. Culpepper asked about the projection of the Sentencing Commission which projects an increase – Is there some flexibility for early release – how do you handle that? Sec. Sweat replied that there may be some flexibility for early release, but they are mandated to serve a minimum of six months. Sec. Sweat feels that the projection is a little high. The Eckerd program may take a few more, utilizing some beds there and there might be potential diversion into community programs. The bottom line is that if they have 873, they will not have sufficient beds. The beds will remain – but there will just not be enough staff. There is the possibility of contracting out for sex offender programs, but in reality we would have to come back and ask for more money.
Rep. Haire asked about the number of beds at Samarkand presented on the chart. Mr. Schweitzer stated that number reflects the standard operating capacity. Sec. Sweat concluded by saying that he would like to come back in a week or so with a full report on future plans to handle the juvenile population and save the taxpayers money in the long run.

Next on the agenda was a report given on Dispute Settlement Centers Report – Administrative Office of the Courts **(Handout #2)** given by Mr. Don McKee, Executive Director of the Mediation Network of North Carolina. Rep. Culpepper asked for justification on the mediation center at Johnston County Community College. Mr. McKee replied that the caseload was very low, they didn't get approved for grants and will be going out of business. Rep. Culpepper asked how much state money they received. Mr. McKee replied about $26,000 last year. Total budget was around $100,000. Ms.Elisa Wolper (staff) stated that it was more like $46, 000, having received support from the College. Rep. Culpepper asked about the relationship of the Mediation Network and all of the dispute settlement centers in the state. Is there any state control? Mr. McKee stated that the closest he could come to describing it would be that it is a trade association – they have no direct control of the network of 26 centers. They continue to address the issues of standards and consistency. There is no way to impose standards at the present. Rep. Culpepper stated that is hard for the committee to know where cuts should come and asked for suggestions on how to approach the issue. Mr. McKee stated that would be a Board decision. Rep. Culpepper asked who controls who gets what money? Mr. McKee stated that the legislature makes that decision. Sen. Thomas asked what the appropriation was over the last fiscal year. Mr. McKee stated that the appropriation was $1.6 billion for this year, and $1.6 billion for the past fiscal year. The year prior to that was 26% less.

Sen. Thomas stated that the state incurs substantial cost in the process leading up to mediation. Is there any way to develop some sort of mediation fee to repay the state for the expenses incurred? Mr. McKee said that they could implement a system for recovering some of those costs. Sen. Thomas asked for a workup of how much might be recovered. Mr. McKee agreed to do this. Rep. Justus asked how many cases end up in court and how many are settled with mediation services out of the total number of cases? Mr. McKee said that no one had really done a study on that. Ms. Kirsten Atkinson, Mediation Network of North Carolina, said that they have just started that research – out of the last 50 cases, none have come back at all. Rep. Justus asked about percentages – how many end up in court? Ms. Diane Seigle, Carolina Dispute Settlement, answered that if 100 cases come to them, they settle 89%, leaving 11% that go to court. Rep. Justus further inquired about the balance in the program. Mr. McKee said that there were different programs all with different focus. Rep. Kiser asked how many years the mediation centers have been operating? Mr. McKee said that the first was started in Orange County in 1979 and the newest were started three years ago – no new centers in the past three years. Rep. Kiser asked if there were a statewide figure for how many cases were diverted from court and how many were settled and then went back to court? Mr. McKee stated of the 14,000 court referred cases, 84% were mediated and the 16% did not go to mediation, but to court. Rep. Kiser asked if we had the success rate of each individual one? Mr. McKee said that yes, they have the figures on the centers of court referred mediation. Reflects only the specific mediation services. Rep. Kiser further asked if each mediation center decides what their services are going to be? Yes, they all start with the premise that they are there for the purpose of providing the community with mediation services. Resources vary from center to center – mediation – and other kinds of related things. Each center is governed by their own board – all separately incorporated and that is why they have different kinds of services. Sen. Bingham asked if all data

presented is court referred? Mr. McKee said that they have given all mediation referrals, but separated out the court referrals. Sen. Bingham asked for examples other than court referrals. Mr. McKee said there are divorce cases, family mediated matters, or voluntary mediation.
Rep. Justus asked if the older dispute settlement centers raise about 60% of their own money? Mr. McKee said there was a graduated scale which was included in the full report and the older centers have a 50% level – currently all centers are at that 50% level and need to raise that. Rep. Kiser asked if, on the state level, there is any direction over these centers or are they out there on their own? Mr. McKee stated that they are all independently governed by their boards. What the network has done is develop the standards for training, particularly for volunteers and setting standards for mediation. No, the network does not have control over the centers except through the confirmation as a member of the center. Rep. Kiser asked what would be done if there is a center that is not performing? Mr. McKee stated that they would be denied membership. Rep. Hall asked if a case went to mediation, it could or could not be court ordered? Mr. McKee answered in the affirmative. Rep. Hall asked about the percentages for court ordered and non-court ordered cases? Mr. McKee said that 74% was court referred and 26% were community or self-referred. Mr. McKee further stated that the 74% was the responsibility of the state and the 26% was the responsibility of the county, municipality or the individual.

Next, Ms. Wolper, presented Court Ordered Arbitration Programs – **(Handouts #3 and #4).** Rep. Kiser asked if, in some cases, the District Court Judge was the arbitrator? Ms. Wolper replied that no, there was a certified arbitrator. Rep. Justus asked who would do the arbitrating if we did away with the program? Ms. Wolper said that there would be no arbitration and it would be heard as any other regular case by a district court judge. Rep. Justus asked about the average caseload of any district court judge to which Ms. Wolper replied that she would check – the district courts have the heaviest loads. Sen. Thomas asked if all 15 administrators were all out in the district or some in a central office? Ms. Wolper said that all were in the district. Rep. Kiser pointed out that in the listing of the staff that there were some blanks and asked how that was administered. Ms. Wolper said that it would be done by whatever staff was in the courtroom or district. Rep. Kiser noted that it was tying up the district court staff in some cases? Ms. Wolper said that it was her understanding that it was by design. The clerk's offices aren't involved in this program – it was intended that none of the paper work would be added to the clerk and would all be handled by district court personnel. Rep. Kiser further asked how many arbitrators there are in NC; do they work in more than one district; and what does it take to become an arbitrator? Rep. Haire said that most were attorneys – that he himself is a mediator and that required 40 hours of training. Ms. Diann Seigle, Executive Director of Mediation Program in Wake County and Durham, added that they also have the 3rd Year Law School Program. The participants hear arbitration and also mediate as part of their 3rd year practice. The attorneys who arbitrate must have five years experience, watch the 40-hour AOC video, and be accepted by the judge overseeing that program. It is critical that law students get this kind of experience to become effective attorneys coming out of law school. Ms. Jane Clare, AOC, commented that there is a requirement that one has practiced law for five years, two years within this state. After 30 days, if there is no appeal, this actually becomes the court judgment – a very expedient process. Rep. Kiser

asked, if he went to arbitration, could he have his counsel with him? Rep. Haire answered in the affirmative. In answer to Sen. Bingham's suggestion that fees might be charged for arbitration, Rep. Haire replied that all of these options are being discussed.

Mr. Jim Mills, staff, continued with the Department of Correction Inmate Community Work Crews – DOC/OSBM - Preliminary Budget Reduction Proposal – **(Handout #5).** After completion of the presentation, Rep. Sexton asked why DOT would pay such high prices to a private vendor when the inmate cost is so low? Mr. Mills said that this was being considered and is in the early stages of proposal. Rep. Justus asked why there would be any objection in using local agencies and how much would that generate? Mr. Mills stated it would be hard to predict, but worth looking at alternatives to develop. Rep. Sexton asked how many prison guards are in the system. Ms. Tracy Little, DOC, verified that the 11,000 plus were correctional officers only. Rep. Justus asked if that was one officer for every 3 inmates? Mr. Mills said that it was about 2.92. Rep. Justus asked why it wouldn't work just to only bill for the cost of administration of the program – a very good deal? Mr. Mills said that there has been some preliminary discussion on just charging a flat fee. Rep. Justus asked if SB #1014 was used to put the prisoners out on the road and increase their visibility? Mr. Mills said that he thought that SB#1014 actually was to strengthen littering law enforcement. Rep. Kiser asked if it cost $100,000 per year for a medium custody work crew and Mr. Mills verified that this was correct. Rep. Kiser further asked if DOT refunds part of that – is that correct? Mr. Mills said, no, that they were directed in several provisions that they pay the full cost which they have done this year and have a contract to continue to do that next year. Mr. Mills said that he had asked the department about inmate wages in response to Sen. Bingham's question about how much it cost DOT. Mr. David Osborne, DOT, said that what litter cannot be picked up by inmates, would be contracted out. Rep. Kiser asked about the pay by DOT, to which Mr. Osborne responded that it was $1 per day for minimum custody prisoners and medium custody also. The contract is yearly and payment is quarterly. They are trying to get inmates out 80% of the time. The $34,000 figure was estimated to start a community work crew that would work, for example, for the DOT and includes the officers' salary, benefits, vehicle expense – an annual fee. Rep. Justus asked about the relationship between the vendors and the inmate program – cost ration. Mr. Mills said he would get that information. Sen. Thomas said that there were basically three programs – the Community Service Programs for those who are not incarcerated, the Work Crews which are doing the work for the schools and the counties, and the Road Squads picking up litter for DOT and you can charge DOT for the work being done by the Road Squads. Is there any way to convert some of the Work Crews doing work for the locals to Road Squads so that we can charge and convert the Work Crews with Community Service workers – has anyone thought about that? Ms. Little said that one possibility was converting some of the Work Crews to DOT litter crews. Mr. Osborne has talked to people at DOT and they have expressed an interest in that, but, as of yet, they have not committed to pay. As far as Community Service probationers, that would involve some pretty detailed coordination and some more research. Rep. Sexton asked if we might not be pricing ourselves out of business if the vendors become more economical. Mr. Mills said that would be one of the issues –to have a range, since it is hard to predict when a community would stop asking for work crews. Rep. Kiser noted that DOT is willing to pay $100,000

for a medium work crew – why wouldn't they be interested in paying $34,000 for a minimum work crew? Mr. Mills said that they were very interested, but the discussion has only come up in the last few days.

Next, Ms. Elisa Wolper, staff, who presented Impact of Closing Community Correction Programs – **(Handout #6).** Rep. Kiser asked , if there were 1,340 felons on electronic monitoring and 892 misdemeanors, how many would there be at any one time? Ms. Wolper said the average population is in the 900's. Rep. Kiser said if these 317 people didn't need to be incarcerated, why did they have to be on electronic monitoring to begin with? Ms. Wolper said it was not an uncommon sanction in response to a violation. Rep. Kiser asked if it would take more officers in intensive probation if this were done away with? Mr. Robert Guy replied in the affirmative – a definite impact. Rep Justus inquired about the CJPP Program and feels we are making a bad matter worse. Rep. Justus asked if electronic monitoring was still costing about $7 per day? Mr. Guy said that it was. Rep. Sexton commented that no one knows better than the department heads where 'the dead horses' are.
Sen. Thomas had a question about Impact Program – how many inmates go through that program? Ms. Little stated that in the years 2000-2001, there were 941 - males and females. Sen. Thomas then asked if they were exclusively on probation? Ms. Little answered yes. Sen. Thomas asked for any figures on people who go through that program and what % goes to prison. Ms. Little said that there is data available which she doesn't have with her, but will be happy to provide. Sen. Thomas asked if the department believes that the program is successful? Ms. Little said that questions have been raised as to the effectiveness of the program. Rep. Kiser asked what the impact would be on county jails with the elimination of electronic monitoring? Mr. Guy said that they have looked at many areas and have done a lot of guesswork, but it would have a definite impact.

Mr. Jim Mills presented Substance Abuse Treatment Programs **(Handout #7) and (Handout #8)** DOC Substance Abuse Treatment Programs – Division of Alcohol and Chemical Dependency. Rep. Sexton asked where the John Hyman program was located? Ms. Wolper stated – Halifax, Warren and North Hampton. Ms. Wolper explained that this would eliminate the state funding, but that they do have other sources of funding, some of which might also be affected by budget reductions. Sen. Thomas asked how many counselors there are in DART-in-prison treatment, DART regional treatment and DART Cherry combined? Mr. Mills said that he would get that information. Sen. Thomas said that he wondered how that would relate to the 23 administrative positions. Mr. Mills said that the final decision on cutting programs will link back to how many administrative positions you cut and that under different scenarios there would be different options for cutting in the administrative areas. Sen. Bingham said, looking at the daily cost of $28.75 per day for DART and nearly 3 times that much for the private prison contract, could someone explain the difference? Mr. Mills said that the private programs operate as minimum custody with a full range of services. The DART program doesn't include prison custody cost and overhead-that's just purely for the DART programs – not a fair comparison. Rep. Haire asked for an explanation of figures on page 4, 2000 Sentencing Commission Study on Recidivism. Ms. Susan Katzenelson said that they developed the

information from risk factors for being rearrested. Private programs were more effective in reducing re-arrest, but this should be taken with some caution, because these offenders were less predisposed to commit further crimes.
Ms. Elisa Wolper then presented Substance Abuse Programs For Offenders In The Community **(Handout #9).** Rep. Justus asked why there were no cost figures in the Health and Human Services Areas? Ms. Wolper explained that the budget is about $6 million – 2/3 of that is Federal and the rest is State funding. The Federal funding is through a Federal Substance Abuse Block Grant - $50 million for adult substance abuse and TASC is one of those programs. Rep. Justus asked if these were all the drug programs in the state? Ms. Wolper said this is the vast majority and the ones where there's any potential for involvement with the programs that are funded through this committee.

Next, Ms. Denise Thomas, Staff, presented Non-Profit Organizations in Justice and Public Safety Departments – **(Handout #10).** Rep. Kiser asked to go back to Legal Services – is not that money dedicated to legal services and how can we take a reduction? Is the state getting the money or is Legal Services retaining that money to use in some other area? Rep. Haire said that $1.05 out of filing of every court case to Legal Services. Ms. Wolper said that if you were going to do a 10% reduction, you could change the $1.05 to $.95- you would have to go into the statute where it says $1.05. The general fund of AOC would keep that.

Rep. Haire thanked Ms. Thomas for the report and asked if there were any further questions.

Rep. Hall said that in the last session a law was passed that said that if an inmate threw body waste on an inmate, guard, or anybody – that it was a Class A felony. He is having trouble in his district because my District Attorney tells him that it take $4,000 per test and there is no one in the state who will do it. Ms. Tracy Little, DOC ,stated that she was not aware of any problems. Mr. Gregg Stahl, ALC, said that he hadn't heard anything either, but would assume this would be like any other evidence situation – packaged, shipped to the FBI Lab and pay to have it analyzed. Rep. Hall said that the FBI doesn't want to analyze it because they say if they start doing it, it will take up too much of their time. Rep. Haire asked Ms. Little if she knew if any instances in the prison system? Ms. Little responded that they do have cases where inmates throw things at the officers, or urinate on them, but do not have numbers available of that type of infraction. If the committee would like, she will do some research. Mr. Stahl wanted to remind the committee that this was not a DOC Bill. This was a local interest bill – primarily aimed at county jails and where one would expect that most of the situations are – where these might be prosecuted. DOC does have a rather elaborate infraction system whereby they can punish inmates and inmates are staying longer and such. DOC just helped with the bill when it cam along.

Mr. Jim Nowell, new Government Anaylist from the Governor's Office who will be working in the Justice and Public Safety area was introduced.

There being no further business, the meeting was adjourned.

Presiding Committee Chair, Rep. Phil Haire

Sara Jane Lennard, Committee Assistant

Attachments:

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY May 8, 02

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Doclula Baron Hall	MNNC
DiShon Cain	mnnc
Peg Dowe	Conference of District Attorneys
Ashley Heaton	NC Bar
Michelle Frazier	NC Bar
Steve Shaber	Poyner + Spruill
Lao Rubright	CJPC
Linda Q. Washington	DJJDP
Dwayne Patterson	DJJDP
Mary Catherine Hinds	Summit House
Bill C. McAllister	Summit House

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY May 8, 02

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Miriam Saxon	Administrative Office of the Courts.
Jane Clare	Administrative Office of the Courts
Becky Ebron	NC Sentencing Commission
S. Katzenelson	— " —
Jimmy Hevner	"
Claudia Kados	Guardian ad Litem Volunteer
Nick Holt	OSBM
Omar Wilson	MNNC
Emery La Rann	MNNC
Pamela L. Hill	Randolph Co. Juvenile & Adult Day Reporting
Tina Estle	MNNC

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VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — May 8 02

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Kirsten Atkinson	Mediation Network of North Carolina
[signature]	Carolina Dispute Settlement Sora
[signature]	Mediation Network
Blythe Tennent	Mediation Center of Eastern Carolina
Jim Newell	OSBM
Susan Hassell	SJJDP/Youth Development.
[signature]	DJJDP
D Hargrove	DJJDP
Wade Rubin	News & Observer

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — may 8, 02

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Sonya Brown	Div. of Mental Health 325 N. Salisbury St., Ral
Gwendolyn Chunn	Jus. Justice Institute NCCU Durham, NC 27707
Mark Ash	N.C. BAR ASSOCIATION (SMITH ANDERSON LAW FIRM, RALEIGH NC)
NEAL ELLIS	NC BAR Association (Hunton & Williams Law Firm, Raleigh)
A. Stein	DMH/DD/SAS
Colleen Kochanek	Hafer & Caldwell

Handout #1
May 8, 02
Joint

To The Joint Appropriation Subcommittee on Justice and Public Safety
Presentation by Department of Juvenile Justice and Delinquency Prevention
On Plan for Reducing Youth Development Center Beds and Relocating Two Detention Centers

1. Justification for the plan for reducing Samarkand and relocating two detention centers.

   - The downsizing of Samarkand is required to meet the mandates of the Governor's seven to eleven percent reductions for the Department.

   - As the attached budget summary shows, the downsizing from 201 beds to 73 beds would allow the department to revert between $5,873,655 and $7,433,822 of the Samarkand budget.

   - There is a legislative mandate to phase out training schools as the training school population diminishes. (Article 3C 147-33.36)

   - The Youth Development Center population has been reduced; the average daily population (ADP) was 909 in FY 2000, 882 in FY 2001 and has averaged 645 in FY 2002 until April 15th.

   - Samarkand is one of two facilities without a security fence. Dobbs - other location It is located in a remote area of the state in Eagle Springs with poor access for families and challenging recruitment of professional, clinical, and educational staff.

   - Samarkand provides greater placement opportunities for current staff because of the openings created by the RSAT grant, a federally funded Residential Substance Abuse Treatment Program for 16-20 girls. The RSAT grant amount for FY 2002 is approximately $700,000. The Crime Commission has these funds until 2004.

   - Samarkand is one of three facilities located in the southern portion of North Carolina (Stonewall Jackson is located in Concord, Samarkand in Eagle Springs, and Dobbs is located in Kinston). Two of these facilities are unfenced. Dobbs serves the eastern portion of North Carolina with significant admission rates from nearby counties. Stonewall Jackson serves a highly populated geographic area with admission rates totally supporting that center from bordering counties. Samarkand, with its location in the middle of these two facilities, is a better candidate for downsizing as admission rates from surrounding counties do not support this facility. Dobbs the remaining unfenced facility is needed to serve the children in North Carolina.

   - Samarkand does not house violent or sex offenders; the juveniles housed at Samarkand are better candidates for placement at the remaining four Youth Development Centers.

2. The relocation of Buncombe and Umstead Detention Centers.

   - Relocation of the Umstead Detention Center to C.A. Dillon and Buncombe to Swannanoa Valley Youth Development Center allows the Department to revert to $1,482,424.00 of the Detention Divisions budget.

- Umstead and Buncombe Centers were chosen because of their close proximity to their sister youth development centers.

- C.A. Dillon and Swannanoa both have high vacancy rates among our direct care positions. These vacancies make it possible to place all the employees currently working at Buncombe and Umstead Detention centers.

- Umstead Detention center is located on the campus of John Umstead Hospital and requires food preparation and delivery from the Dillon campus. This 32 bed facility has 40 staff that will be placed in current vacancies solving C.A. Dillon's staff vacancy problem.

- Buncombe Detention Center has seven large rooms with no plumbing fixtures in any room. Each room houses two children. The center has over two million dollars in needed renovations and repairs pending.

- The relocation of these two facilities is good government, allowing the department to do more with less, thereby maximizing personnel and resources.

- Once Umstead and Buncombe are relocated, the detention operations will operate separate and apart from the youth development center operation. There will be no mixing of detention center populations and youth development center population. These two detention operations will have a detention manager and will come under the oversight of the Youth Development Center campus director.

3. The EOC and SOC bed capacity at each Youth Development Center and system wide before and after reductions and relocations. Listed below is a summary of the attached TOC/EOC and SOC chart.

TOC, SOC and EOC of current system:
TOC 884 minus 38 temporary closed beds at Stonewall Jackson equals TOC of 856
TOC 856 minus 73 segregation beds and 32 overflow beds equals SOC of 751
SOC 751 plus 32 overflow beds at Samarkand equals EOC of 783.

TOC and SOC of system with Samarkand Downsizing:
TOC 856 minus 128 beds with downsizing of Samarkand equals a TOC of 728
TOC 728 minus 50 remaining segregation beds equals SOC of 678.
There is no EOC as all overflow beds are lost with the downsizing of Samarkand.

TOC and SOC with Samarkand Downsizing and the relocation of Buncombe and Umstead Detention Centers
TOC 728 minus 20 for Buncombe relocation and 20 beds for Umstead relocation equals a TOC 688.
TOC 688 minus 50 segregation beds equals a SOC of 638. There is no EOC.

4. The downsizing of Samarkand and the relocation of Buncombe and Umstead Detention Centers reduce the number of beds available to house juveniles in the future. The downsizing of Samarkand will require the reassignment of approximately ninety boys to the other four remaining Youth Development Centers. This reassignment of ninety juveniles will use nearly all of the systems total operated bed capacity of 688 beds. If the population increases to the Sentencing Commissions FY 2003 projection of 873, the Department will be forced to declare an emergency and seeks the $9,250,000 in budget dollars to open McWhorter and contract to house the remaining juveniles above the Department's bed capacity.

5. The downsizing of Samarkand may result in the loss of the following positions:

    12 Administrative Positions
    3 Nurses
    20 Education Positions
    35 Direct Care Positions
    24 Clinical Positions
    10 Food Service Positions
    5 Maintenance Positions

    133 Total Positions Samarkand has a total of 221 positions minus 133 leaves 88 remaining positions

The final decisions as to what positions to cut have not been made.

DJJDP
Potential Options for Reducing Budget
for Fiscal Year 2002-2003

Percentage Reduction	11 %	10%	9%	8%	7%
Targeted Percentage	**13,729,278**	**12,481,162**	**11,233,046**	**9,984,930**	**8,736,814**
Reductions					
Reduce Youth Development Center Beds	7,433,822	7,206,754	6,969,887	6,121,771	5,873,655
Relocate Buncombe & Umstead Centers	1,482,424	1,482,424	1,482,424	1,482,424	1,282,424
Close Three MP Group Homes	1,500,000	1,500,000	1,500,000	1,500,000	1,000,000
Administrative Cuts	919,871	800,000	330,735	330,735	230,735
Increase Detention Fees Charged to Counties	600,000	600,000	300,000	-	-
Reduce Court Counselor Travel & Positions	600,000	300,000	300,000	200,000	-
Reduce Funding of local JCPCs	466,979	-	-	-	-
Food Service Receipts	350,000	350,000	350,000	350,000	350,000
Reduce Funding of Local Governor's One-on-One Programs	195,929	78,118	-	-	-
Reduce Funding for Local Teen Court Programs	53,753	48,866	-	-	-
Reduce CIS Funding	49,500	45,000	-	-	-
Reduce Local Funding of Boys and Girls Clubs	44,000	40,000	-	-	-
Reduce Project Challenge Funding	16,500	15,000	-	-	-
Reduce Cumberland Juvenile Assessment Center	16,500	15,000	-	-	-
TOTAL CUTS	**13,729,278**	**12,481,162**	**11,233,046**	**9,984,930**	**8,736,814**
Difference between cuts and Target %	**-**	**-**	**-**	**-**	**-**

MS/tw 5/7/02

North Carolina Youth Development Center System Capacity

YDC	HOUSING UNIT	TOTAL BEDS	SEGREGATION BEDS	OVERFLOW BEDS	CURRENT		WITH SAMARKAND DOWNSIZING	RELOCATION UMSTEAD BUNCOMBE MCWHORTER CLOSED	REMAINING SEGREGATION BEDS
G.A. DILLON	A	36					36		
	B	34					34		
	D	70					70		
	E	20					20	-20	
	Total	160	0	0	0		160	140	0
DOBBS	LARKINS	13					13		13
	MADISON	24	13				24		
	NEW DORM	24					24		
	FEDERATION	19					19		
	REID	48					48		
	KELSEY	16					16		
	Total	144	13	0	0		144	144	13
SAMARKAND	MITCHELL	20					*CLOSE*		
	CARROLL	22	14 Boys	8			*CLOSE*	Downsizing Samarkand reduces Samarkand by 128 beds with 73 beds remaining for females.	
	IRELAND	38		8			38		
	NORDAN	48		16			*CLOSE*		
	FRYE	35	16 Girls				35		
	TUFTS	27					*CLOSE*		
	HOPE	11					*CLOSE*		
	Total	201	30	32	0		73 Girls	73 Girls	7
JACKSON	KIRK	37					37		
	MCWHORTER	38			38		*CLOSE*		
	HOLSHOUSER	56	16				56		16
	Total	131	16	0	38		93	93	16
SWANNANOA	SWEATT	60					60	-20	
	GILLIATT	48					48		
	GREENWOOD	42	14				42		14
	SLOOP	60					60		
	FRYE	48					48		
	Total	258	14	0	0		258	238	14
	GRAND TOTALS				38		728	688	50

TOC (Total Operating Capacity)	894		73		32		38	856	728	688	688
SOC (Standard Operating Capacity)	894	−	73	−	32	=	789	751	678		688 - 50 = 638
EOC (Expanded Operating Capacity)	789	−	0	+	32	=	821	783	N/A		N/A

System With Samarkand Downsizing

System total bed capacity (TOC) with no temporarily closed beds = 894. TOC of 894 - 38 beds, temporarily closed at Stonewaall Jackson, -128 beds closed at Samarkand = TOC 728 by downsizing of Samarkand. (73 beds will remain at Samarkand to house the female population, 66 general population beds and 7 segregation beds, final housing assignment for female population has yet to be determined).

TOC, SOC & EOC Current System

TOC 894 - 38 Temporary Closed Beds at Stonewall Jackson
TOC 894 - 38 = 856
New TOC 856 - 73 Segregation Beds - 32 Overflow Beds
TOC 856 - 73 -32 = New SOC 751
SOC 751 + 32 Overflow Beds = EOC 783

TOC & SOC System with Samarkand Downsizing

TOC 856 - 128 Closed Samarkand Beds
TOC 856 - 128 = New TOC 728
TOC 728 - 50 Segregation Beds
TOC 728 - 50 = SOC 678

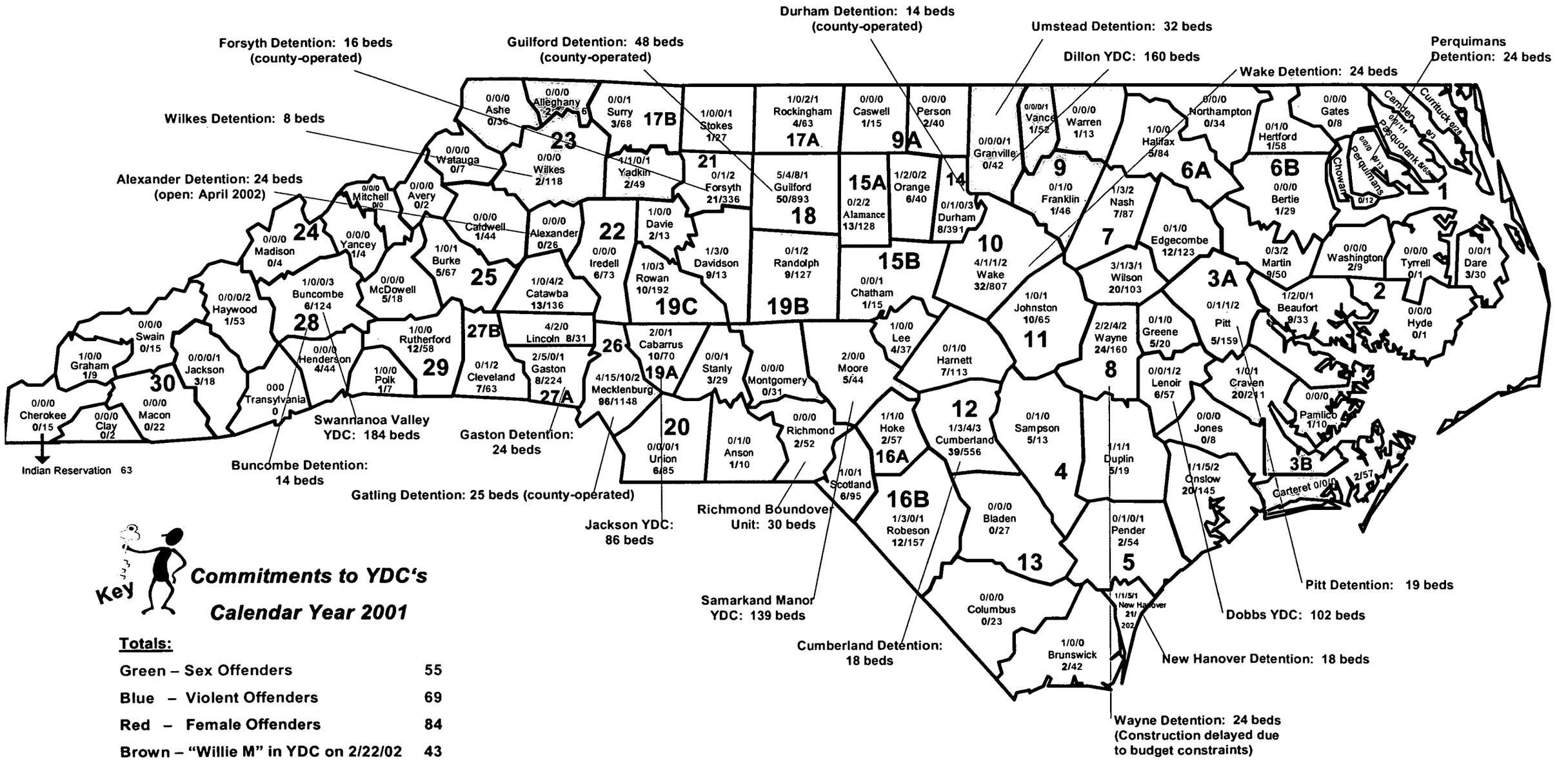
TOC & SOC Samarkand Downsizing, Umstead, Buncombe Relocation

TOC 728 - 20 Umstead -20 Buncombe
TOC 728 -20 -20 = TOC 688
New TOC 688 - 50 Remaining Segregation Beds
TOC 688 - 50 = SOC 638

638 SOC with no overflow beds

38 beds at Stonewall Jackson. To open would require 27 staff. 50 segregation beds with 38 beds at McWhorter equals 726 total system capacity with authorized staff to open McWhorter.

North Carolina Department of Juvenile Justice and Delinquency Prevention



Totals:

Green – Sex Offenders	55
Blue – Violent Offenders	69
Red – Female Offenders	84
Brown – "Willie M" in YDC on 2/22/02	43
Black – Total All YDC Offenders	667

ple – Detention Admissions for 2001

LARGE BLACK numbers – Court District

Handout #2

Mediation Network of north carolina

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may 8 02 mckee

Activities of the Community Mediation Centers During Fiscal Year 2000-01

For Presentation to the Justice and Public Safety Joint Appropriations Committee

May 2002

ACTIVITIES OF THE COMMUNITY MEDIATION CENTERS FOR THE FISCAL YEAR 2000-01

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ACTIVITIES OF THE COMMUNITY MEDIATION CENTERS FOR THE FISCAL YEAR 2000-01

INTRODUCTION

Although the General Assembly has been appropriating funds to support community mediation centers since 1979 when the first center formed in Orange County, it was not until 1999 that this support was formalized with the ratification by the General Assembly of House Bill 924. Enacted as Chapter 354 of the 1999 Session Laws, the bill added a new N.C.G.S. §7A-38.5, subsection (a) of which provides as follows:

> *[I]t is in the public interest to encourage the establishment of community mediation centers, also known as dispute settlement centers or dispute resolution centers, to support the work of these centers in facilitating communication, understanding, reconciliation, and settlement of conflicts in communities, courts, and schools, and to promote the widest possible use of these centers by the courts and law enforcement officials across the State.*

The remaining subsections of the 1999 statute include the following:

> *Community mediation centers may receive referrals from courts, law enforcement agencies, and other public entities . . .*
>
> *Each chief district court judge and district attorney shall encourage mediation for any* ***criminal*** *district court action pending in the district when the judge and district attorney determine that mediation is an appropriate alternative* [emphasis added] . . .
>
> *Each chief district court judge shall encourage mediation for any* ***civil*** *district court action pending in the district when the judge determines that mediation is an appropriate alternative* [emphasis added].

Additionally, last year the General Assembly enacted N.C.G.S. §7A-38.6 as Section 22.2 of SL 2001-424 (SB 1005). Subsections (a)-(c), and perhaps (d)-(e), of the new statutory section mandate annual reporting to the General Assembly on various matters that this report addresses. Subsection (j) provides as follows:

> *Each community mediation center receiving State funds shall function as, or as part of, a nonprofit organization or local government entity. A community mediation center functioning as a nonprofit organization shall have a governing board of directors that consists of a significant number of citizens from the surrounding community. State funds may not be used for indirect costs associated with contracts between the community mediation center and another entity for the provision of management-related services.*

Staff of the General Assembly's Fiscal Research Division (FRD) has requested that the Mediation Network provide information on each center's status relative to the provisions of subsection (j), in addition to the information that N.C.G.S. §7A-38.6 requires the Network to provide. The Network has been working with FRD staff regarding this request, and will submit an addendum to this report that provides the requested information prior to the convening of the General Assembly's next session.

EXECUTIVE SUMMARY

Summary Statement:

During the fiscal year 2000-01, major changes from the prior year include:

- Increase in counties being provided mediation services by centers from 73 to 79
- Increase in clients served from 58,963 to 65,960 or an increase of 11.9%
- Increase in mediation/conciliation cases referred from 16,698 to 18,963 or 13.6%
- Increase in success rate of mediated cases from 79% to 84%.
- Increase in State Appropriation to $1,603,124, or a 23% increase over the prior year
- Increase in other funding sources of 19%
- Increase in volunteer hours from 39,249 to 41,715 or 6.3%

To support their efforts, the centers relied heavily on appropriations from the General Assembly, but also obtained significant additional funding from a variety of State and local sources. The centers also enjoyed the support of more than 1,600 volunteers who provided over 40,000 hours of service to the centers. As they look toward the fiscal year 2001-02, the centers envision meeting increasing demand for family and youth services in particular by increasing the capacity to recruit and train new, qualified volunteers.

General Information:

number of centers that received a State appropriation:	27 (including Mediation Network)
number of centers that provided services:	27 (including Mediation Network)
number of counties served:	79

Types of Dispute Settlement Services Provided and Clients Receiving Each Type of Service:

predominant services provided:	mediation and conciliation (all 26 centers)
other services provided:	training (21 centers)
	facilitation (15 centers)
	consultation (12 centers)
	various other (19 centers)

Number and Type of Referrals Received:

cases referred for mediation or conciliation:	18,963
referrals from court officials:	14,123 (74%)
referrals from other sources:	4,924 (26%)
criminal referrals:	14,287 (75%)
non-criminal referrals:	4,676 (25%)

commonly referred criminal case types:	consumer-merchant matters assault cases communicating threats cases
commonly referred non-criminal case types:	domestic relations school-related matters landlord-tenant disputes

Cases Actually Mediated or Conciliated, Cases Resolved in Mediation or Conciliation, and Total Clients Served in the Cases Mediated or Conciliated:

cases referred for mediation or conciliation:	18,963
cases in which mediation or conciliation was attempted:	16,089 (85%)
cases resolved via mediation or conciliation:	13,544 (84%)
persons served in the cases mediated or conciliated:	30,675

Total Program Funding and Funding Sources:

total amount of State appropriations:	$1,603,124
range of appropriation amounts:	$25,750 (Johnston) to $146,000 (Carolina)
average appropriation amount:	$61,659
most significant funding source:	State mediation appropriation
total amount other funding sources:	$3,641,609
other significant funding sources:	city and county government donations and in-kind contributions IOLTA non-State contracts, fees and grants [e.g. GCC] State grants [e.g. OJJ/CBA/JCPC] United Way
total budget amounts:	$5,225,785
funding percentage restrictions ("funding ratios"):	Three centers did not fully meet 2000-01 match guidelines, primarily due to cutbacks in other grants.

Use of Total Funds:

primary expenditure:	employee salaries
other significant expenditures:	contractual services FICA and employee benefits rent, equipment, supplies, travel, postage

Use of State Funds:

primary expenditure:	employee salaries
other significant expenditures:	contractual services and professional service fees employee benefits and FICA rent, travel, volunteer and staff development costs

Level of Volunteer Activity:

number of volunteers:	1,627
hours served by these volunteers:	41,715
services provided by volunteers:	providing mediation and conciliation services facilitating, training and consulting providing court intake and court liaison services providing community outreach and program development services raising funds and engaging in promotional activities providing clerical and other support services providing professional services (e.g., accounting and other financial services) providing grounds-keeping and maintenance services receiving skills training and attending educational programs providing foreign language interpreting and translating services serving on boards of directors and advisory committees serving as corporate officers

Future Service Demands and Budget Requirements:

most frequently reported goal:	additional staff time to: A. Train additional volunteers B. Respond to increasing demand for youth and family mediation services

CENTERS RECEIVING A STATE APPROPRIATION DURING THE FISCAL YEAR 2000-01

Center	Director	Counties Served During Fiscal Year 2000-01
Alamance County Dispute Settlement Center	Lisa Dodson	Alamance
Albemarle Dispute Settlement Center	Jean F. Person	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans
Blue Ridge Dispute Settlement Center	Melissa G. Johnson	Alleghany, Ashe, Avery, Madison, Mitchell, Watauga, Wilkes, Yadkin, Yancey
Cabarrus County Mediation Center	Jessie Blackwelder	Cabarrus
Carolina Dispute Settlement Services	Diann Seigle	Caswell, Durham, Franklin, Granville, Person, Vance, Wake, Warren
Charlotte-Mecklenburg Community Relations Committee/Dispute Settlement Program	Stephanie Jennings	Mecklenburg
Chatham County Dispute Settlement Center	Janice Almond	Chatham, Lee
Community Mediation Center of Cape Fear	Kirsten Bailey Atkinson	Brunswick, Columbus, New Hanover, Pender
The Conflict Resolution Center	Tammy Childress Willcox	Burke, Caldwell, Catawba
Cumberland County Dispute Resolution Center	Tina Estle	Cumberland
Dispute Settlement Center	Dothula Baron	Duplin, Jones, Onslow, Sampson
Dispute Settlement Center of Moore County	Billie M. Mackey	Moore
Foothills Mediation Center	Wanda S. Miles	Polk, Rutherford, McDowell
Henderson County Dispute Settlement Center	Cynthia Edge-Allen	Henderson
The Mediation Center	Ann Flynn	Buncombe

Mediation Center of Eastern Carolina	Blythe Tennent	Carteret, Craven, Edgecombe, Nash, Pitt, Wilson
Mediation Center of the Southern Piedmont	Janet H. Mahannah	Cleveland, Gaston, Lincoln
Mediation Services of Forsyth County	Emery Rann	Forsyth
Mediation Services of Guilford County	Yvonne J. Johnson, Executive Director; Bruce Pugh, Program Director	Guilford
Mediation Services of Rockingham County	Anthony Gibbons	Rockingham, Stokes, Surrey
Mountain Dispute Settlement Center	Suzanne Vincent	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain
Orange County Dispute Settlement Center	Frances W. Henderson	Orange
Piedmont Mediation Center	Ken Richards	Alexander, Davidson, Davie, Iredell
Sandhills Mediation Center	Pamela Moye	Hoke, Scotland
Transylvania Dispute Settlement Center	John A. Fenner	Transylvania
The Mediation Center at Johnston County Community College	Michael Spragins	Johnston, Harnett and Wayne
Mediation Network of North Carolina	Don McKee	[Statewide]

NEW DEVELOPMENTS DURING THE FISCAL YEAR 2000-01

Additional Services to Youth and Families

The fiscal year 2000-01 saw a continuing increase in demand for services for school-aged youth by community mediation centers:

- Juveniles and school-aged youth from ages 8 to 18 are eligible for these services;
- Undisciplined and delinquent youth can be referred or diverted from Juvenile Court at all levels: intake, pre-adjudication, adjudication, and disposition;
- Referrals can also come from: school personnel, law enforcement (including School Resource Officers), parents and other family members, community members and community agencies;
- All clients are individually screened and interviewed prior to acceptance;
- All services are confidential, voluntary, and offered regardless of family income.

Youth Mediation

- Young people involved in conflicts (including family conflicts, disagreements between friends, conflicts among peers) meet with the other party(s) in a safe, confidential setting with trained mediators;
- All parties are given equal opportunity to speak and be heard, with an emphasis on suspending judgment, listening for understanding, and validating each participant's perspective;
- The parties create solutions which address the concerns of both, under the guidance of the mediator.

Truancy and Post-Suspension Mediation

- Offers a confidential opportunity for youth, parent/guardian, and school officials to become involved in creating a solution, with the help of a trained mediator;
- Helps identify the root causes of truancy, school attendance trauma and school-based misbehavior, and creates a clear plan toward improvement;
- Helps to establish and enhance relationships between child, family, and school;
- Helps resolve underlying issues that led to the suspension-related incident.

Family Conflict Resolution Training

- Equips individuals and families with skills to better address their own conflicts; create clear understandings around needs, behaviors and consequences; and establish appropriate family boundaries;
- Youth (often juvenile offenders) participate with parents or guardians, siblings, and/or other interested family members;
- Youth and adults are able to observe, practice, discuss, and model skills in small and large group settings;
- Families participate in a series of 6–10 week interactive, group sessions led by mental health and conflict resolution specialists.

TYPES OF DISPUTE SETTLEMENT SERVICES PROVIDED AND NUMBER OF CLIENTS RECEIVING EACH TYPE OF SERVICE

Over 66,000 individuals received various types of dispute settlement services in North Carolina in 2001.

With the exception of the Charlotte-Mecklenburg program, which is an agency of local government, the community mediation centers are independent, non-profit corporations. Accordingly, the centers tailor their services to meet the particular needs of their respective communities. As a result, it is difficult to generalize about the centers and the services they provide. For example, while the predominant services are mediation and conciliation, many of the centers provide other types of services, including group facilitation, training and consultation. These services may be explained as follows:

Mediation: Mediation is an attempt to assist the parties to a dispute in reaching their own resolution of the problem. The parties meet with a mediator [or co-mediators] who often is a center volunteer. The mediator facilitates the resolution of the dispute by clarifying issues, exploring possible options and improving communication between the parties. The mediator does not prescribe an outcome or render a judgment.

Conciliation: Conciliation is conflict resolution accomplished without resort to formal mediation. Conciliation may involve telephone contact, informal office discussions, or other contact short of formal mediation that seeks to resolve the dispute.

Group Facilitation: Group facilitation is an effort made during a meeting or other assembly to encourage the smooth and constructive flow of the discussion. For example, center staff members may facilitate the discussion at a local school board meeting where relations between the board and members of the public are acrimonious.

Training: Training is an effort made to educate a person or group. Common types of training provided by the centers include diversity training, "train the trainer" peer mediation classes and conflict resolution classes taught to law enforcement personnel.

Consultation: Consultation is an arrangement under which a center serves an entity in an advisory or informational capacity.

"Other" Services Provided: Centers were asked to list additional services that did not fall within the above categories. These include Collection Cases (e.g. certain types of worthless checks and video rental returns not included elsewhere); Teen Court; Arbitration; Legal Clinic; Mediations in Schools Overseen or Monitored by the Center (e.g. peer mediation); Mandatory Custody Mediation; Youth and Family Systems Conflict Resolution Intervention; and others.

Center	Clients Receiving Mediation or Conciliation Services	Clients Receiving Facilitation Services	Clients Receiving Training Services	Clients Receiving Consultation Services
Alamance County DSC	815		149	
Albemarle DSC	508			
Blue Ridge DSC	1199		175	
Cabarrus Co. Med. Ctr.	405		62	240
Carolina Dispute Settlement Svcs.	2815	36	1210	243
Charlotte-Mecklenburg DSP	2903	440	1255	200
Chatham County DSC	732	25	103	9
CMC of Cape Fear	735	77	430	
The Conflict Resolution Ctr.	667	235	756	13
Cumberland Co. DRC	1172		200	
Dispute Settlement Center	69	199	3260	
DSC of Moore County	2376		54	6
Foothills Mediation Ctr.	952		70	
Henderson County DSC	917	528	561	118
The Mediation Center	1626	656	1211	2008
Mediation Ctr./Eastern Carolina	493	100	1919	
Mediation Ctr./So. Piedmont	3911	46	1648	
Med. Svcs. of Forsyth Co.	2012	94	63	980
Med. Svcs. of Guilford Co.	2048			
Med. Svcs. of Rockingham Co.	1005			
Mountain DSC	530	306	788	
Orange County DSC	610	458	2087	57
Piedmont Mediation Center	1483			97
Sandhills Mediation Center	378	30	662	49
Transylvania DSC	298	119	305	
Mediation Ctr. at Johnston CCC	16			
TOTAL NUMBER OF CLIENTS RECEIVING EACH TYPE OF SERVICE:	**30,675**	**3,349**	**16,968**	**4,020**

NUMBER OF REFERRALS RECEIVED

Center	Total Mediation and Conciliation Referrals (Regardless of Referral Source)	Referrals from Court Officials	Referrals from Other Sources
Alamance County DSC	409	301	108
Albemarle DSC	255	170	85
Blue Ridge DSC	578	418	160
Cabarrus County Med. Ctr.	321	198	207
Carolina Dispute Settlement Services	1,196	999	197
Charlotte-Mecklenburg DSP	3,192	2,866	326
Chatham County DSC	298	213	85
Community Med. Ctr. of Cape Fear	423	69	356
The Conflict Resolution Center	424	309	115
Cumberland County DRC	602	507	95
Dispute Settlement Center	29	2	27
DSC of Moore County	1,161	1,007	154
Foothills Mediation Center	457	457	
Henderson County DSC	579	362	217
The Mediation Center	1,637	1,054	583
Mediation Ctr. of Eastern Carolina	456	332	124
Mediation Ctr. of the So. Piedmont	1,855	1,628	227
Med. Services of Forsyth County	1,240	411	829
Med. Services of Guilford County	1,024	703	321
Med. Services of Rockingham Co.	476	218	258
Mountain DSC	353	243	110
Orange County DSC	524	396	128
Piedmont Mediation Center	1,115	1,057	72
Sandhills Mediation Center	212	92	120
Transylvania DSC	139	109	30
Mediation Ctr. at Johnston CCC	8	2	6
Total Number of Referrals:	**18,963**	**14,123**	**4,924**

Summary:

- 74% of referrals came from Court officials
- 26% came from law enforcement, attorneys, offices of Attorneys general, school officials or self-referrals.
- Regardless of the number of warrants that may have been issued in a particular case, the AOC asked the centers to count the case only once. Restated, the AOC asked the centers to count cases or defendants, not warrants.

TYPE OF REFERRALS RECEIVED

Case type	Total Mediation and Conciliation Referrals (Regardless of Source)	Referrals from Court Officials	Referrals from Other Sources
Criminal Matters:			
Animal Complaint	41	27	14
Assault	3685	3159	526
Communicating Threats	1939	1690	249
Consumer-merchant (incl. worthless checks)	4331	4283	48
Harassment	855	737	118
Injury to Real Property	406	316	90
Juvenile Offender	495	419	76
Ordinance Violation	56	39	17
Property Vandalism/Theft	962	849	113
School Problems	147	58	89
Trespassing	686	587	99
Unauthorized Use of Motor Vehicle	279	240	39
Other Criminal Matters	405	565	80
Non-Criminal Matters:			
Animal Complaint	41	9	32
Assault	120	15	105
Borrowed Money	62	14	48
Breach of Contract	89	29	60
Consumer-merchant	235	29	206
Conversion	20	9	11
Domestic Relations	1456	535	923
Employer-Employee	120	28	92
Injury to Real Property	67	6	61
Landlord-Tenant	330	41	289
Neighborhood	179	40	139

Noise/Nuisance	71	9	62
Professional/Client or Professional/Patient	54	4	50
School Problems	856	158	698
Trespassing	98	11	87
Workplace Disputes Between Employees	52	3	49
Other Non-Criminal Matters	826	454	372
CRIMINAL TOTALS:	**14,287**	**12,969**	**1,318**
NON-CRIMINAL TOTALS:	**4,676**	**1,394**	**3,282**
OVERALL TOTALS:	**18,963**	**14,363**	**4,600**

Summary:

- 75% of referrals from "other sources" are criminal
- 90% of court referrals are criminal cases
- most commonly referred criminal cases:
  - consumer-merchant
  - assault
  - communication of threats
- most commonly referred non-criminal cases:
  - domestic relations
  - school-related problems
  - landlord-tenant matters

CASES ACTUALLY MEDIATED OR CONCILIATED AND TOTAL CLIENTS SERVED

Center	Total Number of Cases Referred	Cases Mediated or Conciliated	Cases Resolved in Med. or Conc.	Clients Who Rec'd. Med./ Conc. Services
Alamance County DSC	409	409	374	815
Albemarle DSC	255	255	197	508
Blue Ridge DSC	578	500	484	1199
Cabarrus County Med. Ctr.	321	198	196	405
Carolina Dispute Settlement Services	1196	1196	1076	2815
Charlotte-Mecklenburg	3192	2412	1354	2903
Chatham County DSC	298	298	156	732
Community Med. Center of Cape Fear	423	422	391	735
The Conflict Resolution Center	424	379	273	667
Cumberland County DRC	602	602	492	1172
Dispute Settlement Center	29	29	8	69
DSC of Moore County	1,161	1161	1153	2376
Foothills Mediation Center	457	457	485	952
Henderson County DSC	579	245	226	917
The Mediation Center	1,637	747	654	1626
Mediation Ctr. of Eastern Carolina	456	317	289	493
Mediation Ctr. of the So. Piedmont	1,855	1855	1804	3911
Med. Services of Forsyth County	1,240	1170	817	2012
Med. Services of Guilford County	1,024	1024	866	2048
Med. Services of Rockingham Co.	476	476	476	1005
Mountain DSC	353	234	215	530
Orange County DSC	524	292	252	610
Piedmont Mediation Center	1,115	1051	966	1483
Sandhills Mediation Center	212	212	199	378
Transylvania DSC	139	140	139	298
The Mediation Ctr. at Johnston CCC	8	8	2	16
TOTALS:	**18,963**	**16,089**	**13,544**	**30,675**

Summary:

- Of the 18,963 total cases referred, the centers attempted to mediate or conciliate 16,089 or eighty-five percent (85%) of the cases.
- Of the attempted cases, 13,548 or eighty-four percent (84%) were resolved.

VOLUNTEER ACTIVITY

Center	Total Number of Volunteers	Total Number of Volunteer Hours
Alamance County Dispute Settlement Center	33	429
Albemarle Dispute Settlement Center	97	1548
Blue Ridge Dispute Settlement Center	35	1725
Cabarrus County Mediation Center	60	2806
Carolina Dispute Settlement Services	105	3504
Charlotte-Mecklenburg Dispute Settlement Program	145	2095
Chatham County Dispute Settlement Center	32	960
Community Mediation Center of Cape Fear	97	2285
The Conflict Resolution Center	55	1186
Cumberland County DRC	95	1210
Dispute Settlement Center	58	740
Dispute Settlement Center of Moore County	39	3084
Foothills Mediation Center	48	2876
Henderson County Dispute Settlement Center	55	2058
The Mediation Center	121	1606
Mediation Center of Eastern Carolina	64	764
Mediation Center of the Southern Piedmont	34	641
Mediation Services of Forsyth County	61	1745
Mediation Services of Guilford County	115	1950
Mediation Services of Rockingham County	24	932
Mountain Dispute Settlement Center	54	2158
Orange County Dispute Settlement Center	85	2140
Piedmont Mediation Center	39	673
Sandhills Mediation Center	24	1460
Transylvania Dispute Settlement Center	45	924
Mediation Center at Johnston Community College	7	216
TOTALS:	**1,627**	**41,715**

CONCLUSION

As of 30 June 2001, there were twenty-six State-funded community mediation centers with over 40 office locations providing services in North Carolina. During the fiscal year 2000-01, these centers served 79 counties and nearly 66,000 persons through a variety of services.

Most of these persons received mediation or conciliation services. Nearly 19,000 cases were referred to the community mediation centers for mediation or conciliation, representing a 14% increase in cases from the prior year. Court officials referred the majority of these cases and most were criminal matters. 85% of the referred cases were appropriate and the parties agreed to attempt mediation or conciliation. Of those cases the centers attempted to mediate or conciliate, 84% were successfully resolved. Overall, the local community mediation centers resolved via mediation or conciliation more than 13,000 cases that otherwise might have required the attention of the court system, an increase of over 1000 cases from the prior year.

In order to provide these services, the centers continue to rely on appropriations from the State of North Carolina - $1,603,124 in fiscal year 2000-01, making the State mediation appropriation one of the top three funding sources for each of the centers. The centers continue to obtain significant additional funding from a variety of other sources, however, including city government, county government, county school systems, donations, IOLTA, non-State contracts and fees for services, non-State grants, State grants, State Teen Court funds and the United Way. Funding from sources other than the State appropriation totaled $3,035,725. Combining the State appropriation with all other sources, the centers' and Mediation Network's combined budgets totaled $4,333,219; the State appropriation was 30% of the total amount.

The centers also received assistance in the form of in-kind contributions and volunteer service. With regard to the latter, more than 1,600 volunteers provided over 41,000 hours of service to the community mediation centers. These trained volunteers are the 'community' in community mediation.

The centers hope to enjoy similar success in the fiscal year 2001-02. While recognizing the States financial problems, nearly every center has reported increasing demand for mediation/conciliation services, especially those that have the potential for reducing the number of court-adjudicated cases.

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Handout #3
Wolpin
May 8, 02

COURT ORDERED ARBITRATION

- Mandatory in qualified cases (primarily financial)
- Available in 72 counties in 36 Superior Ct Districts
- Cases are 98% District Court
- Maximum Claim is $15,000
- Most sessions one hour. Arbitrator is paid $75/hour
- Decision can be appealed to Court where case is filed
- If party appeals after arbitration, they pay a $75 fee; $130,000 was collected last year
- Costs of program are arbitrator fees and staff to coordinate. Staff work for the Chief District Court Judge.

- 2002-3 Certified Budget:

Expend	$1,072,814
GF fees collected:	$ 135,000
Net:	$ 937,814

- Budget by Purpose:
  Personnel 55%
  Arbitrator Fees 41%

- Positions:
  15.5 Administrators
  Range from half-time to fulltime
  In Districts 3A, 5, 8, 10, 12, 13, 14
  18,20, 21, 22, 23, 24, 25A, 26, 27A, 29
  16 of the districts without staff

  Position equivalent to Judicial Assistant ($28,197)

- In 2000-01 there were 7,107 cases noticed for arbitration and arbitration conducted in 4,876 of the cases. Of these cases, 1,344 were appealed (27.5%) and 363 went to trial (7.4%.). 2001-2 projected: 6,761 cases noticed, 4,554 arbitrated, appeal rate 25.4%.

- The cost per arbitrated case is $192. The cost per successfully arbitrated case (no appeal) is $265. A day in District Court costs $688 (non jury civil)

- Based on these numbers, arbitration kept 3,532 cases out of regular court. The overall trial rate for comparable cases is 12.6%. Reducing this rate to 7.4% saves 253 trials.

- Program statistics vary by district. The appeal rate varies from 3.7% in #16B to 55.5% in #27A. This can reflect a different mix of cases among other factors. The Trial rate varies from 0% in 16B to 21.7% in #16A. Four districts had trial rates for arbitrated cases higher than the rate for comparable cases statewide.

OPTIONS

- *Eliminate Program.* Cases would be heard in regular court. Primary impact will be on District Court workload. ($937,814)

- Limit Program to exclude cases *appealed from magistrate decisions.* This would reduce the scope of the program by 12%-36% depending on the district. Using 24%, this would save ($102,567) in arbitration fees. Staff levels could be reduced accordingly. This option would prevent some minor cases being heard 3 times (magistrate, arbitration, appeal to courts) but would put more of these potentially time consuming cases in District Court. (3.5 posn)

- Limit Program to *exclude collection cases.* These represent roughly 20% of total workload. This would result in a savings on arbitration fees of ($ 85,472). Staff levels could be reduced accordingly (3 posn).

- *Eliminate administrative staff* in some or all of the districts and administer program through the Trial Court Administrators or Judicial Assistants. This eliminates 15.5 positions and saves ($572,761)

- Have non-indigent *parties pay arbitration fees. IF* fees were collected on all cases that would save $427,363. Indigency would need to be determined by Clerk of Courts or by Arbitration Program procedures and would involve some administrative costs but the indigency rate would probably be small. Assuming a rate half that of criminal cases, fees would be collected in 75% of the cases for a savings of ($320,522).

- *Fee for appeals could be increased from $75.* However, parties have already paid regular court costs for their initial filings. A case first heard before a magistrate then sent to arbitration then appealed to District Court currently involves $190 in fees. A case that started in District Ct, went to arbitration and was appealed generates $140.

- *Eliminate the program in select districts*, either based on performance (trial rate, appeal rate), the rank of that district in court workload, or the workload of the arbitration staff in that district. The number of cases noticed per staff varies from 72 cases to 1001.

District Data				Arbitration Program			
District	Civil Filings	Arb Staff	DC rank	Noticed	Arbitrated	Appeal Rate	Trial Rate
1	413		38	115	77	28.6%	5.2%
3A	402	1	33	188	147	18.4%	8.8%
3B	487		10	197	94	24.5%	16.0%
5	901	1	16	341	213	21.6%	10.3%
6A	123		15	45	33	24.2%	12.1%
8A	249		21	112	76	22.4%	6.6%
8B	283	1	21	115	69	24.6%	4.3%
10	2,389	1	7	444	325	23.1%	0.6%
12	1,610	1	26	615	365	18.6%	12.1%
13	831	1	34	223	181	28.2%	12.7%
14	789	1	25	261	203	22.7%	5.9%
15A	227		28	109	96	9.4%	1.0%
15B	345		30	108	98	17.3%	12.2%
16A	184		36	51	46	30.4%	21.7%
16B	530		11	62	27	3.7%	0.0%
17A	178		1	72	54	33.3%	7.4%
18	1,282	1	5	461	185	31.9%	2.2%
19B	500		20	241	165	21.2%	9.1%
19C	235		23	100	69	31.9%	7.2%
20	894	1	8	231	130	29.2%	3.1%
21	1,890	1	2	285	251	26.7%	4.0%
22	1,132	1	12	256	169	24.9%	3.6%
23	396	1	22	54	28	35.7%	0.0%
24	269	1	39	110	54	27.8%	5.6%
25A	325	1	4	125	68	25.0%	4.4%
25B	445		4	200	136	28.7%	3.7%
26	3,685	1	6	1,001	861	35.3%	9.6%
27A	410	2	19	482	274	55.5%	8.0%
27B	349		3	119	77	29.9%	13.0%
29	337	1	13	241	192	23.4%	6.8%
30A	211		27	71	59	8.5%	5.1%
30B	322		27	75	54	22.2%	5.6%
TOTAL:	26,823	16		7,110	4,876		12.7%

Handout # 4
Wolpe
May 8, 02

	Child Custody Mediation: [G.S. 7A-495]	Court-Ordered Arbitration: [G.S. 7A-37.1]	Mediated Settlement Conference: [G.S. 7A-38.1]	Dispute Settlement Centers: [G.S. 7A-346.1]	Family Financial Settlement Procedures: [G.S. 7A-38.4A]
What Cases Covered?	Contested Child Custody and Visitation Cases (District Court program)	Civil cases for money damages of $15,000 or less (mostly District Court program)	Civil Superior Court cases	Minor criminal & civil matters; majority referred by Court (District Court program)	Primarily equitable distribution; also may include alimony, child support, other financial issues from a divorce
Court-Ordered?	Yes	Yes, but can file appeal to District Court	Yes	Majority of cases are court-referred parties can decline to participate	Yes
Fees Charged?	No	No	Amount set by agreement of parties; $125/hour, if mediator appt'd by Court (plus $125 per-case administrative fee)	Varies from Center to Center	Amount set by agreement of parties; $125/hour, if mediator appt'd by Court (plus $125 per-case administrative fee)
Parties Pay Fees or State-paid?	State-funded	State-funded	Parties Pay Mediator	Parties Pay	Parties Pay Mediator
Who Can Be the "Neutral"?	Masters level professional w/ education, training,& experience in human services fields (i.e., counseling)	Attys w/ 5 years experience, who have attended special arbitrator training session; approved for district's list by CDCJ and SRSCJ	Certified Mediators = attys w/ 5 yrs.experience OR non-attys w/5 yrs. mediator experience; all take 40-hr.mediation course	Volunteers w/ 20 hrs of mediation training; then mediate in pairs; all receive continuing education	Certified Mediators = members of the Association for Conflict Resolution; or attys w/ 4yrs mediator experience; all take 40-hr.family/divorce mediation course (Parties may select non-certified mediators, if Court approves)
What is Session Outcome?	Parenting Agreement which becomes a court order after parents & judge sign it	Arbitrator enters Award; if no appeal after 30 days, Award entered as Court's judg.	Parties sign agreement & file consent judgment or voluntary dismissal	Parties sign agreement, or "memorandum of understanding"	Parties sign agreement & file consent judgment or voluntary dismissal
Program Status	Presently in 28 districts (comprising 56 counties)	Presently in 33 districts (comprising 72 counties)	MSC Program operates in each of the 46 Superior Court Judicial Districts	State provides funding for 27 Centers (which cover 62 counties)	Available in all 39 District Crt. Judicial Dist. (as of October 1, 2001)

Handout #5
May 9, 02
Mills

DEPARTMENT OF CORRECTION
INMATE COMMUNITY WORK CREWS

DOC/OSBM Preliminary Budget Reduction Proposal

- Eliminate all inmate community work crews
- Reduction is $5,607,294

Program Background

- 164 crews in 42 locations; crew's range in size from one to 15 (Dan River Work Farm). *Inmates are minimum custody* **(See Attachment 1 for locations)**
- 186 positions; supervision is one officer for 10 or fewer inmates (164 officers; sgts assigned also where four crews or more (22 sgts).
- Projects include washing school buses, grounds maintenance, painting buildings, and cleanup ball fields/build dugouts.
- 12 crews are building houses for Floyd victims
- Clients include local school districts, local governments, and state agencies; estimated by DOC that 50% of projects are local schools.
- Crews can perform work for private property owners if project is part of a federally declared natural disaster.

Program Cost

- DOC provides inmate labor and DOC supervision of inmates for free; clients provide materials. Cost per crew is approximately $34,000 for a correctional officer and operating costs.
- Inmate wages of $1 a day are paid out of Enterprise Funds

- N.C. General Statutes authorize DOC to charge state and local agencies for the cost of projects but no charge has been levied for these work crews. Projects are viewed as a community service

    - *G.S.148-26 (b (1) (e) states that DOC "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 make the prisons as self-supporting as is consistent with the purposes of their creation."*

    - *G.S. 148-26.5 states that "travel, cost of inmate wages, and custodial supervision expenses incurred by the DOC and arising out of a local or State public work project shall be reimbursed on a cost basis to the DOC by the local or State contracting agency."*

Budget Options for Discussion Include:

1. *Eliminate Inmate Crews as Proposed*

2. *Reduce number of crews*
    - *One option would be to reduce crews proportionately statewide except for locations with only one or two crews.*

3. *Charge locals and state agencies for service*

    Issues
    - *Data on man hours and projects by client not yet available for FY 2001 or 2002*

    - *Since many projects are short-term in nature it may be difficult administratively to document and bill for work*

    - *Charging for work may cause smaller local governments or schools to refrain from using crews*

    - *Charging a flat fee may keep DOC administrative costs down*

- *Charging locals below actual cost may ensure projects continue*

- *Charge state agencies?*

4. Convert some DOC crews to DOT litter crews and charge DOT

DOT and DOC are converting some medium custody work crews to do litter work as part of implementation of SB 1014. DOT is also planning to hire private vendors to pick up litter.

- *Could some community work crews be converted to litter crews and paid for by Highway Fund?*

ATTACHMENT I

NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
COMMUNITY WORK PROGRAM

	LOCATION	# CREWS	# INMATES
4570	**Anson**	3	30
3040	Black Mountain	1	10
4315	**Bladen (2 chain saw crews)**	6	60
4675	**Buncombe**	3	30
4510	Cabarrus	3	30
4625	**Caldwell**	4	40
4110	**Carteret**	3	30
4555	**Catawba**	4	40
4530	Charlotte	1	10
3080	**Dan River Work Farm**	15	150
4420	**Davidson**	2	20
4125	Duplin	5	50
4210	Durham	2	20
4430	Forsyth	2	20
3020	Fountain (Edgecombe)	4	40
4515	Gaston	4	40
4130	Gates	1	10
4140	**Greene**	9	90
4440	Guilford	3	30
4640	**Haywood**	4	40
4645	**Henderson**	3	30
4180	Hyde	4	40
3730	**Marion**	4	40
3700	McCain	1	10
3060	Neuse	3	30
4170	**New Hanover**	6	60
3090	North Piedmont CCW	2	20
4240	Orange	1	10
3740	Pasquotank	8	80
3030	RCCW	1	10
4340	**Robeson**	4	40
4540	Rowan	2	20
4655	**Rutherford**	4	40
3915	Sandhills	2	20
4360	**Sanford**	5	50
3600	**Southern**	5	50
3320	**Tillery**	6	60
3070	**Tyrrell Work Farm**	13	130
4255	**Umstead**	2	20
4265	Wake	1	10
4290	Warren	3	30
4665	**Wilkes**	5	50
TOTALS	42	164	1640
Chain Saw Crews	22 **(bold)**		
03-05-02			

One officer per crew. (22 sgts on separate list)

Handout # 6
May 1, 02
Wolpe

COMMUNITY CORRECTIONS PROGRAMS

- Options for Intermediate Punishment
  - Defined in (GS 15A-1340.11(6))
    - Special Probation (split sentence)
    - *Residential Program (includes IMPACT, DART-Cherry)*
    - *House Arrest/Electronic Monitoring*
    - Intensive Probation
    - *Day Reporting Center*
  - Required/Option in parts of Structured Sentencing Grid
    - Option in E-I felony cells and Misdemeanor grid
    - 17 cells give judge choice I or A
    - 3 other cells are I or C/I
- Options for Special Conditions of Probation
  - Can be specified by Judge or probation officer in response to violations
    - Medical/Psychological treatment
    - Rehabilitation, counseling, treatment, instruction, etc
    - *IMPACT*
    - *Drug Treatment Court*
    - Special Probation (split Sentence)
    - *House Arrest/Electronic Monitoring*
    - *Community Service*
- Impact of Proposed Reductions: Elimination of IMPACT, Drug Treatment Court, Electronic Monitoring, Day Reporting Centers, Community Service Work Program, DART-Cherry residential substance abuse treatment
  - All these offenders are already on a probation caseload, in most cases an intermediate officer
  - Potential impact on % of offenders who receive active sentence, if judges are more likely to levy an active sentence with fewer intermediate options. Currently, active rate in the I/A cells varies from 72.6% to 19.3%.
  - Potential impact on probation revocation rates with fewer options for graduated sanctions
  - Potential impact on caseload for remaining intermediate options—intensive probation, split sentences in jails or prison. Current intensive caseloads average 25.3.

- Number of Offenders Involved 2000-2001

Program	Felon	Misdemeanor
Criminal Justice Partnership	2,446	1,359
IMPACT	929	239
Electronic Monitoring	1,340	892
TOTAL	4,715	2,490

Note: Some of these are not in cells on the SS grid that allow active sentences

- Potential Impact on Active Population (Felons Only) This is based on an analysis by the Sentencing Commission of scenarios without IMPACT, Electronic Monitoring or CJPP.

  - If assume all offenders eligible for an active sentence but currently receiving these sanctions (3,481 offenders) instead receive active sentence, would increase the need for prison beds as follows.

Program	1st Year	2nd year
CJPP	583	672
IMPACT	231	289
Electronic Monitoring	317	411

  - If assume a portion of these offenders (932 total) will receive an active sentence, based on current active rate

Program	1st year	2nd Year
CJPP	178	233
IMPACT	60	79
Electronic Monitoring	97	129

  - Current annual cost for operating a minimum security bed is $19,717

- Potential Impact on Intensive Caseloads
  - The lower impact Sentencing Commission analysis assumes 932 felons who were this year supervised in the community with these 3 programs will go to prison instead.

  - This means there would be 3,783 felons whose sentence may require one of the remaining sanctions under GS 15A-1340.11(6). Some of these offenders may already be on intensive probation.

  - If only 25% of this pool are currently on intensive probation, this could add 2,837 offenders to the intensive caseload over the course of the year. If each is on intensive for 6 months, this would increase average caseload from 25.3 to 29.2.

  - The actual result would be lessened to the extent Judges use split sentences as the required sanction instead.

- Potential Impact on Jail Populations
  - Greater use of Split Sentence

  - Greater number of misdemeanors receiving active sentences in cells with I/A discretion

Handout #87
May 6, 02
Miller

Department of Correction
Substance Abuse Treatment Programs
(Division of Alcohol and Chemical Dependency Programs)

Program	Program Type	Offender Type	FY 2001-02 Budget	Prelim. Cut Proposal*
1. DART In-Prison Treatment	35 to 90 days	Close, Medium & Minimum Custody	$3,645,298	$3,113,606
2. DART Regional Treatment Services (In-Prison)	AA/NA, DART 24, Winners Circle, Aftercare	Close, Medium, & Minimum Custody	$980,816	0
3. Private Prison Contracts Evergreen (Males) Mary Frances (Females)	Reentry 6 to 12 months prior to release	Minimum Custody	$4,533,089	$1,000,000 (Evergreen)
4. Community Based Programs				
a. DART Cherry	28 Day and 90 Day	DWI Parolees and Probationers. General Substance Abusers.	$3,253,144	$2,875,116
b. John Hyman	Varies	Probationers.	$225,000	$225,000
c. Mt. Nebo	Varies	Probationers	$75,000 (NR)	$0

Department of Correction
Substance Abuse Treatment Programs
(Division of Alcohol and Chemical Dependency Programs) (Continued)

Program	Program Type	Offender Type	FY 2001-02 Budget	Prelim. Cut Proposal*
5. DART Central Admin.	Mgmnt/Admin	NA	$1,230,265	0
6. DART Regional Office	Mgmnt/Admin Quality Control	NA	$702,324	0
7. Governor's Council on Substance Abuse	Pass Through	NA	$25,804	0
General Fund Total			**$14,670,740**	**$7,213,722**
Federal RSAT	90 Day Therap Community	Medium/Min. Custody	$1.2 million est	0

*DOC/OSBM Preliminary Reductions April 2002

Handout # 8
May 6, 02
Mills

DEPARTMENT OF CORRECTION SUBSTANCE ABUSE TREATMENT PROGRAMS—DIVISION OF ALCOHOL AND CHEMICAL DEPENDENCY (DACDP)

Recent Funding History

- 1999 Session
  - Reduced DART Cherry Aftercare by $50,000

- 2000 Session
  - Reduced DART Cherry Aftercare by $100,000
  - Funded Nebo Roads Project

- 2001 Session
  - Eliminated Aftercare funds for DART Cherry and Reduced Prison Reentry Aftercare
  - Closed two of four private prison treatment programs (Right Turn and Cornell) ($3,006,177
  - Funded Nebo Roads NR ($75,000)

- **Current Budget $14,670,740**

DART In-Prison Residential Program ($3,645,298)

- 17 Prisons: 11 medium custody; 2 close custody; 5 minimum custody
- 7 Prisons: Federally funded programs (Youthful offenders and long term therapeutic communities
- Residential state funded programs range from 35 to 90 days
- Program Stats 2001:
  - 8,026 inmates
  - 82% of capacity
  - 61% complete 35 or 90 day program

- Cost is $28.57 daily
- *DOC preliminary cut would close 35 to 90 day medium custody residential programs*

DART Regional Treatment Offices ($980,816)

- Next step on the prison treatment continuum
- Regionally assigned staff primarily provide direct *in-prison* aftercare services upon completion of DART In-Prison Residential
- Programs include:
  - DART 24 (Short term at admission)
  - DART Continuing Care
    - Aftercare (6,503 inmates)
    - AA/NA (8,827)
    - Winners Circle Transition/Reentry Program (869)

Private Prison Contracts ($4,553,089)

- Two contract programs remain: Mary Frances for females (100 beds @$2.7 million) and Evergreen for males (75 beds at $1.6 million)
- *Offenders are minimum custody inmates*
- Program provides 90 day to 365-day programs for inmates projected for release.
- Programs operate at 99% of capacity
- Cost per bed is $60.81 at Evergreen and $75.71 at Mary Frances

DART Cherry ($3,253,144)

- Residential Substance Abuse Treatment for DWI offenders and Substance Abusers
- *Offenders are parolees and probationers*
- DWI law requires in-prison time and residential treatment for DWI offenders sentenced to prison; optional for probationers
- Program operates 300 beds; beds operated at 95% of capacity in 2001

	Parolees	Probationers	Total
Total admitted	1,010	993	2,003
Total Completed	1,004	923	1,927
% Complete	99%	93%	96%

- Parolee Profile: 83% had DWI conviction and DWI most serious for 54%
- Probationer Profile: 33% had DWI conviction and most serious for 17%; up to 89% may be probation revocations
- Cost per bed is $32.50

Pass Through Programs

- John Hyman ($225,000); outpatient treatment: counseling, education, transportation
- Nebo Roads ($75,000NR); community substance abuse program
- Governor's Council on Substance Abuse ($25,804)

DART Central Administration ($1,230,265)

- Funding is for 11 positions and operating line items (office space rental; SIPS charges, supplies and equipment, contract funds)

DART Regional Offices ($702,234)

- Four regional offices organized along same lines as prisons
- Three staff per office: Manager assigned to oversee prisons in each region; Substance Abuse Consultant who monitors treatment/provides technical assistance and a clerical position

Research Findings: DACDP Programs
Keys to Successful Programs

- Targeting right program for particular offender
- Links to aftercare in system and in community
- Duration of treatment: Intensive Outpatient; 90 days minimum for residential
- Broad range of process and outcome measures

- 1996 Legislatively Mandated Study
  - Program does not lend itself to evaluation. Without range of treatment alternatives that target different types of offenders, program cannot be adequately evaluated

    - DACDP Response: developed continuum of treatment from prison entry to end of prison term

- 1998 Legislatively Mandated Study
  - Program not consistent in screening of inmates/use of screening instrument by staff

- No data available to track inmates or DART Cherry offenders through the system making performance measures difficult to use

    - DACDP Response: developed OPUS based tracking and MIS system (operational June 2000)
    - DACDP is pilot testing new screening instrument
    - DOC/DACDP developing new intermediate outcome measures (behavior/infractions, reduced drug use)

- 2000 Sentencing Commission Study on Recidivism
    - Focus on offenders released in 1996-97 prior to development of all program options
    - DART In-Prison: 44.4% rearrested within two years (43% for completers and 53% for non-completers); Percentage for all prisoners was 42.6%. Programs had no significant impact on recidivism but could change other behaviors
    - DART Private Contracts: No significant impact on recidivism; 32% recidivism rate but more offender's medium or low risk than DART In-Prison.

BUDGET OPTIONS FOR DISCUSSION

- *Reduce/close programs as recommended in preliminary proposals*
    - This should include adding a reduction in administration if 50% of program budget is cut as recommended

- *Identify System Efficiencies*

    - Increase caseloads/staffing ratios at DART Cherry and DART In-Prison/Reduce staffing

    - Reduce or eliminate parole program DART Cherry
        - Would require DWI offenders (parolees) to spend more time in prison and would require funds for prison residential treatment under current DWI law (minimum of 28 more days in prison for over 1,000 offenders and shift some funds for treatment)

    - Close some probation beds at DART Cherry

- Final decision should be based on comprehensive approach (decision on Partnership Program may affect availability of total resources)
- Do all probationers at DART Cherry need 90-day residential program?
- Could be immediate impact on prison system (DOC estimates 532 felon offenders could return to prison if all received active sentence; other scenario estimates 132 offenders; this excludes misdemeanants and non-Structured Sentencing Offenders)

- Reduce money to pass-through programs

Handout #9
Wolf
May 8, 02

SUBSTANCE ABUSE PROGRAMS FOR OFFENDERS IN THE COMMUNITY

AGENCY	PROGRAM	FOCUS	LINKS	SCOPE	2002-3 CB	STATUS
DOC (Div of Community Corrections)	Criminal Justice Partnership Program	Intermediate Offenders, probation violators Substance Abuse is part of treatment options	TASC is co-located with (44) and provides assessments for many of the local programs. Part of Offender Management Model plan with Div Community Corrections	94 Counties; 43 Day Reporting Centers or Resource Centers; 36 Substance Abuse Programs 2000-2001 worked with 1,603 offenders in satellite subtance abuse programs, 4,188 in day reporting centers and 330 in resource centers	$8,567,009	Elimination on DOC's recommended 7-11% list to OSBM
DOC (Div of Chemical Dependency)	DART-Cherry	Probationers and Parolees with DWI/Drug Offense	Probationers return to supervision in the community Aftercare through CJPP, TASC and Area Mental Health	993 probationers and 1,010 parolees admitted in 2000-2001	$3,253,144	Elimination on DOC's recommended 7-11% list

AGENCY	PROGRAM	FOCUS	LINKS	SCOPE	2002-3 CB	STATUS
DOC: Non Profit Grants through DOC	Harriet's House; Women at Risk; Summit House; John Hyman	Focus on women offenders except JH. Summit and Harriet's are residential. Harriet's for women leaving prison.	Offenders on probation or parole	Harriet's House (18 families); Summit House (33 families) Women at Risk (107 women) John Hyman (community)	$2,006,942	Elimination on DOC's recommended 7-11% list
AOC	Drug Treatment Court	Court Supervised treatment for addicted adult offenders Also have federally funded pilots for juveniles and DSS cases. Case managers and substance abuse treatment (usually by contract).	TASC provides case management in several programs Existing judicial officials (Judge, ADA) and Probation involved Some participants have been sent to DART-Cherry	685 participants in 2001. Currently 7 state funded and 3 federally funded districts .	$1,107,917 AOC has used about $300,000 in available funds to maintain contracts	Elimination on AOC's recommended 7-11% list
HEALTH & HUMAN SERVICES	TASC (treatment alternatives to street crime) major program	Links criminal justice and treatment systems Screen, assess and case manage	Co-locate with many CJPP programs; memo of agreement with Division of Community Corrections. In 2001, 43% of referrals from DCC; 47% from courts	Priorities are offenders in the community Budget $6 million about 2/3 Fed. rest. State Fed funding thru Fed. Block Substance abuse Grant 50 mill adult substance abuse + TASC is one of those programs.	180 staff in 100 counties. Capacity about 10,000 per year	Federal funding should be stable Funded out of $15.4 M substance abuse block grant allocation for adult substance abuse

AGENCY	PROGRAM	FOCUS	LINKS	SCOPE	2002-03 CB	STATUS
HEALTH & HUMAN SERVICES	Area Mental Health Agencies	Primarily outpatient treatment options		Offenders sometimes have difficulty receiving services but under mental health reform will be given more priority		Overall budgets likely affected by reductions this session
HEALTH & HUMAN SERVICES	Drug Education and Alcohol and Drug Education Traffic Schools (ADET)	Assessments & Educational programs for DWI and 1st offenders		Did 27,411 asessments in 1999-2000 with 7,097 referred to ADET schools and 20,314 referred to other treatment	Fee Supported ($50 for assess, $75 for school or treatment)	

FRD May 7, 2002

Handout #10
Thomas
May 8, 02

JPS FY02-03 Non-Profit Funding Options					
	General Fund FY02-03 Appropriation	Agency's Proposed Reduction	15% Reduction	10% Reduction	Notes
AOC/OIDS					
Dispute Settlement Centers (28)	$1,603,124		$240,469	$160,312	
State Bar/Center for Death Penalty Litigation	$590,000		$88,500	$59,000	
Total AOC/OIDS	*$2,193,124*		$328,969	*$219,312*	
Justice					
Legal Education Assistance Foundation (LEAF)	$200,000		$30,000	$20,000	2001 Session provided $75,000 expansion
Crime Control					
NC Victims Assistance Network (NCVAN)	$150,000		$22,500	$15,000	
Drug Task Forces	$250,000		$37,500	$25,000	
Total CCPS	*$400,000*		*$60,000*	*$40,000*	
Correction					
Harriet's House	$250,000	($250,000)	$37,500	$25,000	
John Hyman	$225,000	($225,000)	$33,750	$22,500	was $250,000 in 2000-01
Women at Risk	$275,000	($275,000)	$41,250	$27,500	
Summit House	$1,256,942	($1,256,942)	$188,541	$125,694	was $1,396,592 in 2000-01
Total Correction	*$2,006,942*	**($2,006,942)**	*$301,041*	*$200,694*	
Juvenile Justice					
Project Challenge	$150,000	($16,500)	$22,500	$15,000	
Cumberland Juvenile Assessment Center	$150,000	($16,500)	$22,500	$15,000	
Communities in Schools	$450,000	($49,500)	$67,500	$45,000	
Boys & Girls Clubs	$400,000	($44,000)	$60,000	$40,000	
Total Juvenile Justice	*$1,150,000*	($126,500)	*$172,500*	*$115,000*	
Total JPS Non-profit Funds	**$5,950,066**	**($2,133,442)**	**$892,510**	**$595,007**	
Legal Services	$1,660,000		$249,000	$166,000	Effective Jan 02, funded via a dedicated portion of court fees
Total JPS funding for Non-profits and Legal Services	**$7,610,066**	**($2,133,442)**	**$1,141,510**	**$761,007**	
FY01-02 Non-recurring Funds					
Nebo ROADS	$75,000		$11,250	$7,500	was $100K in 2000-01
ECO	$50,000		$7,500	$5,000	was $60,000 in 2000-01
Reentry	$75,000		$11,250	$7,500	was $130,000 in 2000-01

***Note**: This list does not include contract funds to nonprofits (Drug Treatment Court, Sentencing Services, ECO minimum security prison), or statewide programs with specific allocations administered by an agency such as Teen Court, SOS, 1-on-1, etc.*

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday, June 11, 2002
10:00 a.m.
Room 422 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Allen Wellons, Presiding
Senator Scott Thomas,
Senator Frank Ballance, Jr (Vice-Chairman)

II. PRESENTATIONS

Proposed Senate Justice and Public Safety Budget for FY 2002-03

- Opening Remarks/Discussion by Chair and Vice Chair

- Presentation of Proposed Senate Budget

Fiscal Research Staff

- Remarks from Agency Representatives

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes
June 11, 2002

The Senate Appropriations Subcommittee on Justice and Public Safety met on June 11, 2002 in room 422 LOB at 10AM. Senator Allen Wellons chaired the meeting. After his opening remarks, the meeting was turned over to Senator Scott Thomas.

Ms. Elyssa Wolper, staff distributed a handout, *Proposed Budget FY 2002-2003*, dated June 11, 2002.Ms. Wolper started to walk through the handout, highlighting the new reductions. For example, item 7 places a one year ban on travel out of state. #8 reduces the number of district attorney positions, # 12 removes about ½ of the district attorney investigators. Ms. Denise Thomas, staff, started through the handout with item 32. Item 40, the SBI has other funding sources for undercover drug purchases. Items 42 through item 49 were in the Governor's recommendations.

In response to a question by Sen. Bingham, the DARE program was reduced by 75%.

Ms. Thomas continued to walk the committee through the Juvenile Justice proposed reductions. All non profits budgets were reduced by 20%. Mr. Jim Mills, staff, started with item 64. Items 64 and 65 take 168 training beds out of the system. Items 72, 73 and 74 amount to about a $2million reduction.

In response to a question by Senator Bingham, Mr. Mills said the administering item 94, which updates the relief formula, will be up to DOC.

Ms. Elyssa Wolper spoke about item 80 which reduces the non profits by 20% except Summit House which had already been reduced by 10%. Item 84 reduces CJPP by 25%. In response to Sen. Bingham, most of the positions in item 82 are already vacant.

Ms. Denise Thomas resumed at item 115. under Crime Control and Public Safety. The committee recommended that less than 1% of the Highway Patrol budget is eliminated. Ms. Thomas completed the Crime and Public Safety budget items.

Senator Thomas assumed the chair. He moved on to Special Provisions. The Special Provisions are in a handout titled *Special Provisions*. It is attached.

In provision shown as Part XVII, Department of Correction, Sen. Odom moved to remove lines 39 and 40. The motion unanimously carried.

Mr. John Kennedy from Administration of the Courts commented that the cuts in AOC are harmful.

Mr. Colin Willoughby, wake County District Attorney commented that he is concerned regarding management of alternative programs and how to reallocate.

Mr. Dwayne Patterson of Juvenile Justice is concerned regarding cuts to the Eckerd program. He wants to make sure that funds are clearly outlined.

Mr. Theodis Beck commented that cuts will negatively impact staff in prisons.

Senator Aaron Plyler moved to accept the committee's report favorably as to budget and special provisions. His motion carried unanimously.

Senator Thomas adjourned the meeting at 11:40AM.

Scott Thomas

Senator Scott Thomas
Senate committee Chair

Gloria Haywood
Senate Committee Assistant

Senate Appropriations Subcommittee
on
Justice and Public Safety

Proposed Budget

FY 2002-03

June 11, 2002

Senate Subcommittee on Justice and Public Safety

Judicial

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$305,465,135**

Budget Changes

1 Reduction in Salary Reserve The accumulated balance in salary reserve is reduced by $1,000,000.	($1,000,000)	R
2 Vacant Court Reporter Position One vacant court reporter position is eliminated. The Judicial Branch generally has several vacancies among the 106 funded positions.	($50,593) -1.00	R
3 Eliminate Public Information Staff Two positions in the Public Information Office at the AOC are eliminated.(2201-1100-0150-514 and 2201-1100-0650-647) and these functions will be absorbed by other personnel.	($137,377) -2.00	R
4 Information Technology Positions A vacant special projects coordinator position in the information technology division (2209-1100-0750-807)and a vacant Business System's Analyst position (2210-1100-0650-654) are eliminated. An additional Business Systems Manager position is also eliminated.	($250,742) -3.00	R
5 Guardian Ad Litem Administration The number of regional administrators in the Guardian Ad Litem program is reduced from 4 to 3.	($59,739) -1.00	R
6 Contractual Services The budget for contractual services at the Administrative Office of the Courts is reduced by $300,000.	($300,000)	R
7 Reduction in Conference Expenses Travel and per-diem expenses are reduced by $320,670 to reflect less frequent conferences for court personnel. The number of DA training conferences is reduced from 2 to 1, the number of Judges' conferences from 3 to 2 and the number of Clerks' conferences from 2 to 1. In addition, conferences will be held only at state facilities and utilize state agencies as trainers. There will be no out-of-state travel with state funds in 2002-3 by Judicial Branch employees or officials.	($201,670) ($119,000)	R NR

	FY 02-03	
8 Assistant District Attorney Positions Seven Assistant District Attorney positions are eliminated effective July 1, 2002. The positions shall be taken from the offices which rank lowest in workload with no more than 1 position taken from any office. (1,9A, 12,17A, 21, 27B and 30)	($522,851) -7.00	R
9 Deputy Clerk Positions Thirteen Deputy Clerk positions will be eliminated in the lowest workload counties, to be identified by the AOC.	($411,528) -13.00	R
10 Magistrate Positions Fifteen magistrate positions will be eliminated Jan 1, 2003 with the reductions taken in the lowest workload counties. Magistrate positions that are currently vacant or become vacant prior to December 31st shall remain vacant until new appointments are made effective Jan 1, 2003. The AOC shall identify the counties where the reduction will be implemented.	($338,140) -15.00	R
11 Custody Mediation Program The custody mediation program is reduced as follows; the programs run under contract in districts 27A,27B and 28 are abolished. In addition, staff positions are eliminated in districts 9,6B,17A,19B, and 19A. This leaves 25.1 staff in 15 districts.	($448,752) -4.38	R
12 District Attorney Investigators Thirteen District Attorney investigator positions are eliminated in districts 1,4,10,12,13,15A,15B,20, 21,25,26,27B,and 30. These are the districts that rank lowest in terms of criminal filings per ADA. This leaves investigators in 13 of the 39 prosecutorial districts.	($676,455) -13.00	R
13 Appellate Courts Funding for the appellate courts is reduced to reflect (1) elimination of the use of emergency judges at the Court of Appeals and (2) reduction in library expenses to eliminate unnecessary duplication of library resources between the Court of Appeals and the Supreme Court. Nine positions at the Supreme Court are eliminated: a vacant Editorial Assistant, 7 Research Assistants, and any positions authorized under GS 7A-12. This brings the staffing of the Supreme Court and Court of Appeals more in line with their relative workloads. In 2000-01, Supreme Court Research Assistants each handled an average of 100 dispositions while those at the Ct of Appeals handled 180.	($512,009) -9.00	R
14 Reduce Emergency Judge Pay The budget for emergency judge pay at the District and Superior Court level is reduced by 50%.	($189,067)	R
15 Technology Fee Fund Receipts For 2002-3 only, $900,000 of receipts from remote access to court information shall be treated as receipts to the Administrative Office of the Court rather than to the Technology Fee Fund.	($900,000)	NR

FY 02-03

16 Delay 4 Special Superior Court Judgeships ($401,540) NR

Four Special Superior Court Judgeships expire in August 2002. Two of their replacements are to be effective on or after January 1, 2003 and the other two on or after July 1, 2003.

17 Reduction in Dispute Settlement Centers ($240,468) NR

Funding for all 27 programs is reduced 15% in 2002-3. In addition, a process for collection of court costs in court referred cases that are successfully resolved by the program is to be established, affecting overall General Fund availability by $451,418 on an annualized basis.

18 Sentencing Commission Positions ($98,510) R

A vacant Research & Policy Associate position and an Administrative Assistant I position at the Sentencing & Policy Advisory Commission are eliminated. -2.00

19 Family Court Program ($394,436) R

Staffing levels are reduced in the Family Court Program. Seven case manager positions are eliminated to allocate 1 manager for every 3 family court judges (current ratio is 1:2). The positions to be eliminated are in Districts 8, 12, 14, 20, 25 and two positions in District #26. -7.00

20 District Attorney Staff ($522,483) R

Twelve Victims and Witness/Legal Assistant (VWLA) positions are eliminated. In implementing this reduction, the AOC shall limit the number of VWLA positions to be less than the number of Assistant District Attorneys in each district. Positions would be eliminated in districts 2, 6A, 6B, 9A,14,17A, 17B, 19C, 23, 24, 26 and 30. -12.00

21 Delay Replacement for Retiring Judges ($41,394) NR

Personnel costs for District Court Judges are reduced to reflect anticipated mandatory retirements. Appointments for replacements for these judges will be effective on or after July 1, 2003.

22 Operating Cost Reductions ($561,524) R

Budgeted funds for matching federal grants are eliminated ($350,000) and funding for software maintenance is reduced by ($211,524) to reflect new agreements on upgraded hardware.

23 District Court Arbitration Program Reduction ($587,660) R

Funding for the mandatory civil arbitration program in district court is reduced to reflect the elimination of collection on account cases and certain magistrate appeals from the program. Also, 13 of the 15.5 existing staff positions are eliminated and the program will be administered by other court staff. This leaves staff in the highest volume districts; 12, 26 and 27A. -13.00

	FY 02-03	
24 Drug Treatment Court Reduction The General Fund portion of funding for the Drug Treatment Court program is reduced to reflect changes in the allocation of federal funds,the greater use of outside resources for case management and efficiencies in administration of the program.	($300,000)	R
25 Sentencing Services Program The Sentencing Services program is reduced by 33% to reflect restriction of the program to a narrower range of cases. Sentencing Services plans will no longer be done for probation revocation cases and the program will develop a process to ensure plans are developed only in cases where the court will have an opportunity to receive the information. The size of the state office is reduced to 2 positions. The program is eliminated in districts 1,19B,20,21 and 30 effective July 1, 2002. The program in 19B is a state program while the others are nonprofits.	($2,619,889) -10.00	R
26 Budget Worthless Check Receipts Fully budgets receipts from the worthless check program. This adjustment reflects receipt levels for 2001-2 and leaves a General Fund appropriation of $24,077.	($175,000)	R
27 Remove Funding for Telephone Sytems/Network Cable Funding previously provided for cabling and telephone lines in a new courthouse in New Hanover County is removed. The counties will assume responsibility for these systems in New Hanover and Dare Counties.	($125,000)	NR
28 Eliminate Assistant Director Position The Assistant Director position at the Administrative Office of the Courts is eliminated and the duties shall be absorbed by existing court staff.	($113,573) -1.00	R
29 Consolidate Superior Court Districts Superior Court Districts 11A and 11B are recombined to make District #11 for Lee, Harnett and Johnston Counties. This aligns the Superior Court district with the District Court and Prosecutorial District and allows the elimination of 1 trial court coordinator position, effective October 1, 2002.	($35,378) -1.00	R
Budget Changes	**($10,507,376)** **($1,827,402)**	R NR
Total Position Changes	-114.38	
Revised Total Budget	**$293,130,357**	

Judicial - Indigent Defense

GENERAL FUND

	FY 02-03	
Total Budget Approved 2001 Session	**$68,867,771**	
Budget Changes		
30 Reduce Funding to NC State Bar Grant funding to the NC State Bar for improvement of the administration of justice is reduced by 10%.	($59,000)	NR
31 Reduce Public Defender Staff Two Assistant Public Defender positions are eliminated in District #12 effective July 1, 2002, leaving 12 positions. This office ranks lowest in cases per attorney.	($148,454) -2.00	R
Budget Changes	**($148,454)** **($59,000)**	R NR
Total Position Changes	-2.00	
Revised Total Budget	**$68,660,317**	

Justice

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$73,785,584**

Budget Changes

32 Temporary Services Reduce the continuation budget for temporary personnel services	($200,415)	NR
33 National Association of Attorney Generals Delay full payment of annual membership fees to the National Association of Attorney Generals. Delay will not affect the state's membership privileges.	($40,761)	NR
34 Legal Services Receipts Increase receipts in the Legal Services Division to decrease the number of positions supported by the General Fund	($250,000)	NR
35 NC LEAF Reduce amount budgeted for NC Legal Education Assistance Foundation	($40,000)	R
36 DARE Program Reduce the continuation budget for the Drug and Alcohol Resistance Education (DARE) Program. Amount remaining may be used to purchase and distribute educational materials to local law enforcement agencies for use in support of their anti-drug initiatives.	($150,286) -3.00	R
37 Laboratory Drug/Alcohol Analyses Increase collection of restitution payments to cover the cost of alcohol and drug analyses conducted by the SBI Crime Laboratory.	($500,000)	R
38 NC Background Checks Eliminate the exemption of NC background check fees for prospective lawyers and adoptive parents	($40,000)	R
39 Criminal Justice Network DCI-PIN Terminals Based upon OSBM's study of the criminal justice information network costs, rental rates for DCI-PIN terminals and circuits will be adjusted effective January 1, 2003 to cover increased network costs. This adjustment will generate $500,000 in additional receipts in FY02-03.	($500,000)	R
40 SBI Undercover Operations Reduce funds budgeted for undercover drug purchases.	($500,000)	NR

41 Uniform Allowance Reduce amount budgeted for SBI uniform allowances	($117,200)	NR
42 SBI Training Academy One time reduction in the amount budgeted for SBI training.	($50,000)	NR
43 SBI Lab Accreditation Defer payment of annual SBI crime laboratory accreditation payments. Delay will not affect lab's accreditation status.	($50,000)	NR
44 Reduction in Force Eliminate 7 positions in the Legal Services and the Criminal Training and Standard Divisions	($267,986) -7.00	R
45 Vehicle Replacement Reduce vehicle replacement budget by $500,000	($500,000)	NR
46 Eliminate Remaining OIG Funds The Office of Inspector General was eliminated effective January 1, 2002. The balance remaining in the continuation budget for this purpose is eliminated.	($42,895)	R
47 LEXIS Contract Continuation budget is reduced to reflect savings from the renegotiation of the LEXIS publishing contract.	($100,000)	R
48 Supplies and equipment Reduce continuation budget for supplies and equipment.	($523,500)	NR
49 Overtime Costs Reduce overtime expenditures across all agency divisions.	($584,000)	R
Budget Changes	**($2,225,167)** **($2,231,876)**	R NR
Total Position Changes	-10.00	
Revised Total Budget	**$69,328,541**	

Juvenile Justice & Delinquency Prevention

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$142,554,017**

Budget Changes

Central Administration

50 Reduce Non-Salary Line Items — ($500,000) NR

Continue one time reduction from FY 2002; this excludes travel reductions for court counselors

51 Reduce Central Administration Budget — ($916,320) R

-3.00

The Central Office budget is reduced by 11% by cutting operating expenses and three vacant positions: Teen Court Coordinator, Asst. Secy. For Special Initiatives, and a Specialist for the Center for the Prevention of Violence. Position reductions total $227,184 while Non-Salary reductions are:

$122,987 Travel and Supplies
$101,788 Indirect Costs from Federal Grants
$100,000 Rent
$ 36,383 SOS Program N.S. Line Items
$ 29,900 Gov One on One N.S. Line Items
$298,078 Prior year refunds from JCPC's

52 Eliminate Vacant Special Assistant Position — ($83,684) R

-1.00

The duties of this position have been combined with another position so this vacant position can be eliminated.

Intervention/Prevention

53 Juvenile Court Counselors — ($1,277,836) R

-26.00

The continuation budget for juvenile court counselors is reduced by $1,277,836. Of this amount, $200,000 is to be taken from 532700 Travel/Other Employee Expenses. The remaining amount shall be generated by eliminating 26 vacant positions effective July 1, 2002; 24 court counselors and two office assistants. DJJDP recommended eliminating 14 positions,12 counselors and two office assistants.

54 Project Challenge — ($30,000) NR

Reduce pass-through funds by 20%.

55 Close one Multipurpose Group Home — ($500,000) R

Close one of the three multi-purpose group homes currently operating under contract.

FY 02-03

56 JCPC Grants — ($890,670) NR

The continuation budget for the Juvenile Crime Prevention Councils (JCPC) county allocations is reduced by $890,670.

57 Teen Court — ($488,660) R

Dedicated state funding for teen court programs in specific counties is eliminated. Those counties wishing to retain a teen court program are directed to provide funding from their JCPC allocations or alternative funding sources.

58 Juvenile Assessment Center — ($30,000) NR

Reduce pass-through funds by 20%.

59 Governor's One-on-One — ($117,811) NR

Reduce the continuation budget by 10 percent.

60 Eckerd Camp Services — ($6,000,000) R

Local mental health authorities and local education agencies shall reimburse DJJDP for all juveniles referred and admitted to an Eckerd Camp. The local authorities shall reimburse DJJDP the daily contracted rate.

61 Boys and Girls Club Funds — ($80,000)

Reduce pass-through funds by 20%.

62 Communities in Schools — ($90,000) R

Reduce pass-through funds by 20%.

63 Eliminate Vacant Program Coordinator — ($50,132) R

-1.00

Eliminate the position of Community Based Alternative Program Coordinator (1881-0000-0000-290) effective July 1, 2002.

Youth Facilities

64 Convert Samarkand Manor YDC to Female Facility — ($6,860,236) R

-154.00

DJJDP will eliminate 128 juvenile offender beds and 154 positions at the Samarkand Manor Youth Development Center (Training School). Up to 73 beds will remain for female offenders. Samarkand is being closed because of the high cost of operations, the extent of renovation and repair needs, and to begin carrying out the intent of the Juvenile Justice Act to downsize and eventually eliminate training schools (YDCs).

The reduction amount shown for Samarkand is lower than the original amount of ($7,433,822) due to initial overestimates of position savings by DJJDP. Additional positions (all vacant) in the juvenile justice system were eliminated in order to meet the budgeted reduction amount. These vacancies are identified elsewhere in this report.

FY 02-03

65 Consolidate Detention Centers ($1,482,424) R

Buncombe and Umstead state detention centers will be closed July 1. The forty bed capacity of these two facilities combined will be re-established at the Dillon and the Juvenile Evaluation Center YDC's. Juveniles in detention will be housed and managed separately from the training school population. This action will result in the loss of another 40 YDC beds. Combined with the downsizing of Samarkand, a total of 168 YDC beds will be eliminated. The 37 positions being eliminated here are vacant; some vacancies are being taken from the the YDC's to meet the budget reduction amount shown and to avoid further reductions in filled positions.

-37.00

66 Reduce Medical Budget ($100,000) R

The budget for medical services for juvenile offenders exceeds expenditures in FY 02. With the downsizing of facilities, an additional reduction can be made.

67 Reduce YDC Education Budget ($249,132) R

Four vacant teacher positions and one vacant librarian position (vacant since December 2000) are eliminated. The teacher reductions, combined with 12 vacant teacher positions recommended for elimination by DJJDP as part of the Samarkand and Detention Center conversions, eliminate 16 of 22 vacant teacher positions. Teacher positions have traditionally had high vacancy rates in the juvenile system.

-5.00

68 Increase Detention Center Receipts ($600,000) R

The State and County each pay 50% of the cost of a detention center bed. The rate charged to counties has not been adjusted in FY 02 to reflect actual State costs which now exceed 50%. Adjusting the rate charged to counties will increase receipts by $600,000, allowing a reduction in the General Fund.

69 Increase Receipts for Food Service ($350,000) R

DJJDP Detention Centers are eligible to receive federal funds to help pay for meals for youthful offenders. Receiving these receipts will allow a reduction in the General Fund. One federally funded position is established to manage this program.

1.00

70 Eliminate Vacant Detention Center Positions ($126,618) R

3.5 vacant positions are eliminated. 2.5 positions are eliminated from Alexander Detention Center: a Maintenance Mechanic III, a Nurse (.5), and a Youth Program Assistant. One position is eliminated from Richmond Detention, an Administrative Assistant V. These positions were recommmended for reduction by DJJDP in order to meet the original reduction amount of $7.43 million for Samarkand.

-3.50

71 Eliminate Behavioral Specialist Positions ($235,417) R

It is recommended that seven Behavioral Specialists be eliminated systemwide; five positions are currently vacant.

-7.00

Budget Changes	**($19,410,459)**	**R**
	($1,648,481)	**NR**
Total Position Changes	-236.50	
Revised Total Budget	**$121,495,077**	

Correction

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$930,964,916**

Budget Changes

Alcohol and Chemical Dependency

72 DART Cherry Program ($292,434) R

DART Cherry is a 300 bed residential treatment program for DWI parolees, other parolees, and probationers. Staffing is reduced by 10 positions--six substance abuse workers and four counselors--by increasing caseloads.

-10.00

73 DART In-Prison Residential Programs ($1,376,598) R

The Governor's budget recommended eliminating all but one medium custody in-prison residential substance abuse treatment program, a portion of the in-prison non-residential programs (e.g. aftercare, short-term treatment programs), and 45% of central office staff. By contrast, this reduction action maintains most of the medium custody prison residential programs and all of the funds for non-residential prison programs such as aftercare and short-term treatment. This reduction action has four components (1) closes the two close custody residential programs (Pasquotank and Marion) since a 35 to 90 day program is of limited value to inmates with long-term sentences, but leaves 3 positions at Pasquotank for the minimum custody program; (2) closes three medium custody residential programs (Foothills, Caswell, and Polk Youth); (3) reduces 15 staff statewide by increasing caseloads; and, (4) reduces Central Office staff by two positions (Correctional Administrator I and Substance Abuse Program Consultant, both vacant).

-41.00

74 Regional Offices in DACDP ($351,088) R

Due to reductions in substance abuse treatment staffing statewide and closing of residential treatment programs in five prisons, it is recommended that the number of Regional Offices be reduced from four to two.

-6.00

Central Administration

75 Reduce Central Adminstration Budget ($515,267) R

Nine DOC management and administrative positions are eliminated as recommended in the Governor's budget. -9.00

Corr. Psychological Program Director
Special Asst to Secy.
Social Research Assoc. II
Social Research Asst I
Corr. Training Coordinator
Personnel Supv. I (Vacant)
Personnel Analyst I (Vacant)
Asst Secy Program Development (Vacant)
Info Comm Specialist (Vacant)

76 MIS Contract Conversion ($355,155) R

Expenditures for MIS contracts will be reduced by converting contract funds to four MIS positions. The savings result from cancelling contract positions and fees charged for contracts. The four positions are Telecommunication Systems Analyst, and three Applications Analyst/Programmer Specialists (one at grade 83 and two at 81) 4.00

77 Delay Vehicle Replacement

DOC will delay purchase of replacement vehicles for one more year ($1,000,000) R

78 Cancel Training Facility Contract ($183,000) R

DOC uses a Fort Fisher facility operated by the National Guard for training of staff in Eastern N.C. DOC will cancel contract and identify less expensive training facilities.

79 Reduce Funding in Training Division ($181,063) R

Two vacant positions are eliminated from the Office of Staff Development and Training -- a Correctional Training Instructor II and an Office Asst. IV. Non-salary items for the Office are also reduced in the areas of phone services, per diem for meals and rent of motor vehicles. -2.00

Community Corrections

80 Reduction in Funding of Nonprofits ($275,694) NR

Pass through funding to community corrections programs is reduced in 2002-3 as follows; 10% reduction for Summit House; 20% reductions for Harriet's House, Women at Risk and the John Hyman Foundation. Summit House funding was reduced 10% for the biennium in the 2002 budget. The reduction in Summit House funding shall be taken as follows; $25,649 (a 16.7% reduction) from the state office and $100,045 (a 9.1% reduction) from the local programs. As of May 1, 2003, all state funds shall be used in the local programs only.

	FY 02-03	
81 Electronic Monitoring Cost Sharing The General Fund cost of the Electronic Monitoring program is reduced to reflect cost sharing with outside agencies that utilize the program (local law enforcement and the Department of Juvenile Justice & Delinquency Prevention). In addition, 1 position (EHA Specialist) is eliminated to reflect lower workload on 3nd shift and budgeted overtime is reduced by $25,000 to reflect actual.	($276,218) -1.00	R
82 Reduction in Probation Parole Staffing The following positions are eliminated in the Division of Community Correction district offices; 11 Office Assistants, 17 PPO I (community), 11 PPO II (Intermediate), 23 Intensive Officers and 28 Surveillance Officers. Based on current population projections, this will result in average caseloads of 27/78/100 for intensive/intermediate/ community. The Office Assistants may be either OA's assigned to probation-parole officers or to the community service work program.	($3,356,367) -90.00	R
83 Vacant Trainer Position A vacant trainer position is eliminated. This leaves 4 trainers for the Division of Community Corrections. (4550-1030-0060-167)	($38,913) -1.00	R
84 Criminal Justice Partnership Program Funding for the CJPP program is reduced to reflect the following: cost efficiencies in day reporting centers from using probation parole officers and the TASC program in DHHS to provide case management; across the board reductions in contractual services, elimination of 2 positions coordinating the program at DCC, and elimination of funding for the following counties; Person, Caswell, and Union.	($1,053,302) ($1,146,698) -2.00	R NR
85 Reduce Operational Costs for Drug Screening The operational costs for the 6 drug screening labs operated by DCC will be reduced due to new technology and other efficiencies.	($162,216)	R
86 Reduction in Automobile Expenses The Division will be able to reduce the number of leased vehicles from the Department of Administration, based on actual usage.	($88,452)	R
87 Contractual Parole Revocation Hearing Officers Parole Revocation Hearings are handled by contract employees. This item reduces the budget to reflect actual spending.	($115,000)	R

Department Wide

88 Non-Salary Line Item Cuts ($1,278,951) R
($17,721,049) NR

DOC will reduce non-salary expenditures such as travel, equipment, and supplies systemwide for one more year. Recurring reductions are: $200,000 equipment; $200,000 rent; facility/hardware supplies $500,000 and Utilities, $378,951. The total recommended reduction by DOC was $18,621,049. The Utilities recurring reduction of $378,951 brings total reduction to $19 million.

Parole and Post Release Supervision

89 Further Reductions to Parole Commision ($226,108) R

-5.00

The General Assembly has directed that the Commission reduce its budget by a minimum of10% each year due to declining parole cases. This reduction would cut approximately 14%. Five positions are eliminated: three parole case analysts (one vacant), an Office Assistant V (vacant), and Chief of Operations.

Prisons

90 Use Federal Funds to Pay for Inmate Labor ($450,000) R

DOC uses inmate labor for various construction projects funded by federal Truth in Sentencing Grants but pays inmates from DOC funds. Using federal funds allows a reduction in the General Fund.

91 Reduce Prison Administration Costs ($481,971) R

-9.00

Eliminate nine positions in the central office of the Division of Prisons as recommended in the Governor's budget.

Program Asst V (Vacant)
Nurse Clinician II (Vacant)
Corr Programs Director III (Vacant)
Psychological Program Director III (Vacant)
Educational Services Specialist (Vacant)
Office Asst IV
Office Asst III (Vacant)
Corr Programs Director III (Vacant)
Social Worker II (Vacant)

92 Security Staffing: Increase Inmate to staff ratio ($9,539,100) R

-300.00

DOC's current security staffing ratio is 2.92 inmates per correctional position (officers and supervisors). This is one of the lowest ratios in the country, primarily due to operating older, inefficient facilities. However, it is believed through system efficiencies in assignment of security posts that some positions can be eliminated. A reduction of 300 correctional officer positions would increase the ratio to 3 inmates for every security staff position. It is assumed that all or most of the 300 positions would be taken out of the 1000 plus vacant correctional officer positions.

	FY 02-03	
93 Security Staffing --Lieutenants	($564,779)	R
Seventeen lieutenant positions are reduced at prison facilities with high lieutenant to sergeant ratios.	-17.00	
94 Reduce Security Staffing: Update Relief Formula	($4,285,845)	R
DOC assigns a "relief formula" to each security post to determine the number of postions needed. This relief formula accounts for leave usage, training hours and so on to ensure security posts are always covered. The DOC relief formula has not been adjusted to account for reduced leave usage for officers both on eight and twelve hour shifts. Adjusting the relief formula to 1.73 per 24 hour post compared to the current 1.76 formula, and similar reductions for other posts, allows for a reduction of 135 officer positions system-wide.	-135.00	
95 Close Blue Ridge Correctional Center	($1,274,095)	R
Blue Ridge Correctional Center will be closed July 1, 2002. The cost per day was $96 in Fy 2001. The reduction amount includes a 50% reduction in the inmate budget. The BRIDGE forestry program, which operates out of Blue Ridge and Western Correctional Centers will now operate only at Western.	-35.00	
96 Close Henderson Correctional Center	($1,335,978)	R
Henderson Correctional Center will be closed July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.	-33.00	
97 Close Haywood Correctional Center	($1,317,266)	R
Close Haywood Correctional Center July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.	-34.00	
98 Close Rowan Diagnostic Center	($144,598)	R
Due to overstaffing in relation to workload standards, Rowan and other diagnostic centers were reduced by eight positions in 2001-02. Rowan has a relatively small workload that can be absorbed at other diagnostic centers.	-5.00	
99 Convert Cleveland Correctional Center	($407,931)	R
Cleveland Correctional center is a medium custody facility that costs $75 a day, higher than the state average of $67.43 for medium custody prisons. Cleveland will be converted to minimum custody to save costs. The inmate construction program will continue and the segregation beds and staff will not be reduced.	-17.00	
100 Reduce Inmate Food budget	($1,000,000)	R
Through system efficiencies, DOC has been able to further reduce expenditures in the inmate food service program.		
101 Food Service Officers	($443,088)	R
By increasing the ratio of inmates to food service officers from 77 inmates to one officer to 80 to one, 14 positions can be reduced systemwide. Positions are 12 food service officer I's and 2 food service manager positions.	-14.00	

FY 02-03

102 Reduction of Inmate Medical Costs ($3,575,166) R

DOC recommended reducing funding for the inmate medical program by implementing two major program efficiencies: (1) eliminating positions at eight smaller prisons and having medical services provided by nearby larger facilities; and (2) eliminating certain medical contracts and contract positions and then converting some contract positions to lower cost state positions.

-36.00

103 Reduce Contract for Mobile Surgery Unit ($600,000) R

DOC pays a fixed contract rate for use of a Mobile Surgery Unit at Central Prison. Based on a lower utilization rate than anticipated, the fixed contract rate can be reduced.

104 Reduce Prison Chaplain Program ($855,146) R

It is recommended that 16 chaplains, 2 central office chaplain positions (one on contract), and one regional coordinator position be eliminated. This will require prisons with 400 or fewer inmates to use community funded or volunteer chaplains. Prisons with 400 to 700 inmates will be reduced from 2 to 1 chaplains plus community funded and volunteer chaplains. This leaves 42 chaplain positions and nine contract chaplains in the system.

-18.00

105 Inmate Community Work Crews ($2,620,071) R

Eliminate 37 of 164 inmate work crews and assign an additional 39 crews to do litter control work for DOT in carrying out SB 1014. Crews will not be eliminated at locations where only one or two crews currently operate. Reduction amount of $2,620,071 includes approximately 50% for eliminating 37 crews (37 correctional officers and 4 sergeants) and increasing receipts from DOT for the other 50%.

-41.00

106 Inmate Clothing Budget ($500,000) R

Reduce budget for inmate clothing by reducing allocation of clean clothes to four days a week, the minimum required by the courts in lawsuit settlements.

107 Increase Caseloads of Prison Program Staff ($1,571,945) R

The current prison program staff are allocated at approximately one for every 55 inmates. This reduction would increase ratio to one to 60 and reduce positions from 593 to 543. The following positions would be eliminated:

-50.00

40 Program Asst. I's
5 Program Ass. II's
5 Program Supervisors

	FY 02-03	
108 Inmate Education Programs Due to a decline in youthful offender inmates, DOC can further reduce education staff. The following positions are to be eliminated: 4 teachers 1 Office Asst 3 Library Tech Assts 1 Librarian 1 Guidance Counselor 1 Processing Asst III Eight of 11 positions are vacant.	($559,313) -11.00	R
109 Reduce Maintenance Staffing DOC recommended eliminating 8 maintenance positions; another 32 positions will be eliminated due to increased system efficiencies and increasing inmate to staff ratios from 64 to 1 to 70 to 1.	($1,422,745) -40.00	R
110 Safekeeper Payments Safekeepers are county prisoners who are transferred to the State. Counties pay DOC $18 a day to hold safekeepers. Current law excludes payment to DOC if an offender being held in one county is a resident of another. This reduction is based on increased receipts due to deleting the residency exclusion from the General Statutes.	($800,000)	R
111 Operating Funds for New Prisons The three new 1000 bed prisons authorized by the General Assembly in 2001 are scheduled for completion in FY 2002-03 and FY 2003-04. Funds are appropriated for startup for each of the three prisons with the bulk of the funds for Scotland, which will be completed in May, 2003. The total funding in FY 2002-03 is $7,721,363 to be allocated as follows: Scotland: $6,616,630 410 positions Anson: $ 816,825 138 positions Alexander: $ 287,908 8 positions	$5,277,478 $2,443,885 556.00	R NR
112 Energy for Committed Offenders, Inc. (ECO) DOC contracts with ECO for 20 minimum custody female beds. The contract amount is reduced for 02-03.	($24,264)	NR
113 Inmate Infraction Receipts DOC charges inmates $10 for every infraction conviction. It is estimated receipts will exceed the budget so a reduction in the General Fund can be taken.	($150,000)	R
114 Alien Assistance Receipts DOC receives federal funds for housing illegal aliens convicted of crimes in N.C. It is estimated that receipts will exceed the budgeted amount by $310,000 in FY 03. Program is likely to end after FY 03 so the reduction is non-recurring.	($310,000)	NR

Budget Changes	**($38,471,691)**	**R**
	($18,033,820)	**NR**
Total Position Changes	-402.00	
Revised Total Budget	**$874,459,405**	

Crime Control and Public Safety

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$28,493,506**

Budget Changes

Administration

115 Eliminate Positions ($114,589) R

Eliminate 2 vacant positions in the Office of the Secretary: -2.00

4960-0000-0010-402 Agency Legal Specialist II
4910-0000-0001-408 Public Relations Officer

116 Eliminate Boxing Commission ($215,964) R

The continuation budget is reduced by the amount in the certified budget for the Boxing Commission. -3.00

117 Reduce Operating Expenses ($114,589) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

118 Administrative Costs ($1,100,000) R

The State Highway Patrol comprises 77 percent of all employees in the Department of Crime Control and Public Safety. The continuation budget for the Department's administration is adjusted to reflect increased receipts from Budget Code 24960, Fund Code 2610 - Highway Patrol. The receipts will be used to support central administrative costs associated with the operations of the State Highway Patrol. The Department is directed to identify cost savings within Budget Code 24960, Fund Code 2610 to offset the transfer of these funds to Budget Code 14900.

Alcohol Law Enforcement

119 Eliminate Vacant Positions ($377,114) R

Eliminate 8 vacant positions: -8.00

4940-0000-0000-633 Missing Persons Specialist
4940-0000-0500-507 ALE Agent II
4940-0000-0700-512 ALE Agent II
4940-0000-0200-516 ALE Agent II
4940-0000-0000-629 ALE Agent II
4940-0000-0300-473 ALE Agent II
4940-0000-0700-452 ALE Agent I
4940-0000-0900-499 ALE Agent I

120 Reduce Operating Expenses ($485,942) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Civil Air Patrol

121 Reduce Operating Expenses ($14,783) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Emergency Management

122 Eliminate Vacant Positions ($155,074) R

Eliminate 4 vacant positions:
4950-0000-0000-678 Admin Asst I -4.00
4950-1000-0000-712 Computer Sys Adm I
4950-1000-0000-715 Staff Dev Tech II
4950-0000-0001-191 Office Asst IV

123 Reduce Operating Expenses ($152,817) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Governor's Crime Commission

124 Reduce Operating Expenses ($146,138) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

125 Drug Task Forces ($250,000)

Eliminate the amount in the continuation budget for the one remaining drug task force. Localities desiring to establish future task forces should seek alternative sources of funding.

National Guard

126 Tarheel Challenge ($620,000) R

Effective July 1, 2002, eliminate the Tarheel Challenge Program as it is not essential to the core mission of the National Guard. The $500,000 remaining from the elimination of Tarheel Challenge shall be transferred to the continuation budget for the National Guard tuition assistance program.

127 Eliminate Vacant Positions ($103,457) R

Eliminate three vacant positions:
4920-0000-0000-116 Processing Asst III -3.00
4920-0000-0000-119 Admin Asst II
4920-0000-0000-190 Prog Asst IV

128 Reduce Operating Expenses ($435,922) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

	FY 02-03	
Victims' Compensation		
129 Reduce Salary Reserve Continuation budget is reduced by the balance of residual salary reserve remaining after the Community Service Work Program was transferred to the Department of Correction.	($395,428)	R
130 Reduce Operating Expenses Reduce continuation budget line items for travel, equipment, supplies, contract, etc	($89,566)	R
Budget Changes	**($4,771,383)**	R
Total Position Changes	-20.00	
Revised Total Budget	**$23,722,123**	

SPECIAL PROVISIONS

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY

JUNE 11, 2002

PART XIV. JUDICIAL DEPARTMENT

Special Provision 2002-AOC-S1-P [v7], Modified 6/7/02 4:07 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
REAPPOINTMENT OF SPECIAL SUPERIOR COURT JUDGES

SECTION #. G.S. 7A-45.1(a2) reads as rewritten:

"(a2) Effective December 15, 1996, the Governor may appoint four special superior court judges to serve terms expiring five years from the date that each judge takes office. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to five-year terms. However, the terms of two of the initial successors to the special superior court judges appointed pursuant to this subsection shall not commence until January 1, 2003, and the terms of the other two initial successors shall not commence until July 1, 2003. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district."

Special Provision 2002-AOC-S2-P [v7], Modified 6/7/02 5:23 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
SUCCESSORS TO JUDGES AT MANDATORY RETIREMENT AGE

SECTION #. Upon the mandatory retirement of any sitting district court judge or superior court judge after January 1, 2003, the Governor shall appoint a successor who shall take office on or after July 1, 2003.

Special Provision 2002-AOC-S3-P [v6], Modified 6/7/02 4:06 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
RESTRICT DISTRICT COURT MANDATORY ARBITRATION

SECTION #. G.S. 7A-37.1(c) reads as rewritten:

"(c) This procedure may be employed in civil actions where claims do not exceed fifteen thousand dollars ~~($15,000).~~ ($15,000), except that it shall not be employed in actions on an account and appeals from magistrates only involving monies owed."

Special Provision 2002-AOC-S4-P [v3], Modified 6/7/02 2:24 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
PROCEEDS FROM COURT INFORMATION TECHNOLOGY FUND

SECTION #. Notwithstanding the provisions of G.S. 7A-343.2, fifty percent (50%) of the funds collected by the Director of the Administrative Office of the Courts pursuant to G.S. 7A-109(d) during the 2002-2003 fiscal year shall be budgeted as a receipt for the Administrative Office of the Courts.

Special Provision 2002-AOC-S6-P [v6], Modified 6/7/02 4:07 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
CLARIFICATION/COURT FEES FOR LEGAL SERVICES

SECTION #. G.S. 7A-306(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice the sum of thirty dollars ($30.00). In addition, in proceedings involving land, except boundary disputes, if the fair market value of the land involved is over one hundred dollars ($100.00), there shall be an additional sum of thirty cents (30¢) per one hundred dollars ($100.00) of value, or major fraction thereof, not to exceed a maximum additional sum of two hundred dollars ($200.00). Fair market value is determined by the sale price if there is a sale, the appraiser's valuation if there is no sale, or the appraised value from the property tax records if there is neither a sale nor an appraiser's valuation. Sums collected under this subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and five cents ($1.05) of each thirty-dollar ($30.00) General Court of Justice fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

SECTION #. G.S. 7A-307(a)(2) reads as rewritten:

"(2) For support of the General Court of Justice, the sum of thirty dollars ($30.00), plus an additional forty cents (40¢) per one hundred dollars ($100.00), or major fraction thereof, of the gross estate, not to exceed three thousand dollars ($3,000). Gross estate shall include the fair market value of all personalty when received, and all proceeds from the sale of realty coming into the hands of the fiduciary, but shall not include the value of realty. In collections of personal property by affidavit, the fee based on the gross estate shall be computed from the information in the final affidavit of collection made pursuant to G.S. 28A-25-3 and shall be paid when that affidavit is filed. In all other cases, this fee shall be computed from the information reported in the inventory and shall be paid when the inventory is filed with the clerk. If additional gross estate, including income, comes into the hands of the fiduciary after the filing of the inventory, the fee for such additional value shall be assessed and paid upon the filing of any account or report disclosing such additional value. For each filing the minimum fee shall be fifteen dollars ($15.00). Sums collected under this subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and five cents ($1.05) of each thirty-dollar ($30.00) General Court of Justice fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4."

Special Provision 2002-AOC-S8-P **[v4], Modified 6/7/02 2:03 PM**

Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

FEDERAL GRANT MATCHING FUNDS

SECTION #. The Judicial Department may use up to the sum of eight hundred seventy-five thousand dollars ($875,000) from funds available to the Department to provide the State match needed in order to receive federal grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Commission on Governmental Operations on the grants to be matched using these funds.

Special Provision 2002-AOC-S11-P [v7], **Modified 6/7/02 2:22 PM**
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

ASSISTANT DISTRICT ATTORNEY POSITIONS

SECTION #. G.S. 7A-60(a1) reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	~~9~~ 8
2	Beaufort, Hyde, Martin, Tyrrell, Washington	5
3A	Pitt	9
3B	Carteret, Craven, Pamlico	10
4	Duplin, Jones, Onslow, Sampson	14
5	New Hanover, Pender	14
6A	Halifax	4
6B	Bertie, Hertford, Northampton	4
7	Edgecombe, Nash, Wilson	15
8	Greene, Lenoir, Wayne	11
9	Franklin, Granville, Vance, Warren	10
9A	Person, Caswell	~~4~~ 3
10	Wake	30
11	Harnett, Johnston, Lee	14
12	Cumberland	~~18~~ 17
13	Bladen, Brunswick, Columbus	10
14	Durham	13
15A	Alamance	8
15B	Orange, Chatham	7

16A	Scotland, Hoke	5
16B	Robeson	9
17A	Rockingham	~~5~~ 4
17B	Stokes, Surry	5
18	Guilford	26
19A	Cabarrus	6
19B	Montgomery, Moore, Randolph	11
19C	Rowan	5
20	Anson, Richmond, Stanly, Union	15
21	Forsyth	~~17~~ 16
22	Alexander, Davidson, Davie, Iredell	16
23	Alleghany, Ashe, Wilkes, Yadkin	5
24	Avery, Madison, Mitchell, Watauga, Yancey	4
25	Burke, Caldwell, Catawba	14
26	Mecklenburg	33
27A	Gaston	12
27B	Cleveland, Lincoln	~~8~~ 7
28	Buncombe	10
29	Henderson, McDowell, Polk, Rutherford, Transylvania	11
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain."	~~8~~ 7

Special Provision 2002-AOC-S12-P **[v7], Modified 6/7/02 5:28 PM**
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

MAGISTRATE POSITIONS

SECTION #.(a) Notwithstanding the provisions of G.S. 7A-133(c) establishing minimum numbers of magistrate provisions in each county, the Administrative Office of the Courts shall identify and eliminate 15 magistrate positions across the State in a manner that minimizes the impact on access to court resources.

In identifying the 15 positions, the Administrative Office of the Courts shall consider:

(1) Cost-effective ways of providing access to magistrates in rural areas;
(2) The optimal mix of part-time and full-time positions; and
(3) Ongoing discussions before the Courts Commission and the Judicial Counsel on magistrate staffing and jurisdiction.

SECTION #.(b) The Administrative Office of the Courts shall report by December 1, 2002, 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 positions to be eliminated and the methodology for identifying those positions.

Special Provision 2002-AOC-S14-P [v6], Modified 6/7/02 4:08 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
SENTENCING SERVICES

SECTION #.(a) The Sentencing Services Program shall not use State funds to prepare sentencing plans for sentenced offenders who are returning to court because of potential probation violations. In addition, each sentencing services program shall review its procedures and implement methods of minimizing the frequency with which plans are prepared but not presented to the court.

SECTION #.(b) No funding is provided for the 2002-2003 fiscal year for the sentencing services programs in Districts 1, 19B, 20, 21, and 30. In the remaining districts, the Sentencing Services Program shall, wherever feasible, maintain the current mixture of State-run programs and contracts with private nonprofit and local government agencies. The Administrative Office of the Courts shall report to the Joint Legislative Commission on Governmental Operations prior to any changes in the current list of contractors.

SECTION #.(c) The Fiscal Research Division, in consultation with the Administrative Office of the Courts, shall review the impact of the changes mandated by subsections (a) and (b) of this section on the Sentencing Services Program during the review of the continuation budget by the 2003 General Assembly. The review shall determine the impact that these changes have made on the cost per plan and shall give particular attention to the following issues:

(1) Whether the mixture of contracts with nonprofits and State-run offices is an efficient manner in which to deliver these services;
(2) Whether there has been improvement in the proportion of prepared plans that are presented in court; and
(3) Whether the current staffing in the State office is sufficient to provide reasonable oversight of the local programs.

Special Provision 2002-AOC-S15-P [v5], Modified 6/8/02 4:00 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
DRUG TREATMENT COURT PROGRAM

SECTION #.(a) The Drug Treatment Court Program shall maintain the existing State-funded programs in Districts 5, 9, 9A, 10, 14, 21, and 26 during the 2002-2003 fiscal year.

SECTION #.(b) It is the intent of the General Assembly that State Drug Treatment Court funds not be used to fund case manager positions when those services can be reasonably provided by the Treatment Alternatives to Street Crime (TASC) program in the Department of Health and Human Services or by other existing resources. The Drug Treatment Court Program shall identify areas of potential cost savings in the local programs that would result from reducing the number of case

manager positions. The Program shall also identify areas in which federal funding might absorb administrative costs.

The Drug Treatment Court Program shall report by February 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the savings identified.

SECTION #.(c) Prior to the establishment of any new local drug treatment court programs, the local drug treatment court management committee shall consult with the TASC program as to the availability of case management services in that community.

Special Provision 2002-AOC-S21-P [v7], Modified 6/8/02 6:26 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
INCREASE JUDICIAL EFFICIENCIES

SECTION #.(a) Funding for the appellate courts is reduced in this act to reflect the elimination of the use of emergency judges at the Court of Appeals and the reduction in library expenses to eliminate unnecessary duplication of library resources between the Court of Appeals and the Supreme Court. In addition, the Supreme Court marshal, seven research assistant positions, and one vacant Supreme Court editorial assistant position are eliminated, in order to bring the staff-to-judge ratio at the appellate courts more in line with the relative workloads.

SECTION #.(b) All training conferences for judges and other court personnel held during the 2002-2003 fiscal year shall be held in State-owned facilities and, to the extent possible, shall make use of employees of the Institute of Government or other State agencies as instructors.

SECTION #.(c) No State funds may be used for out-of-state travel by employees or officials of the Judicial Department during the 2002-2003 fiscal year.

SECTION #.(d) G.S. 7A-340 reads as rewritten:

"**§ 7A-340. Administrative Office of the Courts; establishment; officers.**

There is hereby established a State office to be known as the Administrative Office of the Courts. It shall be supervised by a ~~Director, assisted by an assistant director.~~Director."

SECTION #.(e) G.S. 7A-342 reads as rewritten:

"**§ 7A-342. Appointment and compensation of assistant director and other employees.**

~~The assistant director shall also be appointed by the Chief Justice, to serve at his pleasure. The assistant director shall receive the annual salary provided in the Current Operations Appropriations Act, payable monthly, and reimbursement for travel and subsistence expenses at the same rate as State employees generally and longevity pay at the rates and for the service designated in G.S. 7A-144(b) for a judge of the district court.~~

The Director may appoint such other assistant and employees as are necessary to enable him to perform the duties of his office."

SECTION #.(f) G.S. 7A-345 is repealed.

SECTION #.(g) G.S. 7A-12 is repealed.

SECTION #.(h) G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	2
Second	4A	Duplin, Jones, Sampson	1
Second	4B	Onslow	1
Second	5	New Hanover, Pender	3
First	6A	Halifax	1
First	6B	Bertie, Hertford, Northampton	1
First	7A	Nash	1
First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
First	7C	(part of Wilson, part of Edgecombe, see subsection (b))	1
Second	8A	Lenoir and Greene	1
Second	8B	Wayne	1
Third	9	Franklin, Granville, Vance, Warren	2
Third	9A	Person, Caswell	1
Third	10A	(part of Wake, see subsection (b))	2
Third	10B	(part of Wake, see subsection (b))	2
Third	10C	(part of Wake, see subsection (b))	1
Third	10D	(part of Wake, see subsection (b))	1
Fourth	~~11A~~ 11	Harnett, ~~Lee~~ Lee, Johnston	~~1~~ 2
~~Fourth~~	~~11B~~	~~Johnston~~	~~1~~
Fourth	12A	(part of Cumberland, see subsection (b))	1
Fourth	12B	(part of Cumberland, see subsection (b))	1
Fourth	12C	(part of Cumberland, see subsection (b))	2
Fourth	13	Bladen, Brunswick, Columbus	2
Third	14A	(part of Durham, see subsection (b))	1
Third	14B	(part of Durham, see subsection (b))	3
Third	15A	Alamance	2
Third	15B	Orange, Chatham	1

Fourth	16A	Scotland, Hoke	1
Fourth	16B	Robeson	2
Fifth	17A	Rockingham	2
Fifth	17B	Stokes, Surry	2
Fifth	18A	(part of Guilford, see subsection (b))	1
Fifth	18B	(part of Guilford, see subsection (b))	1
Fifth	18C	(part of Guilford, see subsection (b))	1
Fifth	18D	(part of Guilford, see subsection (b))	1
Fifth	18E	(part of Guilford, see subsection (b))	1
Sixth	19A	Cabarrus	1
Fifth	19B1	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
	19B2	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Sixth	19C	Rowan	1
Sixth	20A	Anson, Richmond	1
Sixth	20B	Stanly, Union	2
Fifth	21A	(part of Forsyth, see subsection (b))	1
Fifth	21B	(part of Forsyth, see subsection (b))	1
Fifth	21C	(part of Forsyth, see subsection (b))	1
Fifth	21D	(part of Forsyth, see subsection (b))	1
Sixth	22	Alexander, Davidson, Davie, Iredell	3
Fifth	23	Alleghany, Ashe, Wilkes, Yadkin	1
Eighth	24	Avery, Madison, Mitchell, Watauga, Yancey	2
Seventh	25A	Burke, Caldwell	2
Seventh	25B	Catawba	2
Seventh	26A	(part of Mecklenburg, see subsection (b))	2
Seventh	26B	(part of Mecklenburg, see subsection (b))	3
Seventh	26C	(part of Mecklenburg, see subsection (b))	2
Seventh	27A	Gaston	2
Seventh	27B	Cleveland, Lincoln	2
Eighth	28	Buncombe	2
Eighth	29	Henderson, McDowell, Polk, Rutherford, Transylvania	2
Eighth	30A	Cherokee, Clay, Graham, Macon, Swain	1
Eighth	30B	Haywood, Jackson	1."

SECTION #.(i) The Administrative Office of the Courts shall study the possible cost savings and court workload efficiencies from consolidating existing superior court districts. The Administrative Office of the Courts shall report their findings to the Chairs of the Senate and House Appropriations Committees and the Senate and House Appropriations Subcommittees on Justice and Public Safety by March 1, 2003.

SECTION #.(j) Subsection (h) of this section becomes effective the later of October 15, 2002, or the date upon which that subsection is approved under section 5 of the Voting Rights Act of 1965.

PART XV. DEPARTMENT OF JUSTICE

Special Provision 2002-ATTY-S2-P [v10], Modified 5/24/02 1:54 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
RESTITUTION FOR SBI DRUG LAB ANALYSES

SECTION #. G.S. 90-95.3(b) reads as rewritten:

"(b) When any person is convicted of an offense under this Article, the court ~~may~~ shall order him to make restitution in the sum of one hundred dollars ($100.00) to the State of North Carolina for the expense of analyzing any controlled substance possessed by him or his agent as part of an investigation leading to his ~~conviction.~~ conviction, unless the court finds just cause for waiving the restitution required by this subsection. Any funds received under this subsection shall be deposited in the General Fund."

SECTION #. Part 10 of Article 3 of Chapter 20 is amended by adding a new section to read:

"**§ 20-138.6. Restitution for drug lab analysis.**

(a) This section applies to a person who has been convicted of any of the following offenses:

(1) G.S. 20-138.1, driving while impaired (DWI).
(2) G.S. 20-138.2, commercial DWI.
(3) G.S. 20-138.3, driving while less than 21 years old after consuming alcohol or drugs.
(4) G.S. 20-138.2A, driving a commercial motor vehicle with an alcohol concentration of greater than 0.00 and less than 0.04, if the person's drivers license was revoked under G.S. 20-17(a)(13).
(5) G.S. 20-138.2B, driving a school bus, a school activity bus, or a child care vehicle with an alcohol concentration of greater than 0.00, if the person's drivers license was revoked under G.S. 20-17(a)(14).

(b) When any person is convicted of an offense listed in subsection (a) of this section, the court shall order that person to make restitution in the sum of one hundred dollars ($100.00) to the State of North Carolina for the expense of analyzing any blood or bodily fluid samples as part of the investigation leading to that person's conviction, unless the court finds just cause for waiving the restitution required by this section."

SECTION #. This section becomes effective January 1, 2003.

Special Provision 2002-ATTY-S4A-P [v3], Modified 6/7/02 4:09 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
NO-CALL REGISTRY AUTHORIZATION

SECTION #.(a) The Department of Justice may use funds available to the Department up to one million dollars ($1,000,000) during the 2002-2003 fiscal year to establish and implement a no-call registry to stop unwanted telemarketing calls and to

increase protections for consumers in transactions initiated by telemarketers. These funds shall also be used to develop programs to protect citizens from improper electronic invasions of privacy.

SECTION #.(b) This section becomes effective only when legislation authorizing the Department of Justice to establish and implement a no-call registry becomes law.

Special Provision 2002-ATTY-S6-P [v4], Modified 6/7/02 5:30 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
REMOVE EXEMPTIONS FROM FINGERPRINT CHARGE

SECTION #. G.S. 114-19.1 reads as rewritten:

"**§ 114-19.1. Criminal history background investigations; fees.**

(a) When the Department of Justice determines that any person is entitled by law to receive information, including criminal records, from the State Bureau of Investigation, for any purpose other than the administration of criminal justice, the State Bureau of Investigation shall charge the recipient of such information a reasonable fee for retrieving such information. The fee authorized by this section shall not exceed the actual cost of locating, editing, researching and retrieving the information, and may be budgeted for the support of the State Bureau of Investigation.

(b) As used in this section, "administration of criminal justice" means the performance of any of the following activities: the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of persons suspected of, accused of or convicted of a criminal offense. The term also includes screening for suitability for employment, appointment or retention of a person as a law enforcement or criminal justice officer, ~~or as an officer of the court,~~ or for suitability for appointment of a person who must be appointed or confirmed by the General Assembly, the Senate, or the House of Representatives.

(c) In providing criminal history record checks, the Department of Justice shall process requests in the following priority order:

(1) Administration of criminal justice record checks,

(2) Mandatory noncriminal justice criminal history record checks,

(3) Voluntary noncriminal justice criminal history record checks.

(d) Nothing in this section shall be construed as enlarging any right to receive any record of the State Bureau of Investigation. Such rights are and shall be controlled by G.S. 114-15, G.S. 114-19, G.S. 120-19.4A, and other applicable statutes."

Special Provision 2002-ATTY-S7A-P [v3], Modified 6/7/02 4:09 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
DENR REIMBURSE DEPARTMENT OF JUSTICE

SECTION #. From funds available to the Department of Environment and Natural Resources, the sum of two hundred fifty thousand dollars ($250,000) for the 2002-2003 fiscal year shall be transferred to the Department of Justice for the costs of legal services performed by attorneys and support staff during the 2001-2003 biennium.

This transfer shall be made quarterly in the amount of sixty-two thousand five hundred dollars ($62,500) per quarter.

Special Provision 2002-ATTY-S8A-P [v9], Modified 6/7/02 5:03 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

INSURANCE REGULATORY FUND REIMBURSEMENT

SECTION #. G.S. 58-6-25(d) reads as rewritten:

"(d) Use of Proceeds. – The Insurance Regulatory Fund is created in the State treasury, under the control of the Office of State Budget and Management. The proceeds of the charge levied in this section and all fees collected under Articles 69 through 71 of this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be credited to the Fund. The Fund shall be placed in an interest-bearing account and any interest or other income derived from the Fund shall be credited to the Fund. Moneys in the Fund may be spent only pursuant to appropriation by the General Assembly and in accordance with the line item budget enacted by the General Assembly. The Fund is subject to the provisions of the Executive Budget Act, except that no unexpended surplus of the Fund shall revert to the General Fund. All money credited to the Fund shall be used to reimburse the General Fund for the following:

(1) Money appropriated to the Department of Insurance to pay its expenses incurred in regulating the insurance industry and other industries in this State.

(2) Money appropriated to State agencies to pay the expenses incurred in regulating the insurance industry, in certifying statewide data processors under Article 11A of Chapter 131E of the General Statutes, and in purchasing reports of patient data from statewide data processors certified under that Article.

(3) Money appropriated to the Department of Revenue to pay the expenses incurred in collecting and administering the taxes on insurance companies levied in Article 8B of Chapter 105 of the General Statutes.

(4) Money appropriated for the office of Managed Care Patient Assistance Program established under G.S. 143-730 to pay the actual costs of administering the program.

(5) Money appropriated to the Department of Insurance for the implementation and administration of independent external review procedures required by Part 4 of Article 50 of this Chapter.

(6) Money appropriated to the Department of Justice to pay its expenses incurred in representing the Department of Insurance in its regulation of the insurance industry and other related programs and industries in this State that fall under the jurisdiction of the Department of Insurance."

PART XVI. DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Special Provision 2002-DJJDP-S1A-P [v7], Modified 6/8/02 3:56 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
USE OF FUNDS FOR YOUTH DEVELOPMENT CENTER BEDS

SECTION #.(a) The Department of Juvenile Justice and Delinquency Prevention may use funds available during the 2002-2003 fiscal year to establish new Youth Development Center beds and may convert one of the 50-bed modular camps in the Eckerd Wilderness Camp Program for use as a Youth Development Center, as defined in G.S. 7B-1501. Any conversion shall be effectuated with existing contract funds.

SECTION #.(b) The Department shall consult with the Joint Legislative Commission on Governmental Operations and the Corrections, Crime Control, and Juvenile Justice Oversight Committee prior to:

(1) Converting any Eckerd Wilderness Camp beds to secure confinement beds during the 2002-2003 fiscal year; or

(2) Establishing bed capacity greater than 730 beds, including beds converted at Eckerd Wilderness Camps, during the 2002-2003 fiscal year.

The report shall include the sources of funding for any additional beds.

Special Provision 2002-DJJDP-S2-P [v6], Modified 5/24/02 1:53 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
FUNDING OF TEEN COURT PROGRAMS

SECTION #. Teen court programs may apply for and receive grants from local Juvenile Crime Prevention Councils pursuant to Article 12 of Chapter 143B of the General Statutes.

SECTION #. G.S. 143B-520(b) reads as rewritten:

"(b) Every teen court program that receives ~~State funds, including~~ funds from Juvenile Crime Prevention ~~Councils,~~ Councils shall comply with rules and reporting requirements of the Department of Juvenile Justice and Delinquency Prevention. ~~In particular, teen court programs receiving State funds shall report to the Department on the expenditure of State funds and the number of cases served each year.~~"

Special Provision 2002-DJJDP-S3-P [v6], Modified 5/24/02 2:11 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
COMMUNITIES IN SCHOOLS REDUCTIONS

SECTION #. The General Fund appropriation to the Department of Juvenile Justice and Delinquency Prevention for Communities in Schools of North Carolina, Inc., is reduced by the sum of ninety thousand dollars ($90,000) for each year of the 2002-2003 fiscal year. This reduction in funding shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites.

Special Provision 2002-DJJDP-S4-P [v5], Modified 5/24/02 1:52 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
FUNDING OF ECKERD WILDERNESS CAMP

SECTION #. For each youth admitted to the Eckerd Wilderness Camp program from an area mental health authority or a local education agency, the admitting authority or agency shall pay the costs associated with the support and treatment of that youth in the program.

Special Provision 2002-DJJDP-S5-P [v5], Modified 5/24/02 1:36 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

SECTION #. Section 24.4 of S.L. 2001-424 reads as rewritten:

"**SECTION 24.4.** Funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the ~~2001-2002~~ 2002-2003 fiscal year may be used as matching funds for the Juvenile Accountability Incentive Block Grants. If North Carolina receives Juvenile Accountability Incentive Block Grants, or a notice of funds to be awarded, the Office of State Budget and Management and the Governor's Crime Commission shall consult with the Department of Juvenile Justice and Delinquency Prevention regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Juvenile Justice and Delinquency Prevention shall report to the Appropriations Committees of the Senate and House of Representatives and the Joint Legislative Commission on Governmental Operations prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the ~~2001-2002~~ 2002-2003 fiscal year, the amount of funds anticipated for the ~~2002-2003~~ 2003-2004 fiscal year, and the allocation of funds by program and purpose."

PART XVII. DEPARTMENT OF CORRECTION

Special Provision 2002-CORR-S1-P [v5], Modified 6/7/02 11:42 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

ALL COUNTIES TRANSFERRING SAFEKEEPERS TO THE DEPARTMENT OF CORRECTION TO REIMBURSE DEPARTMENT REGARDLESS OF SAFEKEEPERS' RESIDENCY

SECTION #. G.S. 162-39(c) reads as rewritten:

"(c) The sheriff of the county from which the prisoner is removed shall be responsible for conveying the prisoner to the jail or prison unit where he is to be held, and for returning him to the common jail of the county from which he was transferred. The return shall be made at the expiration of the time designated in the court order directing the transfer unless the judge, by appropriate order, shall direct otherwise. The sheriff or keeper of the jail of the county designated in the court order, or the officer in charge of the prison unit designated by the Secretary of Correction, shall receive and release custody of the prisoner in accordance with the terms of the court order. If a prisoner is transferred to a unit of the State prison system, the county from which the prisoner is transferred shall pay the Department of Correction for maintaining the prisoner for the time designated by the court at the per day, per inmate rate at which the Department of Correction pays a local jail for maintaining a prisoner. The county shall

also pay the Department of Correction for the costs of extraordinary medical care incurred while the prisoner was in the custody of the Department of Correction, defined as follows:

(1) Medical expenses incurred as a result of providing health care to a prisoner as an inpatient (hospitalized);

(2) Other medical expenses when the total cost exceeds thirty-five dollars ($35.00) per occurrence or illness as a result of providing health care to a prisoner as an outpatient (nonhospitalized); and

(3) Cost of replacement of eyeglasses and dental prosthetic devices if those eyeglasses or devices are broken while the prisoner is incarcerated, provided the prisoner was using the eyeglasses or devices at the time of his commitment and then only if prior written consent of the county is obtained by the Department.

~~However, a county is not required to reimburse the State for maintaining a prisoner who was a resident of another state or county at the time he committed the crime for which he is imprisoned.~~ If the prisoner is transferred to a jail in some other county, the county from which the prisoner is transferred shall pay to the county receiving the prisoner in its jail the actual cost of maintaining the prisoner for the time designated by the court. Counties are hereby authorized to enter into contractual agreements with other counties to provide jail facilities to which prisoners may be transferred as deemed necessary under this section.

Whenever prisoners are arrested in such numbers that county jail facilities are insufficient and inadequate for the safekeeping of such prisoners, the resident judge of the superior court or any superior or district court judge holding court in the district may order the prisoners transferred to a unit of the State Department of Correction designated by the Secretary of Correction or his authorized representative, where the prisoners may be held for such length of time as the judge may direct, such detention to be in cell separate from that used for imprisonment of persons already convicted of crimes, except when admission to an inpatient prison medical or mental health unit is required to provide services deemed necessary by a prison health care clinician. The sheriff of the county from which the prisoners are removed shall be responsible for conveying the prisoners to the prison unit or units where they are to be held, and for returning them to the common jail of the county from which they were transferred. However, if due to the number of prisoners to be conveyed the sheriff is unable to provide adequate transportation, he may request the assistance of the Department of Correction, and the Department of Correction is hereby authorized and directed to cooperate with the sheriff and provide whatever assistance is available, both in vehicles and manpower, to accomplish the conveying of the prisoners to and from the county to the designated prison unit or units. The officer in charge of the prison unit designated by the Secretary of Correction or his authorized representative shall receive and release the custody of the prisoners in accordance with the terms of the court order. The county from which the prisoners are transferred shall pay to the Department of Correction the actual cost of transporting the prisoners and the cost of maintaining the prisoners at the per day, per inmate rate at which the Department of Correction pays a local jail for

maintaining a prisoner, provided, however, that a county is not required to reimburse the State for transporting or maintaining a prisoner who was a resident of another state or county at the time he was arrested. However, if the county commissioners shall certify to the Governor that the county is unable to pay the bill submitted by the State Department of Correction to the county for the services rendered, either in whole or in part, the Governor may recommend to the Council of State that the State of North Carolina assume and pay, in whole or in part, the obligation of the county to the Department of Correction, and upon approval of the Council of State the amount so approved shall be paid from Contingency and Emergency Fund to the Department of Correction.

When, due to an emergency, it is not feasible to obtain from a judge of the superior or district court a prior order of transfer, the sheriff of the county and the Department of Correction may exercise the authority hereinafter conferred; provided, however, that the sheriff shall, as soon as possible after the emergency, obtain an order from the judge authorizing the prisoners to be held in the designated place of confinement for such period as the judge may direct. All provisions of this subsection shall be applicable to municipalities whenever prisoners are arrested in such numbers that the municipal jail facilities and the county jail facilities are insufficient and inadequate for the safekeeping of the prisoners. The chief of police is hereby authorized to exercise the authority herein conferred upon the sheriff, and the municipality shall be liable for the cost of transporting and maintaining the prisoners to the same extent as a county would be unless action is taken by the Governor and Council of State as herein provided for counties which are unable to pay such costs."

Special Provision 2002-CORR-S3-P [v4], Modified 6/7/02 5:25 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM

SECTION #. Section 25.4 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.4.** The Department of Correction may use funds appropriated to the Department for the ~~2001-2002 fiscal year~~ 2001-2003 biennium to pay the sum of forty dollars ($40.00) per day as reimbursement to counties for the cost of housing convicted inmates, parolees, and post-release supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The Department shall report by December 1 and May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, the Chairs of the Senate and House of Representatives Appropriations Committees, and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on the expenditure of funds to reimburse counties for prisoners awaiting transfer and on its progress in reducing the jail backlog."

Special Provision 2002-CORR-S4-P [v5], Modified 6/7/02 11:59 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

REPORT ON INMATES ELIGIBLE FOR PAROLE

SECTION #. Section 25.21 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.21.** The Post-Release Supervision and Parole Commission shall ~~provide quarterly reports~~ report by January 15 and July 15 of each year to the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on inmates eligible for parole. These reports shall include at least the following:

(1) The total number of Fair Sentencing and Pre-Fair Sentencing inmates that were parole-eligible during the previous quarter and the total number of those inmates that were paroled. The report should group these inmates by offense ~~type and custody classification;~~ type, custody classification, and type of parole;

~~(2) A list of all those inmates paroled or released by category of parole or release, including each inmate's offense and custody classification at the time of the parole or release;~~

~~(3)~~(2) The average time served, by offense class, of Fair Sentencing and Pre-Fair Sentencing inmates compared to inmates sentenced under Structured Sentencing; and

~~(4)~~(3) The projected number of parole-eligible inmates to be paroled or released by the end of the ~~2001-2002~~ 2002-2003 fiscal year and by the end of the ~~2002-2003~~ 2003-2004 fiscal year."

Special Provision 2002-CORR-S6-P **[v8], Modified 6/7/02 5:32 PM**

Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

USE OF LAPSED SALARIES FOR SHIFT PAY FOR SECURITY STAFF

SECTION #. During the 2002-2003 fiscal year only, the Department of Correction shall not use lapsed salaries for the payment to security staff of (i) special premium holiday pay that exceeds standard holiday pay or (ii) special supplemental weekend shift premium pay that exceeds standard weekend shift pay. The Department shall also continue to take steps to hold down the cost of shift pay by converting prisons from three eight-hour shifts to two twelve-hour shifts whenever practical.

The Department of Correction shall report to the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2003, on its progress in converting prison work shifts from eight hours to twelve hours. The report shall include information on savings generated to date and potential future savings, as well as any changes in employee morale and leave usage, as a result of converting to twelve-hour shifts.

Special Provision 2002-CORR-S7-P **[v11], Modified 6/7/02 11:58 AM**

Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

DEPARTMENT OF CORRECTION SECURITY STAFFING FORMULAS

SECTION #.(a) The Department of Correction shall conduct security staffing post-audits of each prison at least biannually, the first such audit to be

completed during the 2002-2003 fiscal year. The initial post-audit shall be conducted jointly by Department staff and a consultant, external to the Department, and shall include analysis of the staffing levels assigned for supervision of correctional officers.

SECTION #.(b) The Department of Correction shall update the security staffing relief formula biannually, the first update to be completed during the 2002-2003 fiscal year. Each update shall include a review of all annual training requirements for security staff to determine which of these requirements should be mandatory and the appropriate frequency of the training.

SECTION #.(c) The Department of Correction shall report the results of the initial security staffing post-audits and relief formula update to the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2003.

Special Provision 2002-CORR-S8-P [v10], Modified 6/7/02 4:38 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

COMMUNITY WORK CREWS

SECTION #.(a) The Department of Correction shall implement a reduction in inmate community work crews systemwide, but work crews shall not be reduced at any locations that have fewer than three work crews.

The Department of Correction may use up to 39 work crews for Department of Transportation litter control projects. The Department of Transportation shall transfer at least one million three hundred thousand dollars ($1,300,000) from the Highway Fund to the Department of Correction during the 2002-2003 fiscal year to cover the cost of those work crews. Should the two departments determine that the actual cost of operating 39 work crews exceeds that amount, the Department of Transportation shall transfer an additional amount as agreed upon by the two departments and the Office of State Budget and Management.

SECTION #.(b) The Department of Correction shall identify locations where the number of inmate work crews is being reduced or diverted to perform litter control for the Department of Transportation and, to the extent possible, arrange for community service work program placements so that the affected work projects for State and local government can be maintained. The Department shall report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on all projects formerly performed by inmate work crews that have been continued through the community service work program.

SECTION #.(c) The Department of Correction shall identify all inmate labor supplied to public agencies for which the Department does not receive reimbursement for the costs of the labor and the supervision of the labor. The Department shall report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the type of labor provided, the number of security positions assigned for that labor, and the actual costs of providing the labor and supervision. The report shall also identify alternative methods for charging public agencies for the costs of inmate labor and the supervision of that labor.

Special Provision 2002-CORR-S12-P [v5], Modified 6/7/02 4:45 PM

Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee

SUBSTANCE ABUSE PROGRAMS

SECTION #. G.S. 143B-262.1 reads as rewritten:

"**§ 143B-262.1. Department of Correction – Substance Abuse Program.**

(a) The Substance Abuse Program established by subsection (d) of § 143B-262 shall be offered in a ~~medium custody~~ correctional facility, or a portion of a ~~medium custody~~ correctional facility that is self-contained, so that the residential and program space is separate from any other programs or inmate housing, and shall be operational by January 1, 1988, at such unit as the Secretary may designate.

(b) An Assistant Secretary for Substance Abuse shall be employed and shall report directly to the Office of the Secretary of Correction. ~~A Correctional Administrator I shall be employed to manage programs for offenders with substance abuse problems in the Department of Correction and its divisions. The Correctional Administrator I shall report to the Assistant Secretary for Substance Abuse. A Secretary IV shall be employed to assist the Correctional Administrator I. An Administrative Officer II and a Secretary IV shall be employed to assist the Assistant Secretary and work under his direction and management.~~ The duties of the Assistant Secretary shall include the following:

(1) Administer and coordinate all substance abuse programs, grants, contracts, and related functions in the Department of Correction;

(2) Develop and maintain working relationships and agreements with agencies and organizations that will assist in developing and operating a Substance Abuse Program in the Department of Correction;

(3) Develop and coordinate the use of volunteers in the Substance Abuse Program;

(4) Develop and present training programs related to substance abuse for employees and others at all levels in the agency;

(5) Develop programs that provide effective treatment for inmates, probationers, and parolees with substance abuse problems;

(6) Maintain contact with key leaders in the substance abuse field and active supporters of the Correction Program;

(7) Supervise directly the directors of treatment units, specialized personnel, and programs that exist or may be developed in the Department of Correction; and

(8) Develop employee assistance programs for employees with substance abuse problems.

~~(c) Ten additional program staff shall be employed. There shall be a Correctional Program Director II who is responsible to the Assistant Secretary for Substance Abuse. This employee shall be responsible for managing and implementing the inpatient treatment program. Also employed will be a Correctional Program Director I, two Correctional Program Supervisors, four Correctional Program Assistant II's, one Correctional Program Assistant I, and one Clerk-Stenographer IV.~~

~~(d) The duties of the Program Director shall include the following:~~

~~(1) Implement and manage the inpatient treatment program for inmates with substance abuse problems;~~
~~(2) Supervise personnel assigned to the inpatient treatment program;~~
~~(3) Assist in developing the treatment program for inmates with substance abuse problems;~~
~~(4) Recruit and develop staff for the inpatient program and other staff as required;~~
~~(5) Assist in developing linkage and follow-up of inmates between the inpatient program, related agencies, organizations, and other facilities of the Department of Correction;~~
~~(6) Be responsible for treatment plans and daily activities and schedules for all assigned inmates;~~
~~(7) Develop methods for involving families of inmates in the program to the extent deemed appropriate and useful; and~~
~~(8) Other duties as required.~~

~~Preference shall be accorded to qualified recovering alcoholics and substance abusers in the employment of treatment counselors.~~

(e) In the unit there shall be a unit superintendent under the Division of Prisons and other custodial, administrative, and support staff as required for a medium custody facility for approximately 100 inmates. The unit superintendent shall be responsible for all matters pertaining to custody and administration of the unit. The ~~Correctional Program Director II will~~ Assistant Secretary shall designate an employee to administer the inpatient treatment program under the direction of the Assistant Secretary for Substance Abuse.

(f) Extensive use may be made of inmates working in the role of ancillary staff, peer counselors, role models, or group leaders as the program manager determines. Additional resource people who may be required for specialized treatment activities, presentations, or group work may be employed on a fee or contractual basis.

~~(g) The Program in each unit shall be structured such that approximately 25 offenders will enter the Program on a weekly basis.~~

(h) Admission priorities shall be established as follows:

(1) Court recommendation.
(2) Evaluation and referral from reception and diagnostic centers.
(3) General staff referral.
(4) Self-referral.

The Program shall include extensive follow-up after the period of intensive treatment. There will be specific plans for each departing inmate for follow-up, including active involvement with Alcoholics Anonymous, community resources, and personal sponsorship."

Special Provision 2002-CORR-S13-P **[v4], Modified 6/7/02 4:45 PM**
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
USE OF CLOSED PRISON FACILITIES

SECTION #. Section 25.5 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.5.** In conjunction with the closing of prison facilities, including 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, with the elected State and local officials, and with State agencies about the possibility of converting that unit to other use. The Department may also consult with any private for-profit or nonprofit firm about the possibility of converting the unit to other use. In developing a proposal for future use of each unit, the Department shall give priority to converting the unit to other criminal justice use. Consistent with existing law and the future needs of the Department of Correction, the State may provide for the transfer or the lease of any of these units to counties, municipalities, State agencies, 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;~~one security custody level to another, where that conversion would be cost-effective. A prison unit under lease to a county pursuant to the provisions of this section for use as a jail is exempt for the period of the lease from any of the minimum standards adopted by the Secretary of Health and Human Services pursuant to G.S. 153A-221 for the housing of adult prisoners that would subject the unit to greater standards than those required of a unit of the State prison system.

Prior to any transfer or lease of these units, the Department of Correction shall report on the terms of the proposed transfer or lease to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee. The Department of Correction shall also provide annual summary reports to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the conversion of these units to other use and on all leases or transfers entered into pursuant to this section."

Special Provision 2002-CORR-S14-P [v8], Modified 6/7/02 5:27 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

MEDICAL BUDGET FOR PRESCRIPTION DRUGS

SECTION #. Section 25.6(b) of S.L. 2001-424 reads as rewritten:

"**SECTION 25.6.(b)** Notwithstanding the provisions of G.S. 143-23(a2), the Department of Correction may use funds available during the ~~2001-2002 fiscal year~~ 2001-2003 biennium for the purchase of prescription drugs for inmates if expenditures are projected to exceed the Department's inmate medical continuation budget for prescription drugs. The Department shall consult with the Joint Legislative Commission on Governmental Operations prior to exceeding the continuation budget amount.

The Department of Administration, Purchase and Contract Division, and the Department of Correction shall review the current statewide contract for purchase of prescription drugs as it applies to the Department of Correction's purchases for inmates to determine if the Department is receiving the lowest rate available and to determine whether the Department should be authorized to issue a request for proposals for a separate vendor or purchasing consortium for the provision of prescription drugs for

inmates. The Departments shall report on their findings to the Joint Legislative Commission on Governmental Operations by February 1, 2002."

Special Provision 2002-CORR-S15-P [v4], Modified 6/7/02 3:44 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
ELECTRONIC MONITORING COSTS

SECTION #. Article 1 of Chapter 148 of the General Statutes is amended by adding a new section to read:

"**§ 148-10.3. Electronic monitoring costs.**

Personnel, equipment, and other costs of providing electronic monitoring of pretrial or sentenced offenders shall be reimbursed on a cost basis to the Department of Correction by the State or local agency requesting the service."

SECTION 2. The Department of Correction shall report by March 1, 2003, 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 efforts to increase the use of electronic monitoring of sentenced offenders in the community.

Special Provision 2002-CORR-S17-P [v8], Modified 6/7/02 5:00 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
COLLECTION OF OFFENDER FEES

SECTION #. The Department of Correction and the Judicial Department shall jointly develop a plan to improve the collection rate of offender fees for probationers and for nonprobationers sentenced to community service. The plan should address improving both the rate at which offenders are levied fees and the rate at which those offenders satisfy their obligations. The plan shall address steps to improve the overall collection rate from thirty-seven percent (37%) to forty percent (40%) during the 2002-2003 fiscal year and to forty-five percent (45%) during the 2003-2004 fiscal year.

The two departments shall report by February 1, 2003 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 success of their efforts to improve these collection rates. The report shall also include any recommendations for statutory changes aimed at improving the collection rates.

Special Provision 2002-CORR-S18-P [v11], Modified 6/7/02 5:02 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
MOBILE MEDICAL OPERATING ROOM

SECTION #. The Department of Correction shall continue the contract for a mobile medical operating room at Central Prison for the 2002-2003 fiscal year at a reduced fixed rate that more clearly reflects the usage. However, the Department shall use the mobile unit for additional procedures, as authorized by the terms of the agreement, whenever the Department's Utilization Review Team determines that (i) a specific procedure can be performed at a cost below that charged by a public or private

hospital; and (ii) there is no compelling medical reason for performing the procedure in a hospital instead of using the mobile medical unit.

The Department shall also study the use of this mobile operating room and report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety. The report shall recommend whether the mobile unit should be continued, eliminated, or expanded in terms of capacity of the current unit and the potential for establishing an additional mobile unit. The report shall also include information on the number and type of procedures performed over and above the fixed rate contract and the savings generated.

Special Provision 2002-CORR-S21-P [v9], Modified 6/7/02 3:50 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

SECTION #.(a) Notwithstanding the provisions of G.S. 143B-273.16, Caswell, Person, and Union Counties shall not receive implementation funding for the Criminal Justice Partnership Program for the 2002-2003 fiscal year. However, those counties will be eligible to reapply for funding in future years.

SECTION #.(b) It is the intent of the General Assembly that State Criminal Justice Partnership Program funds not be used to fund case manager positions when those services can be reasonably provided by Division of Community Corrections personnel or by the Treatment Alternatives to Street Crime (TASC) program in the Department of Health and Human Services. The Division of Community Corrections shall identify at least the sum of eight hundred fifty-two thousand dollars ($852,000) in cost savings by eliminating funding for personnel in these cases and shall reduce the amount of implementation grant funding for those affected counties. These recommended modifications shall be first approved by the State Criminal Justice Partnership Advisory Board. The Division of Community Corrections shall report 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 specific adjustments within 45 days of the enactment of the budget for the 2002-2003 fiscal year.

SECTION #.(c) Funding for implementation grants shall be reduced an additional sum of two hundred seven thousand five hundred seventy-eight dollars ($207,578) by reducing funding for contractual services evenly in all participating counties.

SECTION #.(d) For the 2002-2003 fiscal year only, funds provided to the Criminal Justice Partnership Program for distribution as implementation grants are reduced by an additional sum of one million three hundred fifty thousand dollars ($1, 350,000).

Special Provision 2002-CORR-S22-P [v6], Modified 6/7/02 3:42 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

CONVERSION OF CONTRACTED MEDICAL POSITIONS

SECTION #.(a) The Department of Correction may convert contract medical positions to permanent State medical positions at individual correctional facilities if the Department can document that the total savings generated will exceed the total cost of the new positions for each facility. Where practical, the Department shall convert contract positions to permanent positions by using existing vacancies in medical positions.

SECTION #.(b) The Department of Correction shall report by October 1, 2003, to the Joint Legislative Commission on Governmental Operations and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on all conversions made pursuant to this section, by type of position and location, and on the savings generated at each correctional facility.

Special Provision 2002-CORR-S23-P [v6], Modified 6/7/02 2:34 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
REDUCE SUMMIT HOUSE APPROPRIATION

SECTION #. Subsection (a) of Section 25.14 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.14.(a)** The General Fund appropriation to the Department of Correction for Summit House, Inc., is reduced by the sum of one hundred thirty-nine thousand six hundred fifty dollars ($139,650) for ~~each year of the 2001-2003 biennium. This~~ the 2001-2002 fiscal year and by the sum of two hundred sixty-three thousand three hundred dollars ($263,300) for the 2002-2003 fiscal year. The ten percent (10%) reduction in funding for the 2001-2002 fiscal year shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites. The additional ten percent (10%) reduction for the 2002-2003 fiscal year shall be accomplished by reducing State funding for the State office by at least sixteen and seven-tenths percent (16.7%) in order to minimize the impact on the individual sites.

The Summit House Management Team shall continue to explore ways to reduce the use of State funds at the State office, including consideration of co-locating the State office with one of the local programs and contracting for financial services in lieu of a full-time staff. As of May 1, 2003, no State funds shall be used to support the State office."

PART XVIII. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Special Provision 2002-CCPS-S2-P [v6], Modified 5/24/02 2:10 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
ELIMINATE STATE BOXING COMMISSION

SECTION #. Article 68 of Chapter 143 of the General Statutes is repealed.

SECTION #. G.S. 90-18.3 reads as rewritten:

"**§ 90-18.3. Physical examination by nurse practitioners and physician assistants.**

(a) Whenever a statute or State agency rule requires that a physical examination shall be conducted by a physician, the examination may be conducted and the form signed by a nurse practitioner or a physician's assistant, and a physician need not be

present. Nothing in this section shall otherwise change the scope of practice of a nurse practitioner or a physician's assistant, as defined by G.S. 90-18.1 and G.S. 90-18.2, respectively.

(b) This section shall not apply to physical examinations conducted pursuant to G.S. 1A-1, Rule 35; G.S. 15B-12; or G.S. 90-14; ~~or any rules adopted by the North Carolina Boxing Commission requiring physical examinations~~ unless those statutes or rules are amended to make the provisions of this section applicable."

Special Provision 2002-CCPS-S6-P [v7], Modified 6/7/02 5:29 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
PHASE OUT TARHEEL CHALLENGE PROGRAM

SECTION #. The Tarheel Challenge Program shall be eliminated effective July 1, 2002. The administrators of the Program shall not renew any existing contracts, shall not enter into any new contracts, and shall not accept any new persons into the Program.

Once all contracts have been terminated, the sum of five hundred thousand dollars ($500,000) remaining in the continuation budget of the Department of Crime Control and Public Safety for the Tarheel Challenge Program on July 1, 2002, shall be transferred to the national guard for tuition assistance on that date.

Special Provision 2002-CCPS-S3B-P [v5], Modified 6/8/02 6:49 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
PLAN OF REORGANIZATION FOR CAMP BUTNER

SECTION #. It is the intent of the General Assembly to transfer the State's obligation of providing public safety services to Camp Butner, including the State and federal institutions and entities located at Camp Butner, and to transfer funds sufficient to provide fire and safety protection to the State institutions at Camp Butner, effective June 30, 2003. The Office of the Governor shall consult with the Department of Crime Control and Public Safety, the Department of Health and Human Services, the Department of Correction, the Department of Juvenile Justice and Delinquency Prevention, the Department of Agriculture and Consumer Services, North Carolina State University, the Department of Public Instruction, and the Community Colleges System to develop a plan of reorganization to transfer the State's authority, powers, duties, and contractual obligations of providing public safety services, including fire and police or safety protection, to Camp Butner and to the State and federal institutions and entities located at Camp Butner to either the county in which the real property is located or an incorporated municipality. In developing the plan of reorganization, the Office of the Governor shall also consider how fire and safety protections for the institutions located in Morganton, Burke County, and in Goldsboro, Wayne County, are funded. State institutions located at Camp Butner shall not be transferred.

On or before October 1, 2002, the Governor shall submit the plan of reorganization, including any legislative proposals and funding requirements that are required to implement the plan of reorganization, to the Chairs of the Senate Appropriations Committee on Justice and Public Safety, the Chairs of the House of

Representatives Appropriations Subcommittee on Justice and Public Safety, the Fiscal Research Division, and the Corrections, Crime Control, and Juvenile Justice Oversight Committee. The plan of reorganization shall become effective June 30, 2003, unless the General Assembly disapproves of the plan.

SENATE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday, June 18, 2002
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Senator Allen Wellons, Presiding
Senator Scott Thomas,
Senator Frank Ballance, Jr (Vice-Chairman)

II. PRESENTATIONS

Proposed Senate Justice and Public Safety Budget for FY 2002-03

- Opening Remarks/Discussion by Chair and Vice Chair

- Presentation of Proposed Senate Budget

  Fiscal Research Staff

- Remarks from Agency Representatives

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

SENATE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY
Minutes

June 18, 2002

The Senate Appropriations Subcommittee on Justice and Public safety met on June 18, 2002 at 8:30 AM in room 415 of the Legislative Office Building. Senator Allen Wellons opened the meeting.

A *Summary of Senate Justice & Public Safety June 11, 2002 Budget Report* (June 14 update) was distributed. It is attached.

Ms. Elyssa Wolper, staff distributed *Budget Changes*. She reviewed the Judicial portion. Senator Rand would like to revisit item 8 especially as it concerns district 30 which covers a very large area. In response to Senator Rand, 72 is the mandatory retirement age for judges.

Senator Bingham commented that item 10, Custody Mediation Program suggests increasing charging the costs of mediation to the mediate parties. The cost is about $700 a case. After some discussion, Senator Wellons agreed to look at each district to determine costs to find out if it can be changed.

Ms. Denise Thomas, staff, reviewed Justice, page 6 of the handout. Mr. Jim Mills, staff, reviewed Juvenile Justice. See page 8 of the handout. Senator Rand observed regarding item 58, Eckerd Camp Services, that a special provision was needed to insure reimbursements are in place.

Senator Ballance commented that the overall percentage of substance abuse budget is about 16%.

Regarding item 101m Reduce Contract for Mobile Surgery Unit, $900,000 is left in the contract. Senator Bingham requested a spreadsheet showing the non salary item cuts.

Ms. Thomas resumed the handout on page 20, Crime Control and Public Safety.

Ms. Wolper then started to review the *Special Provisions* (attached). In response to senator Clodfelter, Julia White from DOJ thinks that the program (No Call Registry – page 135) will pay for itself because companies will have to purchase lists. Mr. Jim Mills continued the special Provisions with the Department of Correction, page 138. In response to Senator Rand, Mr. Mills said holiday pay is rolled back to 50% instead of 75% for one year. Weekend and night pay is reduced from 20% to 10%. Senator Rand asked a comparison to be made in order to determine if shift pay is consistent with other agencies.

In response to Senator Rand, IMPACT will remain open until July 2003.

Ms. Thomas reviewed the special provisions for Crime Control and Public Safety.

Mr. John Kennedy from AOC expressed concern regarding custody mediation. Mr. George Sweat from Juvenile Justice would like to see the special provision regarding Eckerd camps to be strengthened. Senator Wellons agreed. Mr. Theodis Beck expressed concern abut the special provision limiting lapsed salary usage. He was also concerned about the food budget reductions. Senator Clodfelter asked Mr. Beck for clarification regarding the position cuts that will affect lapsed salaries.

Senator Wellons thanked the visitors for their patience and for their help in crafting a budget.

Senator Thomas moved to favorably accept the special provisions dealing with money as recommended. The motion carried unanimously.

Senator Rand introduced a special provision that states if a law enforcement officer retires and is reemployed, he should be allowed to keep his separation allowance.

Senator Thomas moved to give a favorable report for all of the special provisions including the one Senator Rand just introduced. The motion carried unanimously.

Senator Wellons adjourned the meeting at 10:30AM.

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Senator Allen Wellons
Chair

_____

Gloria Haywood
Committee Assistant

SUMMARY OF SENATE JUSTICE & PUBLIC SAFETY
JUNE 11, 2002 BUDGET REPORT (June 14 update)

BACKGROUND

The JPS Budget for five agencies and Office of Indigent Defense is reduced from $1,550,130,929 to $1,457,530,777, a net reduction of $92,600,152 or 6%; 1,322 positions are eliminated. It is estimated that 746 positions are vacant and 576 are filled.

- **This total does not include fees or special fund account balances that will go to General Fund availability**
- **The net reduction comes from $100.8 Million in cuts (6.5%) combined with continuation budget adjustments for new prisons coming on line and the National Guard Tuition Assistance program.**

Senate JPS Budget Approach:

- **Focus on program efficiencies and allocating a fair share of budget reductions to all programs, rather than totally eliminating programs**
- **Did not accept recommendations to set up negative reserves (freezing positions for FY 03)**

JUDICIAL

- **Reduce Judicial Branch funding by 3.1% and $11.6 Million, eliminating 94 positions.**
  - **Positions eliminated included magistrates (15), DA staff (19), Appellate Court staff (9), AOC positions (6)**
  - **Delayed appointments in 5 Judge's positions subject to expiration or retirement this coming year**
  - **Reductions in District Court Arbitration, Custody Mediation and Family Court Programs by eliminating certain administrative positions and narrowing the focus of the programs**
  - **Transfer of Sentencing Services to Office of Indigent Defense Services, with a 57% reduction in total funding.**

JUSTICE

- **Reduce Department of Justice funding by 6 percent for a total of $4.5 Million, including the elimination of 10 positions.**
  - **Improved collection of fees from offenders for the cost of laboratory analysis for controlled substances and alcohol.**
  - **Reduced funding for various operating line items including vehicle replacement, undercover operations and supplies/equipment.**

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- **Reduce Department of Juvenile Justice & Delinquency Prevention funding by 11.4 percent for a total of $16.2 Million, eliminating 238.5 positions.**
  - **Close one multipurpose group home and consolidate two detention centers with other facilities**
  - **Convert Samarkand Manor to an all female juvenile facility, eliminating 128 juvenile offender beds and 154 positions**
  - **$890,670 Reduction in funding for Juvenile Crime Prevention Grants and elimination of $488,660 in state funding for teen courts**

DEPARTMENT OF CORRECTION

- **Reduce Department of Correction funding by 6% and $56.5 million (net reduction; total reduction is $64.2 million minus $7.7 million for new prisons), eliminate 961 positions**
  - **Close Blue Ridge, Haywood, and Henderson Correctional Centers and convert Cleveland from medium to minimum custody**
  - **Reduce various substance abuse treatment programs by $2 million** *(about half of the amount proposed in Governors Budget)*
  - **Reduction of $2.2 Million in Criminal Justice Partnership Program and elimination of 94 positions in the Div. of Community Corrections.**
  - **Reducing security, program, and support staff positions by increasing staff to inmate supervision ratios in prisons**
  - **Adding $7.7 M in continuation budget operating funds for start up costs for three 1,000 bed prisons scheduled for completion in FY 2003 and 04**

CRIME CONTROL AND PUBLIC SAFETY

Reduce the Crime Control and Public Safety budget by 13 percent for a total of $3.7 Million

- **Elimination of 20 vacant positions including 7 ALE Agent positions**
- **10 percent reduction in funding for the Tarheel Challenge Program**
- **$500,000 expansion for National Guard Tuition Assistance Program due to increased requests arising from post-September 11th events.**

JUN 18 2002

Senate Subcommittee on Justice and Public Safety

Judicial

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$305,465,135**

Budget Changes

1 Reduction in Salary Reserve The accumulated balance in salary reserve is reduced by $1,000,000.	($1,000,000)		R
2 Vacant Court Reporter Position One vacant court reporter position is eliminated. The Judicial Branch generally has several vacancies among the 106 funded positions.	($50,593) -1.00		R
3 Eliminate Public Information Staff Two positions in the Public Information Office at the AOC are eliminated.(2201-1100-0150-514 and 2201-1100-0650-647) and these functions will be absorbed by other personnel.	($137,377) -2.00		R
4 Information Technology Positions A vacant special projects coordinator position in the information technology division (2209-1100-0750-807)and a vacant Business System's Analyst position (2210-1100-0650-654) are eliminated. An additional Business Systems Manager position is also eliminated.	($250,742) -3.00		R
5 Guardian Ad Litem Administration The number of regional administrators in the Guardian Ad Litem program is reduced from 4 to 3.	($59,739) -1.00		R
6 Contractual Services The budget for contractual services at the Administrative Office of the Courts is reduced by $575,000.	($575,000)		R
7 Reduction in Conference Expenses Travel and per-diem expenses are reduced by $320,670 to reflect less frequent conferences for court personnel. The number of DA training conferences is reduced from 2 to 1, the number of Judges' conferences from 3 to 2 and the number of Clerks' conferences from 2 to 1. In addition, conferences will be held only at state facilities and utilize state agencies as trainers. There will be no out-of-state travel with state funds in 2002-3 by Judicial Branch employees or officials.	($201,670) ($119,000)		R NR

	FY 02-03	
8 Assistant District Attorney Positions Seven Assistant District Attorney positions are eliminated effective July 1, 2002. The positions shall be taken from the offices which rank lowest in workload with no more than 1 position taken from any office. (1,9A, 12,17A, 21, 27B and 30)	($522,851) -7.00	R
9 Magistrate Positions Fifteen magistrate positions will be eliminated Jan 1, 2003 with the reductions taken in the lowest workload counties. Magistrate positions that are currently vacant or become vacant prior to December 31st shall remain vacant until new appointments are made effective Jan 1, 2003. The AOC shall identify the counties where the reduction will be implemented.	($338,140) -15.00	R
10 Custody Mediation Program The custody mediation program is reduced as follows; the programs run under contract in districts 27A,27B and 28 are abolished. In addition, staff positions are eliminated in districts 9,6B,17A,19B, and 19A. This leaves 25.1 staff in 15 districts.	($448,752) -4.38	R
11 Appellate Courts Funding for the appellate courts is reduced to reflect (1) elimination of the use of emergency judges at the Court of Appeals and (2) reduction in library expenses to eliminate unnecessary duplication of library resources between the Court of Appeals and the Supreme Court. Nine positions at the Supreme Court are eliminated: a vacant Editorial Assistant, 7 Research Assistants, and any positions authorized under GS 7A-12. This brings the staffing of the Supreme Court and Court of Appeals more in line with their relative workloads. In 2000-01, Supreme Court Research Assistants each handled an average of 100 dispositions while those at the Ct of Appeals handled 180.	($512,009) -9.00	R
12 Reduce Emergency Judge Pay The budget for emergency judge pay at the District and Superior Court level is reduced by 50%.	($189,067)	R
13 Delay 4 Special Superior Court Judgeships Four Special Superior Court Judgeships expire in August 2002. Two of their replacements are to be effective on or after January 1, 2003 and the other two on or after July 1, 2003.	($401,540)	NR
14 Reduction in Dispute Settlement Centers Funding for all 27 programs is reduced 16% in 2002-3. In addition, a process for collection of court costs in court referred cases that are successfully resolved by the program is to be established, affecting overall General Fund availability by $451,418 on an annualized basis.	($254,872)	NR

	FY 02-03	
15 Sentencing Commission Positions A vacant Research & Policy Associate position and an Administrative Assistant I position at the Sentencing & Policy Advisory Commission are eliminated.	($98,510) -2.00	R
16 Family Court Program Staffing levels are reduced in the Family Court Program. Seven case manager positions are eliminated to allocate 1 manager for every 3 family court judges (current ratio is 1:2). The positions to be eliminated are in Districts 8, 12, 14, 20, 25 and two positions in District #26.	($394,436) -7.00	R
17 District Attorney Staff Twelve Victims and Witness/Legal Assistant (VWLA) positions are eliminated. In implementing this reduction, the AOC shall limit the number of VWLA positions to be less than the number of Assistant District Attorneys in each district. Positions would be eliminated in districts 2, 6A, 6B, 9A,14,17A, 17B, 19C, 23, 24, 26 and 30.	($522,483) -12.00	R
18 Delay Replacement for Retiring Judges Personnel costs for District Court Judges are reduced to reflect anticipated mandatory retirements. Appointments for replacements for these judges will be effective on or after July 1, 2003.	($41,394)	NR
19 Operating Cost Reductions Budgeted funds for matching federal grants are eliminated ($350,000) and funding for software maintenance is reduced by ($274,495) to reflect new agreements on upgraded hardware.	($624,495)	R
20 District Court Arbitration Program Reduction Funding for the mandatory civil arbitration program in district court is reduced to reflect the elimination of collection on account cases and certain magistrate appeals from the program. Also, 13 of the 15.5 existing staff positions are eliminated and the program will be administered by other court staff. This leaves staff in the highest volume districts; 12, 26 and 27A.	($587,660) -13.00	R
21 Drug Treatment Court Reduction The General Fund portion of funding for the Drug Treatment Court program is reduced to reflect changes in the allocation of federal funds,the greater use of outside resources for case management and efficiencies in administration of the program. The Drug Treatment Court Administrator position is eliminated and these duties will be absorbed by other AOC staff.	($373,557) -1.00	R
22 Transfer & Redesign of Sentencing Services Program The Sentencing Services program is transferred to the Office of Indigent Defense Services as of July 1, 2002.	($5,759,409) -33.50	R
23 Budget Worthless Check Receipts Fully budgets receipts from the worthless check program. This adjustment reflects receipt levels for 2001-2 and leaves a General Fund appropriation of $24,077.	($175,000)	R

	FY 02-03	
24 Remove Funding for Telephone Sytems/Network Cable Funding previously provided for cabling and telephone lines in a new courthouse in New Hanover County is removed. The counties will assume responsibility for these systems in New Hanover and Dare Counties.	($125,000)	NR
25 Eliminate Associate Counsel Position An Associate Counsel position at the Administrative Office of the Courts is eliminated, effective July 1, 2002.	($84,282) -1.00	R
26 Consolidate Three Superior Court Districts The following Superior Court Districts are recombined to align the Superior Court districts with the District Court and Prosecutorial Districts; 11A & 11B, 25A & 25B, 30A & 30B. These consolidations allow the elimination of 1 trial court coordinator position in 11, effective January 15, 2003.	($27,402) -1.00	R
Budget Changes	**($12,933,174)** **($941,806)**	R NR
Total Position Changes	-112.88	
Revised Total Budget	**$291,590,155**	

Judicial - Indigent Defense

GENERAL FUND

	FY 02-03	
Total Budget Approved 2001 Session	**$68,867,771**	
Budget Changes		
27 Reduce Funding to NC State Bar Grant funding to the NC State Bar for improvement of the administration of justice is reduced by 10%.	($59,000)	NR
28 Reduce Public Defender Staff Two Assistant Public Defender positions are eliminated in District #12 effective July 1, 2002, leaving 12 positions. This office ranks lowest in cases per attorney.	($148,454) -2.00	R
29 Transfer of Sentencing Services Program The Sentencing Services program is transferred from the Administrative Office of the Courts to the Office of Indigent Defense Services.Of the 33.5 state positions currently authorized, only 2 positions may be assigned to administrative duties not directly related to the production of sentencing plans. Funding for the program is reduced by 57% to reflect a narrower focus for the program and more efficient administration. The Office of Indigent Defense Services may use a combination of state employees and contractual arrangements with local governments or non profit organizations to provide sentencing services in as many districts as possible.	$2,463,065 21.00	R
Budget Changes	**$2,314,611** **($59,000)**	R NR
Total Position Changes	19.00	
Revised Total Budget	**$71,123,382**	

Justice

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$73,785,584**

Budget Changes

30 Temporary Services Reduce the continuation budget for temporary personnel services	($200,415)	NR
31 National Association of Attorney Generals Delay full payment of annual membership fees to the National Association of Attorney Generals. Delay will not affect the state's membership privileges.	($40,761)	NR
32 Legal Services Receipts Increase receipts in the Legal Services Division to decrease the number of positions supported by the General Fund	($250,000)	NR
33 NC LEAF Reduce amount budgeted for NC Legal Education Assistance Foundation	($40,000)	R
34 DARE Program Reduce the continuation budget for the Drug and Alcohol Resistance Education (DARE) Program. Amount remaining may be used to purchase and distribute educational materials to local law enforcement agencies for use in support of their anti-drug initiatives.	($150,286) -3.00	R
35 Laboratory Drug/Alcohol Analyses Increase collection of restitution payments to cover the cost of alcohol and drug analyses conducted by the SBI Crime Laboratory.	($500,000)	R
36 NC Background Checks Eliminate the exemption of NC background check fees for prospective lawyers and adoptive parents	($40,000)	R
37 Criminal Justice Network DCI-PIN Terminals Based upon OSBM's study of the criminal justice information network costs, rental rates for DCI-PIN terminals and circuits will be adjusted effective January 1, 2003 to cover increased network costs. This adjustment will generate $500,000 in additional receipts in FY02-03.	($500,000)	R
38 SBI Undercover Operations Reduce funds budgeted for undercover drug purchases.	($500,000)	NR

	FY 02-03	
39 Uniform Allowance Reduce amount budgeted for SBI uniform allowances	($117,200)	NR
40 SBI Training Academy One time reduction in the amount budgeted for SBI training.	($50,000)	NR
41 SBI Accreditation Defer annual SBI law enforcement accreditation payment. Delay will not affect agency's accreditation status.	($50,000)	NR
42 Reduction in Force Eliminate 7 positions in the Legal Services and the Criminal Training and Standard Divisions	($267,986) -7.00	R
43 Vehicle Replacement Reduce vehicle replacement budget by $500,000	($500,000)	NR
44 Eliminate Remaining OIG Funds The Office of Inspector General was eliminated effective January 1, 2002. The balance remaining in the continuation budget for this purpose is eliminated.	($42,895)	R
45 LEXIS Contract Continuation budget is reduced to reflect savings from the renegotiation of the LEXIS publishing contract.	($100,000)	R
46 Supplies and equipment Reduce continuation budget for supplies and equipment.	($523,500)	NR
47 Overtime Costs Reduce overtime expenditures across all agency divisions.	($584,000)	R
Budget Changes	**($2,225,167)** **($2,231,876)**	R NR
Total Position Changes	-10.00	
Revised Total Budget	**$69,328,541**	

Juvenile Justice & Delinquency Prevention

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$142,554,017**

Budget Changes

Central Administration

48 Reduce Non-Salary Line Items ($500,000) NR

Continue one time reduction from FY 2002; this excludes travel reductions for court counselors

49 Reduce Central Administration Budget ($916,320) R

-3.00

The Central Office budget is reduced by 11% by cutting operating expenses and three vacant positions: Teen Court Coordinator, Asst. Secy. For Special Initiatives, and a Specialist for the Center for the Prevention of Violence. Position reductions total $227,184 while Non-Salary reductions are:

$122,987 Travel and Supplies
$101,788 Indirect Costs from Federal Grants
$100,000 Rent
$ 36,383 SOS Program N.S. Line Items
$ 29,900 Gov One on One N.S. Line Items
$298,078 Prior year refunds from JCPC's

50 Eliminate Vacant Special Assistant Position ($83,684) R

-1.00

The duties of this position have been combined with another position so this vacant position can be eliminated.

Intervention/Prevention

51 Juvenile Court Counselors ($1,277,836) R

-26.00

The continuation budget for juvenile court counselors is reduced by $1,277,836. Of this amount, $200,000 is to be taken from 532700 Travel/Other Employee Expenses. The remaining amount shall be generated by eliminating 26 vacant positions effective July 1, 2002; 24 court counselors and two office assistants. DJJDP recommended eliminating 14 positions,12 counselors and two office assistants.

52 Project Challenge ($30,000) NR

Reduce pass-through funds by 20%.

53 Close one Multipurpose Group Home ($500,000) R

Close one of the three multi-purpose group homes currently operating under contract.

	FY 02-03	
54 JCPC Grants The continuation budget for the Juvenile Crime Prevention Councils (JCPC) county allocations is reduced by $890,670.	($890,670)	NR
55 Teen Court Dedicated state funding for teen court programs in specific counties is eliminated. Those counties wishing to retain a teen court program are directed to provide funding from their JCPC allocations or alternative funding sources.	($488,660)	R
56 Juvenile Assessment Center Reduce pass-through funds by 20%.	($30,000)	NR
57 Governor's One-on-One Reduce the continuation budget by 10 percent.	($117,811)	NR
58 Eckerd Camp Services Local mental health authorities and local education agencies shall reimburse DJJDP at the daily contracted rate for all juveniles referred and admitted to an Eckerd Camp. The continuation budget for Eckerd is reduced by 10 percent to reflect these increased receipts.	($1,200,000)	R
59 Boys and Girls Club Funds Reduce pass-through funds by 20%.	($80,000)	NR
60 Communities in Schools Reduce pass-through funds by 20%.	($90,000)	R
61 Eliminate Vacant Program Coordinator Eliminate the position of Community Based Alternative Program Coordinator (1881-0000-0000-290) effective July 1, 2002.	($50,132) -1.00	R
Youth Facilities		
62 Convert Samarkand Manor YDC to Female Facility DJJDP will eliminate 128 juvenile offender beds and 154 positions at the Samarkand Manor Youth Development Center (Training School). Up to 73 beds will remain for female offenders. Samarkand is being closed because of the high cost of operations, the extent of renovation and repair needs, and to begin carrying out the intent of the Juvenile Justice Act to downsize and eventually eliminate training schools (YDCs). The reduction amount shown for Samarkand is lower than the original amount of ($7,433,822) due to initial overestimates of position savings by DJJDP. Additional positions (all vacant) in the juvenile justice system were eliminated in order to meet the budgeted reduction amount. These vacancies are identified elsewhere in this report.	($6,860,236) -154.00	R

	FY 02-03	
63 Consolidate Detention Centers	($1,482,424)	R
Buncombe and Umstead state detention centers will be closed July 1. The forty bed capacity of these two facilities combined will be re-established at the Dillon and the Juvenile Evaluation Center YDC's. Juveniles in detention will be housed and managed separately from the training school population. This action will result in the loss of another 40 YDC beds. Combined with the downsizing of Samarkand, a total of 168 YDC beds will be eliminated. The 37 positions being eliminated here are vacant; some vacancies are being taken from the the YDC's to meet the budget reduction amount shown and to avoid further reductions in filled positions.	-37.00	
64 Reduce Medical Budget	($100,000)	R
The budget for medical services for juvenile offenders exceeds expenditures in FY 02. With the downsizing of facilities, an additional reduction can be made.		
65 Reduce YDC Education Budget	($249,132)	R
Four vacant teacher positions and one vacant librarian position (vacant since December 2000) are eliminated. The teacher reductions, combined with 12 vacant teacher positions recommended for elimination by DJJDP as part of the Samarkand and Detention Center conversions, eliminate 16 of 22 vacant teacher positions. Teacher positions have traditionally had high vacancy rates in the juvenile system.	-5.00	
66 Increase Detention Center Receipts	($600,000)	R
The State and County each pay 50% of the cost of a detention center bed. The rate charged to counties has not been adjusted in FY 02 to reflect actual State costs which now exceed 50%. Adjusting the rate charged to counties will increase receipts by $600,000, allowing a reduction in the General Fund.		
67 Increase Receipts for Food Service	($350,000)	R
DJJDP Detention Centers are eligible to receive federal funds to help pay for meals for youthful offenders. Receiving these receipts will allow a reduction in the General Fund. One federally funded position is established to manage this program.	1.00	
68 Eliminate Vacant Detention Center Positions	($126,618)	R
3.5 vacant positions are eliminated. 2.5 positions are eliminated from Alexander Detention Center: a Maintenance Mechanic III, a Nurse (.5), and a Youth Program Assistant. One position is eliminated from Richmond Detention, an Administrative Assistant V. These positions were recommended for reduction by DJJDP in order to meet the original reduction amount of $7.43 million for Samarkand.	-3.50	

	FY 02-03	
69 Eliminate Youth Facility Positions	($231,323)	R
Eight additional vacant positions are eliminated from a combination of Detention Centers, Youth Development Centers, and YDC transitional programs. These positions were recommended by DJJDP in lieu of cutting seven Behavioral Specialists.	-8.00	
Counselor Tech's: 5 positions (Buncombe, Gaston, Alexander, and two from Camp Red Wolf)		
Security Officer I (Stonewall)		
Cook II (Stonewall)		
Recreation Worker (Dobbs)		
Budget Changes	**($14,606,365)**	R
	($1,648,481)	NR
Total Position Changes	-237.50	
Revised Total Budget	**$126,299,171**	

Correction

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$930,964,916**

Budget Changes

Alcohol and Chemical Dependency

70 DART Cherry Program ($292,434) R

DART Cherry is a 300 bed residential treatment program for DWI parolees, other parolees, and probationers. Staffing is reduced by 10 positions--six substance abuse workers and four counselors--by increasing caseloads.

-10.00

71 DART In-Prison Residential Programs ($1,376,598) R

The Governor's budget recommended eliminating all but one medium custody in-prison residential substance abuse treatment program, a portion of the in-prison non-residential programs (e.g. aftercare, short-term treatment programs), and 45% of central office staff. By contrast, this reduction action maintains most of the medium custody prison residential programs and all of the funds for non-residential prison programs such as aftercare and short-term treatment. This reduction action has four components (1) closes the two close custody residential programs (Pasquotank and Marion) since a 35 to 90 day program is of limited value to inmates with long-term sentences (3 other positions shown in Pasquotank's position count are actually for the Tyrrell minimum custody program and are not eliminated); (2) closes three medium custody residential programs (Foothills, Caswell, and Polk Youth); (3) reduces 15 staff statewide by increasing caseloads; and, (4) reduces Central Office staff by two positions (Correctional Administrator I and Substance Abuse Program Consultant, both vacant).

-40.00

72 Regional Offices in DACDP ($351,088) R

Due to reductions in substance abuse treatment staffing statewide and closing of residential treatment programs in five prisons, it is recommended that the number of Regional Offices be reduced from four to two.

-6.00

Central Administration

73 Reduce Central Administration Budget ($515,267) R

Nine DOC management and administrative positions are eliminated as recommended in the Governor's budget. -9.00

Corr. Psychological Program Director
Special Asst to Secy.
Social Research Assoc. II
Social Research Asst I
Corr. Training Coordinator
Personnel Supv. I (Vacant)
Personnel Analyst I (Vacant)
Asst Secy Program Development (Vacant)
Info Comm Specialist (Vacant)

74 MIS Contract Conversion ($355,155) R

Expenditures for MIS contracts will be reduced by converting contract funds to four MIS positions. The savings result from canceling contract positions and fees charged for contracts. The four positions are Telecommunication Systems Analyst, and three Applications Analyst/Programmer Specialists (one at grade 83 and two at 81) 4.00

75 Delay Vehicle Replacement

DOC will delay purchase of replacement vehicles for one more year ($1,000,000) NR

76 Cancel Training Facility Contract ($183,000) R

DOC uses a Fort Fisher facility operated by the National Guard for training of staff in Eastern N.C. DOC will cancel contract and identify less expensive training facilities.

77 Reduce Funding in Training Division ($181,063) R

Two vacant positions are eliminated from the Office of Staff Development and Training -- a Correctional Training Instructor II and an Office Asst. IV. Non-salary items for the Office are also reduced in the areas of phone services, per diem for meals and rent of motor vehicles. -2.00

Community Corrections

78 Reduction in Funding of Nonprofits

Pass through funding to community corrections programs is reduced in 2002-3 as follows; 10% reduction for Summit House; 20% reductions for Harriet's House, Women at Risk and the John Hyman Foundation. Summit House funding was reduced 10% for the biennium in the 2002 budget. The reduction in Summit House funding shall be taken as follows; $25,649 (a 16.7% reduction) from the state office and $100,045 (a 9.1% reduction) from the local programs. As of May 1, 2003, all state funds shall be used in the local programs only. ($275,694) NR

	FY 02-03	
79 Electronic Monitoring Cost Sharing The General Fund cost of the Electronic Monitoring program is reduced to reflect cost sharing with outside agencies that utilize the program (local law enforcement and the Department of Juvenile Justice & Delinquency Prevention). In addition, 1 position (EHA Specialist) is eliminated to reflect lower workload on 3nd shift and budgeted overtime is reduced by $25,000 to reflect actual.	($276,218) -1.00	R
80 Reduction in Probation Parole Staffing The following positions are eliminated in the Division of Community Correction district offices; 11 Office Assistants, 17 PPO I (community), 11 PPO II (Intermediate), 23 Intensive Officers and 28 Surveillance Officers. Based on current population projections, this will result in average caseloads of 27/78/100 for intensive/intermediate/ community. The Office Assistants may be either OA's assigned to probation-parole officers or to the community service work program.	($3,356,367) -90.00	R
81 Vacant Trainer Position A vacant trainer position is eliminated. This leaves 4 trainers for the Division of Community Corrections. (4550-1030-0060-167)	($38,913) -1.00	R
82 Criminal Justice Partnership Program Funding for the CJPP program is reduced to reflect the following: cost efficiencies in day reporting centers from using probation parole officers and the TASC program in DHHS to provide case management; across the board reductions in contractual services, elimination of 2 positions coordinating the program at DCC, and elimination of funding for the following counties; Person, Caswell, and Union.	($1,053,302) ($1,146,698) -2.00	R
83 Reduce Operational Costs for Drug Screening The operational costs for the 6 drug screening labs operated by DCC will be reduced due to new technology and other efficiencies.	($162,216)	R
84 Reduction in Automobile Expenses The Division will be able to reduce the number of leased vehicles from the Department of Administration, based on actual usage.	($88,452)	R
85 Contractual Parole Revocation Hearing Officers Parole Revocation Hearings are handled by contract employees. This item reduces the budget to reflect actual spending.	($115,000)	R

Department Wide

86 Non-Salary Line Item Cuts

($1,278,951) R
($17,721,049) NR

DOC will reduce non-salary expenditures such as travel, equipment, and supplies system wide for one more year. Recurring reductions are: $200,000 equipment; $200,000 rent; facility/hardware supplies $500,000 and Utilities, $378,951. The total recommended reduction by DOC was $18,621,049. The Utilities recurring reduction of $378,951 brings total reduction to $19 million.

Parole and Post Release Supervision

87 Further Reductions to Parole Commision

($226,108) R

-5.00

The General Assembly has directed that the Commission reduce its budget by a minimum of10% each year due to declining parole cases. This reduction would cut approximately 14%. Five positions are eliminated: three parole case analysts (one vacant), an Office Assistant V (vacant), and Chief of Operations.

Prisons

88 Use Federal Funds to Pay for Inmate Labor

($450,000) R

DOC uses inmate labor for various construction projects funded by federal Truth in Sentencing Grants but pays inmates from DOC funds. Using federal funds allows a reduction in the General Fund.

89 Reduce Prison Administration Costs

($481,971) R

-9.00

Eliminate nine positions in the central office of the Division of Prisons as recommended in the Governor's budget.

Program Asst V (Vacant)
Nurse Clinician II (Vacant)
Corr Programs Director III (Vacant)
Psychological Program Director III (Vacant)
Educational Services Specialist (Vacant)
Office Asst IV
Office Asst III (Vacant)
Corr Programs Director III (Vacant)
Social Worker II (Vacant)

90 Security Staffing: Increase Inmate to staff ratio

($9,539,100) R

-300.00

DOC's current security staffing ratio is 2.92 inmates per correctional position (officers and supervisors). This is one of the lowest ratios in the country, primarily due to operating older, inefficient facilities. However, it is believed through system efficiencies in assignment of security posts that some positions can be eliminated. A reduction of 300 correctional officer positions would increase the ratio to 3 inmates for every security staff position. It is assumed that all or most of the 300 positions would be taken out of the 1000 plus vacant correctional officer positions.

	FY 02-03	
91 Security Staffing --Lieutenants	($564,779)	R
Seventeen lieutenant positions are reduced at prison facilities with high lieutenant to sergeant ratios.	-17.00	
92 Reduce Security Staffing: Update Relief Formula	($4,285,845)	R
DOC assigns a "relief formula" to each security post to determine the number of postions needed. This relief formula accounts for leave usage, training hours and so on to ensure security posts are always covered. The DOC relief formula has not been adjusted to account for reduced leave usage for officers both on eight and twelve hour shifts. Adjusting the relief formula to 1.73 per 24 hour post compared to the current 1.76 formula, and similar reductions for other posts, allows for a reduction of 135 officer positions system-wide.	-135.00	
93 Close Blue Ridge Correctional Center	($1,274,095)	R
Blue Ridge Correctional Center will be closed July 1, 2002. The cost per day was $96 in Fy 2001. The reduction amount includes a 50% reduction in the inmate budget. The BRIDGE forestry program, which operates out of Blue Ridge and Western Correctional Centers will now operate only at Western.	-35.00	
94 Close Haywood Correctional Center	($1,317,266)	R
Close Haywood Correctional Center July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.	-34.00	
95 Close Henderson Correctional Center	($1,335,978)	R
Henderson Correctional Center will be closed July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.	-33.00	
96 Close Rowan Diagnostic Center	($144,598)	R
Due to overstaffing in relation to workload standards, Rowan and other diagnostic centers were reduced by eight positions in 2001-02. Rowan has a relatively small workload that can be absorbed at other diagnostic centers.	-5.00	
97 Convert Cleveland Correctional Center	($407,931)	R
Cleveland Correctional center is a medium custody facility that costs $75 a day, higher than the state average of $67.43 for medium custody prisons. Cleveland will be converted to minimum custody to save costs. The inmate construction program will continue and the segregation beds and staff will not be reduced.	-17.00	
98 Reduce Inmate Food budget	($1,000,000)	R
Through system efficiencies, DOC has been able to further reduce expenditures in the inmate food service program.		
99 Food Service Officers	($443,088)	R
By increasing the ratio of inmates to food service officers from 77 inmates to one officer to 80 to one, 14 positions can be reduced system wide. Positions are 12 food service officer I's and 2 food service manager positions.	-14.00	

FY 02-03

100 Reduction of Inmate Medical Costs ($3,575,166) R

DOC recommended reducing funding for the inmate medical program by implementing two major program efficiencies: (1) eliminating positions at eight smaller prisons and having medical services provided by nearby larger facilities; and (2) eliminating certain medical contracts and contract positions and then converting some contract positions to lower cost state positions. -36.00

101 Reduce Contract for Mobile Surgery Unit ($600,000) R

DOC pays a fixed contract rate for use of a Mobile Surgery Unit at Central Prison. Based on a lower utilization rate than anticipated, the fixed contract rate can be reduced.

102 Reduce Prison Chaplain Program ($855,146) R

It is recommended that 16 chaplains, 2 central office chaplain positions (one on contract), and one regional coordinator position be eliminated. This will require prisons with 400 or fewer inmates to use community funded or volunteer chaplains. Prisons with 400 to 700 inmates will be reduced from 2 to 1 chaplains plus community funded and volunteer chaplains. This leaves 42 chaplain positions and nine contract chaplains in the system. -18.00

103 Inmate Community Work Crews ($2,620,071) R

Eliminate 37 of 164 inmate work crews and assign an additional 39 crews to do litter control work for DOT in carrying out SB 1014. Crews will not be eliminated at locations where only one or two crews currently operate. Reduction amount of $2,620,071 includes approximately 50% for eliminating 37 crews (37 correctional officers and 4 sergeants) and increasing receipts from DOT for the other 50%. -41.00

104 Inmate Clothing Budget ($500,000) R

Reduce budget for inmate clothing by reducing allocation of clean clothes to four days a week, the minimum required by the courts in lawsuit settlements.

105 Increase Caseloads of Prison Program Staff ($1,571,945) R

The current prison program staff are allocated at approximately one for every 55 inmates. This reduction would increase ratio to one to 60 and reduce positions from 593 to 543. The following positions would be eliminated: -50.00

40 Program Asst. I's
5 Program Ass. II's
5 Program Supervisors

	FY 02-03	
106 Inmate Education Programs	($559,313)	R
Due to a decline in youthful offender inmates, DOC can further reduce education staff. The following positions are to be eliminated:	-11.00	
4 teachers 1 Office Asst 3 Library Tech Assts 1 Librarian 1 Guidance Counselor 1 Processing Asst III		
Eight of 11 positions are vacant.		
107 Reduce Maintenance Staffing	($1,422,745)	R
DOC recommended eliminating 8 maintenance positions; another 32 positions will be eliminated due to increased system efficiencies and increasing inmate to staff ratios from 64 to 1 to 70 to 1.	-40.00	
108 Safekeeper Payments	($800,000)	R
Safekeepers are county prisoners who are transferred to the State. Counties pay DOC $18 a day to hold safekeepers. Current law excludes payment to DOC if an offender being held in one county is a resident of another. This reduction is based on increased receipts due to deleting the residency exclusion from the General Statutes.		
109 Operating Funds for New Prisons	$5,277,478	R
The three new 1000 bed prisons authorized by the General Assembly in 2001 are scheduled for completion in FY 2002-03 and FY 2003-04. Funds are appropriated for startup for each of the three prisons with the bulk of the funds for Scotland, which will be completed in May, 2003. The total funding in FY 2002-03 is $7,721,363 to be allocated as follows:	$2,443,885 556.00	NR
Scotland: $6,616,630 410 positions Anson: $ 816,825 138 positions Alexander: $ 287,908 8 positions		
110 Energy for Committed Offenders, Inc. (ECO)		
DOC contracts with ECO for 20 minimum custody female beds. The contract amount is reduced for 02-03.	($24,264)	NR
111 Inmate Infraction Receipts	($150,000)	R
DOC charges inmates $10 for every infraction conviction. It is estimated receipts will exceed the budget so a reduction in the General Fund can be taken.		
112 Alien Assistance Receipts		
DOC receives federal funds for housing illegal aliens convicted of crimes in N.C. It is estimated that receipts will exceed the budgeted amount by $310,000 in FY 03. Program is likely to end after FY 03 so the reduction is non-recurring.	($310,000)	NR

	FY 02-03	
Budget Changes	**($38,471,691)**	**R**
	($18,033,820)	**NR**
Total Position Changes	-401.00	
Revised Total Budget	**$874,459,405**	

Crime Control and Public Safety

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$28,493,506**

Budget Changes

Administration

113 Eliminate Positions ($114,589) R

Eliminate 2 vacant positions in the Office of the Secretary: -2.00

4960-0000-0010-402 Agency Legal Specialist II
4910-0000-0001-408 Public Relations Officer

114 Eliminate Boxing Commission ($215,964) R

The continuation budget is reduced by the amount in the certified budget for the Boxing Commission. -3.00

115 Reduce Operating Expenses ($114,589) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

116 Administrative Costs ($1,100,000)

The State Highway Patrol comprises 77 percent of all employees in the Department of Crime Control and Public Safety. The continuation budget for the Department's administration is adjusted to reflect increased receipts from Budget Code 24960, Fund Code 2610 - Highway Patrol. The receipts will be used to support central administrative costs associated with the operations of the State Highway Patrol. The Department is directed to identify cost savings within Budget Code 24960, Fund Code 2610 to offset the transfer of these funds to Budget Code 14900.

Alcohol Law Enforcement

117 Reduce Operating Expenses ($485,942) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

118 Eliminate Vacant Positions ($377,114) R

Eliminate 8 vacant positions: -8.00

4940-0000-0000-633 Missing Persons Specialist
4940-0000-0500-507 ALE Agent II
4940-0000-0700-512 ALE Agent II
4940-0000-0200-516 ALE Agent II
4940-0000-0000-629 ALE Agent II
4940-0000-0300-473 ALE Agent II
4940-0000-0700-452 ALE Agent I
4940-0000-0900-499 ALE Agent I

Civil Air Patrol

119 Reduce Operating Expenses ($14,783) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Emergency Management

120 Eliminate Vacant Positions ($155,074) R

Eliminate 4 vacant positions:

4950-0000-0000-678	Admin Asst I	-4.00
4950-1000-0000-712	Computer Sys Adm I	
4950-1000-0000-715	Staff Dev Tech II	
4950-0000-0001-191	Office Asst IV	

121 Reduce Operating Expenses ($152,817) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Governor's Crime Commission

122 Reduce Operating Expenses ($146,138) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

123 Drug Task Forces ($250,000) R

Eliminate the amount in the continuation budget for the one remaining drug task force. Localities desiring to establish future task forces should seek alternative sources of funding.

National Guard

124 Tarheel Challenge ($112,000) R

The continuation budget for the Tarheel Challenge Program is reduced by 10 percent. The National Guard is directed to identify alternative sources of funding which may be used to meet the 40 percent state match requirement.

125 Eliminate Vacant Positions ($103,457) R

Eliminate three vacant positions:

4920-0000-0000-116	Processing Asst III	-3.00
4920-0000-0000-119	Admin Asst II	
4920-0000-0000-190	Prog Asst IV	

126 Reduce Operating Expenses ($435,922) R

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

127 Tuition Assistance Program $500,000 R

The continuation budget for tuition assistance is increased by $500,000. This will enable the National Guard to accommodate the increased tuition assistance requests resulting from the economic downturn and the impact of September 11th.

	FY 02-03	
Victims' Compensation		
128 Reduce Salary Reserve Continuation budget is reduced by the balance of residual salary reserve remaining after the Community Service Work Program was transferred to the Department of Correction.	($395,428)	R
129 Reduce Operating Expenses Reduce continuation budget line items for travel, equipment, supplies, contract, etc	($89,566)	R
Budget Changes	**($3,763,383)**	R
Total Position Changes	-20.00	
Revised Total Budget	**$24,730,123**	

Senate Appropriations Subcommittee on

Justice and Public Safety

Special Provisions

June 18, 2002

PART XIV. JUDICIAL DEPARTMENT

Special Provision 2002-AOC-S1-P [v7], Modified 6/7/02 4:07 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
REAPPOINTMENT OF SPECIAL SUPERIOR COURT JUDGES

SECTION #. G.S. 7A-45.1(a2) reads as rewritten:

"(a2) Effective December 15, 1996, the Governor may appoint four special superior court judges to serve terms expiring five years from the date that each judge takes office. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to five-year terms. However, the terms of two of the initial successors to the special superior court judges appointed pursuant to this subsection shall not commence until January 1, 2003, and the terms of the other two initial successors shall not commence until July 1, 2003. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district."

Special Provision 2002-AOC-S2-P [v7], Modified 6/7/02 5:23 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
SUCCESSORS TO JUDGES AT MANDATORY RETIREMENT AGE

SECTION #. Upon the mandatory retirement of any sitting district court judge or superior court judge after January 1, 2003, the Governor shall appoint a successor who shall take office on or after July 1, 2003.

Special Provision 2002-AOC-S3 [v8], Modified 6/14/02 9:43 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
RESTRICT DISTRICT COURT MANDATORY ARBITRATION

SECTION #.(a) G.S. 7A-37.1(c) reads as rewritten:

"(c) This procedure may be employed in civil actions where claims do not exceed fifteen thousand dollars ~~($15,000).~~ ($15,000), except that it shall not be employed in actions on an account and appeals from magistrates only involving monies owed."

SECTION #.(b) The Judicial Department shall study the feasibility of charging the costs of arbitration to the parties to civil actions in district court, with the intent of making the program self-supporting. The Department shall report by March 1, 2003 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 their findings and any recommendations for modification of the existing program.

Special Provision 2002-AOC-S8 [v9], Modified 6/14/02 11:03 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
FEDERAL GRANT FUNDS

SECTION #.(a) The Judicial Department shall use up to the sum of eight hundred seventy-five thousand dollars ($875,000) from funds available to the

Department to provide the State match needed in order to receive federal grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Commission on Governmental Operations on the grants to be matched using these funds. The Judicial Department shall also use proceeds from the Court Information Technology Fund to fulfill prior obligations to criminal justice information projects receiving federal funds.

Special Provision 2002-AOC-S11-P [v7], Modified 6/7/02 2:22 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

ASSISTANT DISTRICT ATTORNEY POSITIONS

SECTION #. G.S. 7A-60(a1) reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	~~9~~ 8
2	Beaufort, Hyde, Martin, Tyrrell, Washington	5
3A	Pitt	9
3B	Carteret, Craven, Pamlico	10
4	Duplin, Jones, Onslow, Sampson	14
5	New Hanover, Pender	14
6A	Halifax	4
6B	Bertie, Hertford, Northampton	4
7	Edgecombe, Nash, Wilson	15
8	Greene, Lenoir, Wayne	11
9	Franklin, Granville, Vance, Warren	10
9A	Person, Caswell	~~4~~ 3
10	Wake	30
11	Harnett, Johnston, Lee	14
12	Cumberland	~~18~~ 17
13	Bladen, Brunswick, Columbus	10
14	Durham	13
15A	Alamance	8
15B	Orange, Chatham	7

16A	Scotland, Hoke	5
16B	Robeson	9
17A	Rockingham	~~5~~ 4
17B	Stokes, Surry	5
18	Guilford	26
19A	Cabarrus	6
19B	Montgomery, Moore, Randolph	11
19C	Rowan	5
20	Anson, Richmond, Stanly, Union	15
21	Forsyth	~~17~~ 16
22	Alexander, Davidson, Davie, Iredell	16
23	Alleghany, Ashe, Wilkes, Yadkin	5
24	Avery, Madison, Mitchell, Watauga, Yancey	4
25	Burke, Caldwell, Catawba	14
26	Mecklenburg	33
27A	Gaston	12
27B	Cleveland, Lincoln	~~8~~ 7
28	Buncombe	10
29	Henderson, McDowell, Polk, Rutherford, Transylvania	11
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain."	~~8~~ 7

Special Provision 2002-AOC-S12 [v9], Modified 6/13/02 11:27 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
MAGISTRATE POSITIONS

SECTION #.(a) Notwithstanding the provisions of G.S. 7A-133(c) establishing minimum numbers of magistrate provisions in each county, the Administrative Office of the Courts shall identify and eliminate 15 magistrate positions across the State in a manner that minimizes the impact on access to court resources. Positions may be eliminated only in counties that currently have at least five magistrate positions, and no more than one position per judicial district may be eliminated.

In identifying the 15 positions, the Administrative Office of the Courts shall:

(1) Identify counties with a disproportionate number of magistrate positions, based upon caseload;

(2) Consider more cost-effective methods of providing access to magistrates in rural areas;

(3) Determine the optimal mix of part-time and full-time magistrate positions; and

(4) Consider ongoing discussions before the Courts Commission and the Judicial Counsel on magistrate staffing and jurisdiction.

SECTION #.(b) The Administrative Office of the Courts shall report by December 1, 2002, 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 positions to be eliminated and the methodology used to identify those positions.

Special Provision 2002-AOC-S14 [v13], Modified 6/14/02 11:33 AM

Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee

TRANSFER SENTENCING SERVICES PROGRAM TO OFFICE OF INDIGENT DEFENSE SERVICES

SECTION #.(a) The statutory authority, powers, duties, and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Administrative Office of the Courts to conduct the Sentencing Services Program, as provided by Article 61 of Chapter 7A of the General Statutes, are transferred to the Office of Indigent Defense Services.

SECTION #.(b) G.S. 7A-498.2(a) reads as rewritten:

"(a) The Office of Indigent Defense Services, which is administered by the Director of Indigent Defense Services and includes the Commission on Indigent Defense ~~Services,~~ Services and the Sentencing Services Program established in Article 61 of this Chapter, is created within the Judicial Department. As used in this Article, "Office" means the Office of Indigent Defense Services, "Director" means the Director of Indigent Defense Services, and "Commission" means the Commission on Indigent Defense Services."

SECTION #.(c) G.S. 7A-498.6(b) reads as rewritten:

"(b) The Director shall:

(1) Prepare and submit to the Commission a proposed budget for the Office of Indigent Defense Services, an annual report containing pertinent data on the operations, costs, and needs of the Office, and such other information as the Commission may require;

(2) Assist the Commission in developing rules and standards for the delivery of services under this Article;

(3) Administer and coordinate the operations of the Office and supervise compliance with standards adopted by the Commission;

(4) Subject to policies and procedures established by the Commission, hire such professional, technical, and support personnel as deemed reasonably necessary for the efficient operation of the Office of Indigent Defense Services;

(5) Keep and maintain proper financial records for use in calculating the costs of the operations of the Office of Indigent Defense Services;

(6) Apply for and accept on behalf of the Office of Indigent Defense Services any funds that may become available from government grants, private gifts, donations, or bequests from any source;

(7) Coordinate the services of the Office of Indigent Defense Services with any federal, county, or private programs established to provide assistance to indigent persons in cases subject to this Article and consult with professional bodies concerning improving the administration of indigent services;

(8) Conduct training programs for attorneys and others involved in the legal representation of persons subject to this Article; ~~and~~

(8a) Administer the Sentencing Services Program established in Article 61 of this Chapter; and

(9) Perform other duties as the Commission may assign."

SECTION #.(d) G.S. 7A-771(2a) reads as rewritten:

"(2a) "Director" means the Director of ~~the Administrative Office of the Courts.~~ Indigent Defense Services."

SECTION #.(e) G.S. 7A-772(b) reads as rewritten:

"(b) The Director may establish local sentencing services 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~~ Office of Indigent Defense Services shall adopt rules necessary and appropriate for the administration of the program. Funds appropriated by the General Assembly for the establishment and maintenance of sentencing services programs under this Article shall be administered by the ~~Administrative Office of the Courts.~~ Office of Indigent Defense Services."

SECTION #.(f) The Sentencing Services Program shall not use State funds to prepare sentencing plans for sentenced offenders who are returning to court because of potential probation violations. In addition, each sentencing services program shall review its procedures and implement methods of minimizing the frequency with which plans are prepared but not presented to the court.

SECTION #.(g) As of July 1, 2002, the number of State positions assigned as administrative staff is reduced from 11 to two and the number of State positions authorized to work in local programs is reduced from 23 to 19. Notwithstanding the provisions of G.S. 7A-772(b), the number of State positions may not exceed 21. The Office of Indigent Defense Services may reallocate the remaining State employee positions in order to provide sentencing services in any of the districts formerly served by non-State agencies. The Office of Indigent Defense Services shall renegotiate contractual arrangements with some of the highest performing nonprofits that have administered sentencing services program to date. Within existing funding, the Office of

Indigent Defense Services may also contract with individuals or organizations to provide additional sentencing services.

SECTION #.(h) The Office of Indigent Defense Services shall report by November 1, 2002 to the Chairs of the Senate and House Appropriations Committees and the Senate and House Appropriations Subcommittees on Justice and Public Safety on the reorganization of the Sentencing Services Program pursuant to this section. The report shall include the specific assignments for the 21 remaining State positions, the districts in which sentencing services will be available, the means by which those services will be provided, and an estimated number of plans and cost per plan for the 2002-2003 fiscal year.

Special Provision 2002-AOC-S15-P [v5], Modified 6/8/02 4:00 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
DRUG TREATMENT COURT PROGRAM

SECTION #.(a) The Drug Treatment Court Program shall maintain the existing State-funded programs in Districts 5, 9, 9A, 10, 14, 21, and 26 during the 2002-2003 fiscal year.

SECTION #.(b) It is the intent of the General Assembly that State Drug Treatment Court funds not be used to fund case manager positions when those services can be reasonably provided by the Treatment Alternatives to Street Crime (TASC) program in the Department of Health and Human Services or by other existing resources. The Drug Treatment Court Program shall identify areas of potential cost savings in the local programs that would result from reducing the number of case manager positions. The Program shall also identify areas in which federal funding might absorb administrative costs.

The Drug Treatment Court Program shall report by February 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the savings identified.

SECTION #.(c) Prior to the establishment of any new local drug treatment court programs, the local drug treatment court management committee shall consult with the TASC program as to the availability of case management services in that community.

Special Provision 2002-AOC-S21 [v10], Modified 6/13/02 4:18 PM
Requested by: Senators Rand, Plyler, Odom, Lee
INCREASE JUDICIAL EFFICIENCIES

SECTION #.(a) Funding for the appellate courts is reduced in this act to reflect the elimination of the use of emergency judges at the Court of Appeals and the reduction in library expenses to eliminate unnecessary duplication of library resources between the Court of Appeals and the Supreme Court. In addition, the Supreme Court marshal, seven research assistant positions, and one vacant Supreme Court editorial assistant position are eliminated, in order to bring the staff-to-judge ratio at the appellate courts more in line with the relative workloads.

SECTION #.(b) All training conferences for judges and other court personnel held during the 2002-2003 fiscal year shall be held in State-owned facilities and, to the extent possible, shall make use of employees of the Institute of Government or other State agencies as instructors.

SECTION #.(c) No State funds may be used for out-of-state travel by employees or officials of the Judicial Department during the 2002-2003 fiscal year.

SECTION #.(d) G.S. 7A-12 is repealed.

SECTION #.(e) G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	2
Second	4	Duplin, Jones, Sampson	1
Second	4B	Onslow	1
Second	5	New Hanover, Pender	3
First	6A	Halifax	1
First	6B	Bertie, Hertford, Northampton	1
First	7A	Nash	1
First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
First	7C	(part of Wilson, part of Edgecombe, see subsection (b))	1
Second	8A	Lenoir and Greene	1
Second	8B	Wayne	1
Third	9	Franklin, Granville, Vance, Warren	2
Third	9A	Person, Caswell	1
Third	10A	(part of Wake, see subsection (b))	2
Third	10B	(part of Wake, see subsection (b))	2
Third	10C	(part of Wake, see subsection (b))	1
Third	10D	(part of Wake, see subsection (b))	1
Fourth	~~11A~~ 11	Harnett, ~~Lee~~ Lee, Johnston	~~1~~ 2
~~Fourth~~	~~11B~~	~~Johnston~~	~~1~~
Fourth	12A	(part of Cumberland, see subsection (b))	1
Fourth	12B	(part of Cumberland, see subsection (b))	1

Fourth	12C	(part of Cumberland, see subsection (b))	2
Fourth	13	Bladen, Brunswick, Columbus	2
Third	14A	(part of Durham, see subsection (b))	1
Third	14B	(part of Durham, see subsection (b))	3
Third	15A	Alamance	2
Third	15B	Orange, Chatham	1
Fourth	16A	Scotland, Hoke	1
Fourth	16B	Robeson	2
Fifth	17A	Rockingham	2
Fifth	17B	Stokes, Surry	2
Fifth	18A	(part of Guilford, see subsection (b))	1
Fifth	18B	(part of Guilford, see subsection (b))	1
Fifth	18C	(part of Guilford, see subsection (b))	1
Fifth	18D	(part of Guilford, see subsection (b))	1
Fifth	18E	(part of Guilford, see subsection (b))	1
Sixth	19A	Cabarrus	1
Fifth	19B1	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
	19B2	(part of Montgomery, part of Moore, part of Randolph see subsection (b))	1
Sixth	19C	Rowan	1
Sixth	20A	Anson, Richmond	1
Sixth	20B	Stanly, Union	2
Fifth	21A	(part of Forsyth, see subsection (b))	1
Fifth	21B	(part of Forsyth, see subsection (b))	1
Fifth	21C	(part of Forsyth, see subsection (b))	1
Fifth	21D	(part of Forsyth, see subsection (b))	1
Sixth	22	Alexander, Davidson, Davie, Iredell	3
Fifth	23	Alleghany, Ashe, Wilkes, Yadkin	1
Eighth	24	Avery, Madison, Mitchell, Watauga, Yancey	2
Seventh	~~25A~~ 25	Burke, ~~Caldwell~~ Caldwell, Catawba	~~2~~ 4
~~Seventh~~	~~25B~~	~~Catawba~~	~~2~~
Seventh	26A	(part of Mecklenburg, see subsection (b))	2
Seventh	26B	(part of Mecklenburg, see subsection (b))	3
Seventh	26C	(part of Mecklenburg, see subsection (b))	2
Seventh	27A	Gaston	2
Seventh	27B	Cleveland, Lincoln	2
Eighth	28	Buncombe	2
Eighth	29	Henderson, McDowell, Polk, Rutherford, Transylvania	2
Eighth	~~30A~~ 30	Cherokee, Clay, Graham, Macon, ~~Swain~~ Swain, Haywood, Jackson	~~1~~ 2.
~~Eighth~~	~~30B~~	~~Haywood, Jackson~~	~~1.~~"

SECTION #.(f) The Administrative Office of the Courts shall study the possible cost savings and court workload efficiencies from consolidating remaining superior court districts. The Administrative Office of the Courts shall report their findings to the Chairs of the Senate and House Appropriations Committees and the Senate and House Appropriations Subcommittees on Justice and Public Safety by March 1, 2003.

SECTION #.(g) Subsection (g) of this section becomes effective the later of January 15, 2003, or the date upon which that subsection is approved under section 5 of the Voting Rights Act of 1965.

PART XV. DEPARTMENT OF JUSTICE

Special Provision 2002-ATTY-S2-P [v10], Modified 5/24/02 1:54 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

RESTITUTION FOR SBI DRUG LAB ANALYSES

SECTION #. G.S. 90-95.3(b) reads as rewritten:

"(b) When any person is convicted of an offense under this Article, the court ~~may~~ shall order him to make restitution in the sum of one hundred dollars ($100.00) to the State of North Carolina for the expense of analyzing any controlled substance possessed by him or his agent as part of an investigation leading to his ~~conviction.~~ conviction, unless the court finds just cause for waiving the restitution required by this subsection. Any funds received under this subsection shall be deposited in the General Fund."

SECTION #. Part 10 of Article 3 of Chapter 20 is amended by adding a new section to read:

"**§ 20-138.6. Restitution for drug lab analysis.**

(a) This section applies to a person who has been convicted of any of the following offenses:

(1) G.S. 20-138.1, driving while impaired (DWI).

(2) G.S. 20-138.2, commercial DWI.

(3) G.S. 20-138.3, driving while less than 21 years old after consuming alcohol or drugs.

(4) G.S. 20-138.2A, driving a commercial motor vehicle with an alcohol concentration of greater than 0.00 and less than 0.04, if the person's drivers license was revoked under G.S. 20-17(a)(13).

(5) G.S. 20-138.2B, driving a school bus, a school activity bus, or a child care vehicle with an alcohol concentration of greater than 0.00, if the person's drivers license was revoked under G.S. 20-17(a)(14).

(b) When any person is convicted of an offense listed in subsection (a) of this section, the court shall order that person to make restitution in the sum of one hundred dollars ($100.00) to the State of North Carolina for the expense of analyzing any blood or bodily fluid samples as part of the investigation leading to that person's conviction, unless the court finds just cause for waiving the restitution required by this section."

SECTION #. This section becomes effective January 1, 2003.

Special Provision 2002-ATTY-S4A-P [v3], Modified 6/7/02 4:09 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
NO-CALL REGISTRY AUTHORIZATION

SECTION #.(a) The Department of Justice may use funds available to the Department up to one million dollars ($1,000,000) during the 2002-2003 fiscal year to establish and implement a no-call registry to stop unwanted telemarketing calls and to increase protections for consumers in transactions initiated by telemarketers. These funds shall also be used to develop programs to protect citizens from improper electronic invasions of privacy.

SECTION #.(b) This section becomes effective only when legislation authorizing the Department of Justice to establish and implement a no-call registry becomes law.

Special Provision 2002-ATTY-S6-P [v4], Modified 6/7/02 5:30 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
REMOVE EXEMPTIONS FROM FINGERPRINT CHARGE

SECTION #. G.S. 114-19.1 reads as rewritten:

"**§ 114-19.1. Criminal history background investigations; fees.**

(a) When the Department of Justice determines that any person is entitled by law to receive information, including criminal records, from the State Bureau of Investigation, for any purpose other than the administration of criminal justice, the State Bureau of Investigation shall charge the recipient of such information a reasonable fee for retrieving such information. The fee authorized by this section shall not exceed the actual cost of locating, editing, researching and retrieving the information, and may be budgeted for the support of the State Bureau of Investigation.

(b) As used in this section, "administration of criminal justice" means the performance of any of the following activities: the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of persons suspected of, accused of or convicted of a criminal offense. The term also includes screening for suitability for employment, appointment or retention of a person as a law enforcement or criminal justice officer, ~~or as an officer of the court,~~ or for suitability for appointment of a person who must be appointed or confirmed by the General Assembly, the Senate, or the House of Representatives.

(c) In providing criminal history record checks, the Department of Justice shall process requests in the following priority order:

(1) Administration of criminal justice record checks,

(2) Mandatory noncriminal justice criminal history record checks,

(3) Voluntary noncriminal justice criminal history record checks.

(d) Nothing in this section shall be construed as enlarging any right to receive any record of the State Bureau of Investigation. Such rights are and shall be controlled by G.S. 114-15, G.S. 114-19, G.S. 120-19.4A, and other applicable statutes."

Special Provision 2002-ATTY-S7A-P [v3], Modified 6/7/02 4:09 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

DENR REIMBURSE DEPARTMENT OF JUSTICE

SECTION #. From funds available to the Department of Environment and Natural Resources, the sum of two hundred fifty thousand dollars ($250,000) for the 2002-2003 fiscal year shall be transferred to the Department of Justice for the costs of legal services performed by attorneys and support staff during the 2001-2003 biennium. This transfer shall be made quarterly in the amount of sixty-two thousand five hundred dollars ($62,500) per quarter.

Special Provision 2002-ATTY-S8A-P [v9], Modified 6/7/02 5:03 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

INSURANCE REGULATORY FUND REIMBURSEMENT

SECTION #. G.S. 58-6-25(d) reads as rewritten:

"(d) Use of Proceeds. – The Insurance Regulatory Fund is created in the State treasury, under the control of the Office of State Budget and Management. The proceeds of the charge levied in this section and all fees collected under Articles 69 through 71 of this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be credited to the Fund. The Fund shall be placed in an interest-bearing account and any interest or other income derived from the Fund shall be credited to the Fund. Moneys in the Fund may be spent only pursuant to appropriation by the General Assembly and in accordance with the line item budget enacted by the General Assembly. The Fund is subject to the provisions of the Executive Budget Act, except that no unexpended surplus of the Fund shall revert to the General Fund. All money credited to the Fund shall be used to reimburse the General Fund for the following:

(1) Money appropriated to the Department of Insurance to pay its expenses incurred in regulating the insurance industry and other industries in this State.

(2) Money appropriated to State agencies to pay the expenses incurred in regulating the insurance industry, in certifying statewide data processors under Article 11A of Chapter 131E of the General Statutes, and in purchasing reports of patient data from statewide data processors certified under that Article.

(3) Money appropriated to the Department of Revenue to pay the expenses incurred in collecting and administering the taxes on insurance companies levied in Article 8B of Chapter 105 of the General Statutes.

(4) Money appropriated for the office of Managed Care Patient Assistance Program established under G.S. 143-730 to pay the actual costs of administering the program.

(5) Money appropriated to the Department of Insurance for the implementation and administration of independent external review procedures required by Part 4 of Article 50 of this Chapter.

(6) Money appropriated to the Department of Justice to pay its expenses incurred in representing the Department of Insurance in its regulation of the insurance industry and other related programs and industries in

this State that fall under the jurisdiction of the Department of Insurance."

PART XVI. DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Special Provision 2002-DJJDP-S1A-P [v7], Modified 6/8/02 3:56 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
USE OF FUNDS FOR YOUTH DEVELOPMENT CENTER BEDS

SECTION #.(a) The Department of Juvenile Justice and Delinquency Prevention may use funds available during the 2002-2003 fiscal year to establish new Youth Development Center beds and may convert one of the 50-bed modular camps in the Eckerd Wilderness Camp Program for use as a Youth Development Center, as defined in G.S. 7B-1501. Any conversion shall be effectuated with existing contract funds.

SECTION #.(b) The Department shall consult with the Joint Legislative Commission on Governmental Operations and the Corrections, Crime Control, and Juvenile Justice Oversight Committee prior to:

(1) Converting any Eckerd Wilderness Camp beds to secure confinement beds during the 2002-2003 fiscal year; or

(2) Establishing bed capacity greater than 730 beds, including beds converted at Eckerd Wilderness Camps, during the 2002-2003 fiscal year.

The report shall include the sources of funding for any additional beds.

Special Provision 2002-DJJDP-S2-P [v6], Modified 5/24/02 1:53 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
FUNDING OF TEEN COURT PROGRAMS

SECTION #. Teen court programs may apply for and receive grants from local Juvenile Crime Prevention Councils pursuant to Article 12 of Chapter 143B of the General Statutes.

SECTION #. G.S. 143B-520(b) reads as rewritten:

"(b) Every teen court program that receives ~~State funds, including~~ funds from Juvenile Crime Prevention ~~Councils,~~ Councils shall comply with rules and reporting requirements of the Department of Juvenile Justice and Delinquency Prevention. ~~In particular, teen court programs receiving State funds shall report to the Department on the expenditure of State funds and the number of cases served each year.~~"

Special Provision 2002-DJJDP-S3-P [v6], Modified 5/24/02 2:11 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
COMMUNITIES IN SCHOOLS REDUCTIONS

SECTION #. The General Fund appropriation to the Department of Juvenile Justice and Delinquency Prevention for Communities in Schools of North Carolina, Inc., is reduced by the sum of ninety thousand dollars ($90,000) for each year of the

2002-2003 fiscal year. This reduction in funding shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites.

Special Provision 2002-DJJDP-S4-P [v5], Modified 5/24/02 1:52 PM
Requested by: Senators Thomas, Wellons, Ballance
FUNDING OF ECKERD WILDERNESS CAMP

SECTION #. For each youth admitted to the Eckerd Wilderness Camp program from an area mental health authority or a local education agency, the admitting authority or agency shall pay the costs associated with the support and treatment of that youth in the program.

Special Provision 2002-DJJDP-S5-P [v5], Modified 5/24/02 1:36 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

SECTION #. Section 24.4 of S.L. 2001-424 reads as rewritten:

"**SECTION 24.4.** Funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the ~~2001-2002~~ 2002-2003 fiscal year may be used as matching funds for the Juvenile Accountability Incentive Block Grants. If North Carolina receives Juvenile Accountability Incentive Block Grants, or a notice of funds to be awarded, the Office of State Budget and Management and the Governor's Crime Commission shall consult with the Department of Juvenile Justice and Delinquency Prevention regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Juvenile Justice and Delinquency Prevention shall report to the Appropriations Committees of the Senate and House of Representatives and the Joint Legislative Commission on Governmental Operations prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the ~~2001-2002~~ 2002-2003 fiscal year, the amount of funds anticipated for the ~~2002-2003~~ 2003-2004 fiscal year, and the allocation of funds by program and purpose."

PART XVII. DEPARTMENT OF CORRECTION

Special Provision 2002-CORR-S1-P [v5], Modified 6/7/02 11:42 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
ALL COUNTIES TRANSFERRING SAFEKEEPERS TO THE DEPARTMENT OF CORRECTION TO REIMBURSE DEPARTMENT REGARDLESS OF SAFEKEEPERS' RESIDENCY

SECTION #. G.S. 162-39(c) reads as rewritten:

"(c) The sheriff of the county from which the prisoner is removed shall be responsible for conveying the prisoner to the jail or prison unit where he is to be held, and for returning him to the common jail of the county from which he was transferred. The return shall be made at the expiration of the time designated in the court order directing the transfer unless the judge, by appropriate order, shall direct otherwise. The sheriff or keeper of the jail of the county designated in the court order, or the officer in

charge of the prison unit designated by the Secretary of Correction, shall receive and release custody of the prisoner in accordance with the terms of the court order. If a prisoner is transferred to a unit of the State prison system, the county from which the prisoner is transferred shall pay the Department of Correction for maintaining the prisoner for the time designated by the court at the per day, per inmate rate at which the Department of Correction pays a local jail for maintaining a prisoner. The county shall also pay the Department of Correction for the costs of extraordinary medical care incurred while the prisoner was in the custody of the Department of Correction, defined as follows:

(1) Medical expenses incurred as a result of providing health care to a prisoner as an inpatient (hospitalized);

(2) Other medical expenses when the total cost exceeds thirty-five dollars ($35.00) per occurrence or illness as a result of providing health care to a prisoner as an outpatient (nonhospitalized); and

(3) Cost of replacement of eyeglasses and dental prosthetic devices if those eyeglasses or devices are broken while the prisoner is incarcerated, provided the prisoner was using the eyeglasses or devices at the time of his commitment and then only if prior written consent of the county is obtained by the Department.

~~However, a county is not required to reimburse the State for maintaining a prisoner who was a resident of another state or county at the time he committed the crime for which he is imprisoned.~~ If the prisoner is transferred to a jail in some other county, the county from which the prisoner is transferred shall pay to the county receiving the prisoner in its jail the actual cost of maintaining the prisoner for the time designated by the court. Counties are hereby authorized to enter into contractual agreements with other counties to provide jail facilities to which prisoners may be transferred as deemed necessary under this section.

Whenever prisoners are arrested in such numbers that county jail facilities are insufficient and inadequate for the safekeeping of such prisoners, the resident judge of the superior court or any superior or district court judge holding court in the district may order the prisoners transferred to a unit of the State Department of Correction designated by the Secretary of Correction or his authorized representative, where the prisoners may be held for such length of time as the judge may direct, such detention to be in cell separate from that used for imprisonment of persons already convicted of crimes, except when admission to an inpatient prison medical or mental health unit is required to provide services deemed necessary by a prison health care clinician. The sheriff of the county from which the prisoners are removed shall be responsible for conveying the prisoners to the prison unit or units where they are to be held, and for returning them to the common jail of the county from which they were transferred. However, if due to the number of prisoners to be conveyed the sheriff is unable to provide adequate transportation, he may request the assistance of the Department of Correction, and the Department of Correction is hereby authorized and directed to cooperate with the sheriff and provide whatever assistance is available, both in vehicles and manpower, to accomplish the conveying of the prisoners to and from the county to

the designated prison unit or units. The officer in charge of the prison unit designated by the Secretary of Correction or his authorized representative shall receive and release the custody of the prisoners in accordance with the terms of the court order. The county from which the prisoners are transferred shall pay to the Department of Correction the actual cost of transporting the prisoners and the cost of maintaining the prisoners at the per day, per inmate rate at which the Department of Correction pays a local jail for maintaining a prisoner, provided, however, that a county is not required to reimburse the State for transporting or maintaining a prisoner who was a resident of another state or county at the time he was arrested. However, if the county commissioners shall certify to the Governor that the county is unable to pay the bill submitted by the State Department of Correction to the county for the services rendered, either in whole or in part, the Governor may recommend to the Council of State that the State of North Carolina assume and pay, in whole or in part, the obligation of the county to the Department of Correction, and upon approval of the Council of State the amount so approved shall be paid from Contingency and Emergency Fund to the Department of Correction.

When, due to an emergency, it is not feasible to obtain from a judge of the superior or district court a prior order of transfer, the sheriff of the county and the Department of Correction may exercise the authority hereinafter conferred; provided, however, that the sheriff shall, as soon as possible after the emergency, obtain an order from the judge authorizing the prisoners to be held in the designated place of confinement for such period as the judge may direct. All provisions of this subsection shall be applicable to municipalities whenever prisoners are arrested in such numbers that the municipal jail facilities and the county jail facilities are insufficient and inadequate for the safekeeping of the prisoners. The chief of police is hereby authorized to exercise the authority herein conferred upon the sheriff, and the municipality shall be liable for the cost of transporting and maintaining the prisoners to the same extent as a county would be unless action is taken by the Governor and Council of State as herein provided for counties which are unable to pay such costs."

Special Provision 2002-CORR-S3-P [v4], Modified 6/7/02 5:25 PM

Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM

SECTION #. Section 25.4 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.4.** The Department of Correction may use funds appropriated to the Department for the ~~2001-2002 fiscal year~~ 2001-2003 biennium to pay the sum of forty dollars ($40.00) per day as reimbursement to counties for the cost of housing convicted inmates, parolees, and post-release supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The Department shall report by December 1 and May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, the Chairs of the Senate and House of Representatives Appropriations

Committees, and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on the expenditure of funds to reimburse counties for prisoners awaiting transfer and on its progress in reducing the jail backlog."

Special Provision 2002-CORR-S4-P [v5], Modified 6/7/02 11:59 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

REPORT ON INMATES ELIGIBLE FOR PAROLE

SECTION #. Section 25.21 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.21.** The Post-Release Supervision and Parole Commission shall ~~provide quarterly reports~~ report by January 15 and July 15 of each year to the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on inmates eligible for parole. These reports shall include at least the following:

(1) The total number of Fair Sentencing and Pre-Fair Sentencing inmates that were parole-eligible during the previous quarter and the total number of those inmates that were paroled. The report should group these inmates by offense ~~type and custody classification;~~ type, custody classification, and type of parole;

~~(2) A list of all those inmates paroled or released by category of parole or release, including each inmate's offense and custody classification at the time of the parole or release;~~

~~(3)~~(2) The average time served, by offense class, of Fair Sentencing and Pre-Fair Sentencing inmates compared to inmates sentenced under Structured Sentencing; and

~~(4)~~(3) The projected number of parole-eligible inmates to be paroled or released by the end of the ~~2001-2002~~ 2002-2003 fiscal year and by the end of the ~~2002-2003~~ 2003-2004 fiscal year."

Special Provision 2002-CORR-S6-P [v8], Modified 6/7/02 5:32 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

USE OF LAPSED SALARIES FOR SHIFT PAY FOR SECURITY STAFF

SECTION #. During the 2002-2003 fiscal year only, the Department of Correction shall not use lapsed salaries for the payment to security staff of (i) special premium holiday pay that exceeds standard holiday pay or (ii) special supplemental weekend shift premium pay that exceeds standard weekend shift pay. The Department shall also continue to take steps to hold down the cost of shift pay by converting prisons from three eight-hour shifts to two twelve-hour shifts whenever practical.

The Department of Correction shall report to the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2003, on its progress in converting prison work shifts from eight hours to twelve hours. The report shall include information on savings generated to date and potential future savings, as well as any changes in employee morale and leave usage, as a result of converting to twelve-hour shifts.

Special Provision 2002-CORR-S7-P [v11], Modified 6/7/02 11:58 AM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

DEPARTMENT OF CORRECTION SECURITY STAFFING FORMULAS

SECTION #.(a) The Department of Correction shall conduct security staffing post-audits of each prison at least biannually, the first such audit to be completed during the 2002-2003 fiscal year. The initial post-audit shall be conducted jointly by Department staff and a consultant, external to the Department, and shall include analysis of the staffing levels assigned for supervision of correctional officers.

SECTION #.(b) The Department of Correction shall update the security staffing relief formula biannually, the first update to be completed during the 2002-2003 fiscal year. Each update shall include a review of all annual training requirements for security staff to determine which of these requirements should be mandatory and the appropriate frequency of the training.

SECTION #.(c) The Department of Correction shall report the results of the initial security staffing post-audits and relief formula update to the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2003.

Special Provision 2002-CORR-S8-P [v10], Modified 6/7/02 4:38 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee

COMMUNITY WORK CREWS

SECTION #.(a) The Department of Correction shall implement a reduction in inmate community work crews systemwide, but work crews shall not be reduced at any locations that have fewer than three work crews.

The Department of Correction may use up to 39 work crews for Department of Transportation litter control projects. The Department of Transportation shall transfer at least one million three hundred thousand dollars ($1,300,000) from the Highway Fund to the Department of Correction during the 2002-2003 fiscal year to cover the cost of those work crews. Should the two departments determine that the actual cost of operating 39 work crews exceeds that amount, the Department of Transportation shall transfer an additional amount as agreed upon by the two departments and the Office of State Budget and Management.

SECTION #.(b) The Department of Correction shall identify locations where the number of inmate work crews is being reduced or diverted to perform litter control for the Department of Transportation and, to the extent possible, arrange for community service work program placements so that the affected work projects for State and local government can be maintained. The Department shall report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on all projects formerly performed by inmate work crews that have been continued through the community service work program.

SECTION #.(c) The Department of Correction shall identify all inmate labor supplied to public agencies for which the Department does not receive reimbursement for the costs of the labor and the supervision of the labor. The Department shall report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees

on Justice and Public Safety on the type of labor provided, the number of security positions assigned for that labor, and the actual costs of providing the labor and supervision. The report shall also identify alternative methods for charging public agencies for the costs of inmate labor and the supervision of that labor.

Special Provision 2002-CORR-S12-P [v5], Modified 6/7/02 4:45 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
SUBSTANCE ABUSE PROGRAMS

SECTION #. G.S. 143B-262.1 reads as rewritten:

"**§ 143B-262.1. Department of Correction – Substance Abuse Program.**

(a) The Substance Abuse Program established by subsection (d) of § 143B-262 shall be offered in a ~~medium custody~~ correctional facility, or a portion of a ~~medium custody~~ correctional facility that is self-contained, so that the residential and program space is separate from any other programs or inmate housing, and shall be operational by January 1, 1988, at such unit as the Secretary may designate.

(b) An Assistant Secretary for Substance Abuse shall be employed and shall report directly to the Office of the Secretary of Correction. ~~A Correctional Administrator I shall be employed to manage programs for offenders with substance abuse problems in the Department of Correction and its divisions. The Correctional Administrator I shall report to the Assistant Secretary for Substance Abuse. A Secretary IV shall be employed to assist the Correctional Administrator I. An Administrative Officer II and a Secretary IV shall be employed to assist the Assistant Secretary and work under his direction and management.~~ The duties of the Assistant Secretary shall include the following:

(1) Administer and coordinate all substance abuse programs, grants, contracts, and related functions in the Department of Correction;
(2) Develop and maintain working relationships and agreements with agencies and organizations that will assist in developing and operating a Substance Abuse Program in the Department of Correction;
(3) Develop and coordinate the use of volunteers in the Substance Abuse Program;
(4) Develop and present training programs related to substance abuse for employees and others at all levels in the agency;
(5) Develop programs that provide effective treatment for inmates, probationers, and parolees with substance abuse problems;
(6) Maintain contact with key leaders in the substance abuse field and active supporters of the Correction Program;
(7) Supervise directly the directors of treatment units, specialized personnel, and programs that exist or may be developed in the Department of Correction; and
(8) Develop employee assistance programs for employees with substance abuse problems.

~~(c) Ten additional program staff shall be employed. There shall be a Correctional Program Director II who is responsible to the Assistant Secretary for Substance Abuse.~~

~~This employee shall be responsible for managing and implementing the inpatient treatment program. Also employed will be a Correctional Program Director I, two Correctional Program Supervisors, four Correctional Program Assistant II's, one Correctional Program Assistant I, and one Clerk-Stenographer IV.~~

~~(d) The duties of the Program Director shall include the following:~~

~~(1) Implement and manage the inpatient treatment program for inmates with substance abuse problems;~~

~~(2) Supervise personnel assigned to the inpatient treatment program;~~

~~(3) Assist in developing the treatment program for inmates with substance abuse problems;~~

~~(4) Recruit and develop staff for the inpatient program and other staff as required;~~

~~(5) Assist in developing linkage and follow-up of inmates between the inpatient program, related agencies, organizations, and other facilities of the Department of Correction;~~

~~(6) Be responsible for treatment plans and daily activities and schedules for all assigned inmates;~~

~~(7) Develop methods for involving families of inmates in the program to the extent deemed appropriate and useful; and~~

~~(8) Other duties as required.~~

~~Preference shall be accorded to qualified recovering alcoholics and substance abusers in the employment of treatment counselors.~~

(e) In the unit there shall be a unit superintendent under the Division of Prisons and other custodial, administrative, and support staff as required for a medium custody facility for approximately 100 inmates. The unit superintendent shall be responsible for all matters pertaining to custody and administration of the unit. The ~~Correctional Program Director II will~~ Assistant Secretary shall designate an employee to administer the inpatient treatment program under the direction of the Assistant Secretary for Substance Abuse.

(f) Extensive use may be made of inmates working in the role of ancillary staff, peer counselors, role models, or group leaders as the program manager determines. Additional resource people who may be required for specialized treatment activities, presentations, or group work may be employed on a fee or contractual basis.

~~(g) The Program in each unit shall be structured such that approximately 25 offenders will enter the Program on a weekly basis.~~

(h) Admission priorities shall be established as follows:

(1) Court recommendation.

(2) Evaluation and referral from reception and diagnostic centers.

(3) General staff referral.

(4) Self-referral.

The Program shall include extensive follow-up after the period of intensive treatment. There will be specific plans for each departing inmate for follow-up, including active involvement with Alcoholics Anonymous, community resources, and personal sponsorship."

Special Provision 2002-CORR-S13-P [v4], Modified 6/7/02 4:45 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
USE OF CLOSED PRISON FACILITIES

SECTION #. Section 25.5 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.5.** In conjunction with the closing of prison facilities, including 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, with the elected State and local officials, and with State agencies about the possibility of converting that unit to other use. The Department may also consult with any private for-profit or nonprofit firm about the possibility of converting the unit to other use. In developing a proposal for future use of each unit, the Department shall give priority to converting the unit to other criminal justice use. Consistent with existing law and the future needs of the Department of Correction, the State may provide for the transfer or the lease of any of these units to counties, municipalities, State agencies, 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,~~one security custody level to another, where that conversion would be cost-effective. A prison unit under lease to a county pursuant to the provisions of this section for use as a jail is exempt for the period of the lease from any of the minimum standards adopted by the Secretary of Health and Human Services pursuant to G.S. 153A-221 for the housing of adult prisoners that would subject the unit to greater standards than those required of a unit of the State prison system.

Prior to any transfer or lease of these units, the Department of Correction shall report on the terms of the proposed transfer or lease to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee. The Department of Correction shall also provide annual summary reports to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the conversion of these units to other use and on all leases or transfers entered into pursuant to this section."

Special Provision 2002-CORR-S14-P [v8], Modified 6/7/02 5:27 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
MEDICAL BUDGET FOR PRESCRIPTION DRUGS

SECTION #. Section 25.6(b) of S.L. 2001-424 reads as rewritten:

"**SECTION 25.6.(b)** Notwithstanding the provisions of G.S. 143-23(a2), the Department of Correction may use funds available during the ~~2001-2002 fiscal year~~ 2001-2003 biennium for the purchase of prescription drugs for inmates if expenditures are projected to exceed the Department's inmate medical continuation budget for prescription drugs. The Department shall consult with the Joint Legislative Commission on Governmental Operations prior to exceeding the continuation budget amount.

The Department of Administration, Purchase and Contract Division, and the Department of Correction shall review the current statewide contract for purchase of prescription drugs as it applies to the Department of Correction's purchases for inmates to determine if the Department is receiving the lowest rate available and to determine whether the Department should be authorized to issue a request for proposals for a separate vendor or purchasing consortium for the provision of prescription drugs for inmates. The Departments shall report on their findings to the Joint Legislative Commission on Governmental Operations by February 1, 2002."

Special Provision 2002-CORR-S15-P [v4], Modified 6/7/02 3:44 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
ELECTRONIC MONITORING COSTS

SECTION #. Article 1 of Chapter 148 of the General Statutes is amended by adding a new section to read:

"**§ 148-10.3. Electronic monitoring costs.**

Personnel, equipment, and other costs of providing electronic monitoring of pretrial or sentenced offenders shall be reimbursed on a cost basis to the Department of Correction by the State or local agency requesting the service."

SECTION 2. The Department of Correction shall report by March 1, 2003, 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 efforts to increase the use of electronic monitoring of sentenced offenders in the community.

Special Provision 2002-CORR-S17-P [v8], Modified 6/7/02 5:00 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
COLLECTION OF OFFENDER FEES

SECTION #. The Department of Correction and the Judicial Department shall jointly develop a plan to improve the collection rate of offender fees for probationers and for nonprobationers sentenced to community service. The plan should address improving both the rate at which offenders are levied fees and the rate at which those offenders satisfy their obligations. The plan shall address steps to improve the overall collection rate from thirty-seven percent (37%) to forty percent (40%) during the 2002-2003 fiscal year and to forty-five percent (45%) during the 2003-2004 fiscal year.

The two departments shall report by February 1, 2003 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 success of their efforts to improve these collection rates. The report shall also include any recommendations for statutory changes aimed at improving the collection rates.

Special Provision 2002-CORR-S18-P [v11], Modified 6/7/02 5:02 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
MOBILE MEDICAL OPERATING ROOM

SECTION #. The Department of Correction shall continue the contract for a mobile medical operating room at Central Prison for the 2002-2003 fiscal year at a reduced fixed rate that more clearly reflects the usage. However, the Department shall use the mobile unit for additional procedures, as authorized by the terms of the agreement, whenever the Department's Utilization Review Team determines that (i) a specific procedure can be performed at a cost below that charged by a public or private hospital; and (ii) there is no compelling medical reason for performing the procedure in a hospital instead of using the mobile medical unit.

The Department shall also study the use of this mobile operating room and report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety. The report shall recommend whether the mobile unit should be continued, eliminated, or expanded in terms of capacity of the current unit and the potential for establishing an additional mobile unit. The report shall also include information on the number and type of procedures performed over and above the fixed rate contract and the savings generated.

Special Provision 2002-CORR-S21-P [v9], Modified 6/7/02 3:50 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

SECTION #.(a) Notwithstanding the provisions of G.S. 143B-273.16, Caswell, Person, and Union Counties shall not receive implementation funding for the Criminal Justice Partnership Program for the 2002-2003 fiscal year. However, those counties will be eligible to reapply for funding in future years.

SECTION #.(b) It is the intent of the General Assembly that State Criminal Justice Partnership Program funds not be used to fund case manager positions when those services can be reasonably provided by Division of Community Corrections personnel or by the Treatment Alternatives to Street Crime (TASC) program in the Department of Health and Human Services. The Division of Community Corrections shall identify at least the sum of eight hundred fifty-two thousand dollars ($852,000) in cost savings by eliminating funding for personnel in these cases and shall reduce the amount of implementation grant funding for those affected counties. These recommended modifications shall be first approved by the State Criminal Justice Partnership Advisory Board. The Division of Community Corrections shall report 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 specific adjustments within 45 days of the enactment of the budget for the 2002-2003 fiscal year.

SECTION #.(c) Funding for implementation grants shall be reduced an additional sum of seven hundred five thousand eight hundred seventy dollars ($705,870) by reducing funding for contractual services evenly in all participating counties.

SECTION #.(d) For the 2002-2003 fiscal year only, funds provided to the Criminal Justice Partnership Program for distribution as implementation grants are reduced by an additional sum of one million three hundred fifty thousand dollars ($1, 350,000).

Special Provision 2002-CORR-S22-P [v6], Modified 6/7/02 3:42 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
CONVERSION OF CONTRACTED MEDICAL POSITIONS

SECTION #.(a) The Department of Correction may convert contract medical positions to permanent State medical positions at individual correctional facilities if the Department can document that the total savings generated will exceed the total cost of the new positions for each facility. Where practical, the Department shall convert contract positions to permanent positions by using existing vacancies in medical positions.

SECTION #.(b) The Department of Correction shall report by October 1, 2002, to the Joint Legislative Commission on Governmental Operations and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on all conversions made pursuant to this section, by type of position and location, and on the savings generated at each correctional facility.

Special Provision 2002-CORR-S23-P [v6], Modified 6/7/02 2:34 PM
Requested by: Senators Thomas, Wellons, Ballance, Plyler, Odom, Lee
REDUCE SUMMIT HOUSE APPROPRIATION

SECTION #. Subsection (a) of Section 25.14 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.14.(a)** The General Fund appropriation to the Department of Correction for Summit House, Inc., is reduced by the sum of one hundred thirty-nine thousand six hundred fifty dollars ($139,650) for ~~each year of the 2001-2003 biennium. This~~ the 2001-2002 fiscal year and by the sum of two hundred sixty-three thousand three hundred dollars ($263,300) for the 2002-2003 fiscal year. The ten percent (10%) reduction in funding for the 2001-2002 fiscal year shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites. The additional ten percent (10%) reduction for the 2002-2003 fiscal year shall be accomplished by reducing State funding for the State office by at least sixteen and seven-tenths percent (16.7%) in order to minimize the impact on the individual sites.

The Summit House Management Team shall continue to explore ways to reduce the use of State funds at the State office, including consideration of co-locating the State office with one of the local programs and contracting for financial services in lieu of a full-time staff. As of May 1, 2003, no State funds shall be used to support the State office."

PART XVIII. DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

Special Provision 2002-CCPS-S2-P [v6], Modified 5/24/02 2:10 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
ELIMINATE STATE BOXING COMMISSION

SECTION #. Article 68 of Chapter 143 of the General Statutes is repealed.

SECTION #. G.S. 90-18.3 reads as rewritten:

"**§ 90-18.3. Physical examination by nurse practitioners and physician assistants.**

(a) Whenever a statute or State agency rule requires that a physical examination shall be conducted by a physician, the examination may be conducted and the form signed by a nurse practitioner or a physician's assistant, and a physician need not be present. Nothing in this section shall otherwise change the scope of practice of a nurse practitioner or a physician's assistant, as defined by G.S. 90-18.1 and G.S. 90-18.2, respectively.

(b) This section shall not apply to physical examinations conducted pursuant to G.S. 1A-1, Rule 35; G.S. 15B-12; or G.S. 90-14; ~~or any rules adopted by the North Carolina Boxing Commission requiring physical examinations~~ unless those statutes or rules are amended to make the provisions of this section applicable."

Special Provision 2002-CCPS-S6A [v1], Modified 6/13/02 5:50 PM
Requested by: Senators Thomas, Wellons, Ballance, Albertson, Plyler, Odom, Lee
TARHEEL CHALLENGE MATCHING FUNDS

SECTION #. The North Carolina National Guard shall identify alternative sources of funding, including local and private funds, to be used to meet the forty percent (40%) match requirement for federal funds.

Special Provision 2002-CCPS-S3B-P [v5], Modified 6/8/02 6:49 PM
Requested by: Senators Thomas, Wellons, Plyler, Odom, Lee
PLAN OF REORGANIZATION FOR CAMP BUTNER

SECTION #. It is the intent of the General Assembly to transfer the State's obligation of providing public safety services to Camp Butner, including the State and federal institutions and entities located at Camp Butner, and to transfer funds sufficient to provide fire and safety protection to the State institutions at Camp Butner, effective June 30, 2003. The Office of the Governor shall consult with the Department of Crime Control and Public Safety, the Department of Health and Human Services, the Department of Correction, the Department of Juvenile Justice and Delinquency Prevention, the Department of Agriculture and Consumer Services, North Carolina State University, the Department of Public Instruction, and the Community Colleges System to develop a plan of reorganization to transfer the State's authority, powers, duties, and contractual obligations of providing public safety services, including fire and police or safety protection, to Camp Butner and to the State and federal institutions and entities located at Camp Butner to either the county in which the real property is located or an incorporated municipality. In developing the plan of reorganization, the Office of the Governor shall also consider how fire and safety protections for the institutions located in Morganton, Burke County, and in Goldsboro, Wayne County, are funded.

On or before October 1, 2002, the Governor shall submit the plan of reorganization, including any legislative proposals and funding requirements that are required to implement the plan of reorganization, to the Chairs of the Senate Appropriations Committee on Justice and Public Safety, the Chairs of the House of Representatives Appropriations Subcommittee on Justice and Public Safety, the Fiscal Research Division, and the Corrections, Crime Control, and Juvenile Justice Oversight

Committee. The plan of reorganization shall become effective June 30, 2003, unless the General Assembly disapproves of the plan.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-EMP-S17C

Employment, Salaries, and Benefits

Requested by: Senators Plyler, Odom, Lee, Rand

EXPAND SEPARATION ALLOWANCE FOR LAW ENFORCEMENT OFFICERS

SECTION #. G.S. 143-166.41(c) reads as rewritten:

"(c) Payment to a retired officer under the provisions of this section shall cease at the death of the individual or on the last day of the month in which he attains 62 years of age or upon the first day of reemployment by any State department, agency, or institution. This subsection does not apply if the person begins employment in a position exempt from the State Personnel Act with an agency other than the agency from which the officer retired. No additional separation allowance will be paid after termination as a result of this new period of service."

VISITOR REGISTRATION SHEET

Justice and Public Safety
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

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Michelle Frazier	NC Bar Ass'n
Ashley Heaton	NC Bar Assn.
Thurlis Burk	NCDOC
Tracy Little	NCDOC
NELS ROSELAND	NCDOJ
LAO Rubert	CYPC
Steve Shaber	Poyner + Spruill
Casey Dick	DJJDP
George Sweat	DJJDP
Dwayne Patterson	DJJDP

VISITOR REGISTRATION SHEET

Justice and Public Safety
Name of Committee **Date**

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Tye Hunter	IDS
Nick Holt	OSBM
Jack Brinson	DOJ
John O'Hale	Gov's office
Kristi Hyman	DOJ
Julia White	DOJ
[illegible]	[illegible]
Lee Hamilton	DOC
Greg McLeod	CCPS
Mark Ezzell	GC

VISITOR REGISTRATION SHEET

Justice and Public Safety
Name of Committee **Date**

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Steve Lusk	AOC
	AOC
Kate Hatch	NC StateWatch
Joyce Kuhn	Sent. Services
Eddie Caldwell	NC Sheriffs Assn/ NC Law Enf Off Assn
Mark Bibbs	Capitol Group
Stella McKenney	NC DOI
Dot Ehlers	DC Courts
Beau Morin	AOC
Tony Gibbons	Sent. Serv. + Mediation Services
Mark Van Der Pas	NC AOC
Miriam Saxon	

VISITOR REGISTRATION SHEET

Justice and Public Safety
Name of Committee **Date**

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NAME	FIRM OR AGENCY AND ADDRESS
Bob Wilson	NCATL
Kevin Howell	Gov's Office
Jim Speed	
Shayna Waites	intern
Jan McKay	Gov Office

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Tuesday, July 23, 2002
1:30 p.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative Bill Culpepper
Representative Phillip Haire, Presiding

II. PRESENTATIONS

- Opening Remarks/Discussion by Chairs

- Overview of JPS Budgets—Draft House/Senate/Governor's Recommendations

  Chloe Gossage
  Fiscal Research Division

- Review of JPS Budgets—Draft House/Senate/Governor's Recommendations

  Fiscal Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The House Appropriations Subcommittee on Justice and Public Safety met on **Tuesday, July 23, 2002,** at 1:30 p.m. in Room 415 LOB. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair	Rep. Larry Justus
Rep. Phil Haire, Co-Chair	Rep. Joe Kiser
Rep. Wayne Goodwin	Rep. Wayne Sexton
Rep. John Hall	

A Visitors' Registration Sheet was not taken by Sergeant At Arms for this meeting.

Rep. Haire called the meeting to order with the introduction of Pages and announced that the committee will begin the presentation of the House Draft Budget and continue until 3:00 p.m. today, then continuing on Wednesday, July 24, 2002. The question was posed as to what would be done with any savings that are found. Rep. Culpepper said that they would be sent to the big Chairs or the committee could make a proposal to spend it.

Chloe Gossage, staff, began the presentation with **(Handout #1)**, the House Draft Budget Compared to Certified, Senate, and Governor's Recommended Budgets. Rep. Haire responded to Rep. Kiser's question regarding lapsed salaries in the Department of Correction and stated that it was $24 million. Rep. Justus said that he thought it was $30 million. Jim Mills, staff, stated that it would be $25 or $30 million depending on how the House voted. Rep. Kiser asked if this funding was at 98%? Mr. Mills said that the overall House budget lowers the line item for all agencies and universities to 98% generating a sizeable amount of money of which $30 million would be given back to JPS. Rep Kiser asked how many unfilled positions there were in the Dept. of Corrections? Tracy Little, Dept. of Corrections said that there were 1,700 or 1,800 positions – this is an inflated number to hold positions open in anticipation of trying to place more employees should there be a reduction. Rep. Kiser asked if that represented about 9% of total employees? Ms. Little said it was about 19,000 positions. Rep. Kiser then asked about the total number of lapsed salaries in the Dept. of Correction? Mr. Mills explained that by holding positions open for a period of time, the Dept. generated about $60 million in lapsed salaries, $17 million reverted to the Governor to fill budget holes and $43 million was used for various purposes within the Department.

The committee moved on to **(Handout#2)** - Comparisons of Budget. Mr.Jim Mills, staff, began going through the report, agency by agency, beginning with the Department of Corrections. Rep. Kiser asked if facilities were closed, what happens to people in that program? Mr. Mills stated it would be contract and they are minimum custody inmates and would have to be absorbed back into the prison system – losing prison beds. Rep. Kiser also asked under #2, reduction of caseloads – what is the caseload? Mr. Mills stated that it varies – average 10-12 and each worker might go up 1 or 2 cases. Rep. Justus asked, regarding reduction of staff, that this would be by 15 – right? Mr. Mills answered

in the affirmative. Mr. Mills verified for Rep. Justus that you would be adding caseloads back to the existing staff. Rep. Sexton asked for an explanation of #7 and #8. Mr. Mills said that they were exactly the same. In regards to #11 under Corrections – Cancel Training Facility Contract, Rep. Sexton asked if the National Guard people were asked to reduce the cost of the facility before talking about moving? Ms. Little explained that 9/11 created some specific circumstances, but once those changed, and they saw the Governor's cut, that recommendation was eliminated. Rep. Kiser asked about #10 – Delay Vehicle Replacement and asked what mileage would be on these vehicles. Mr. Mills stated that it would vary according to the vehicle and Ms. Little didn't have the exact mileage figures immediately available. Rep. Kiser then asked if there were a provision for repairs and maintenance of older vehicles? Ms. Little replied that there was, but she didn't have the exact line item.

Elisa Wolper, staff, continued with Community Corrections, Item #13. Rep. Goodwin asked if there would be the same number of work crews at Hoffman and Morganton? Ms. Wolper replied that there would be 4 in each location and that adult inmate crews were composed of 10 members. Rep. Goodwin asked how the number 8 was reached? Ms. Wolper replied that this was reached by looking at resources and accommodations. Rep. Goodwin asked what happens to the Impact facilities. Ms. Wolper answered that in last years budget there was a provision asking both the Department. of Justice and the Department of Juvenile Justice to look at alternative uses for these facilities. Both departments, when faced with cuts, were hesitant to propose any new programs, thus neither proposed alternative uses for those facilities. These facilities then become vacant property and would be handled like any other state property that is no longer being used for its purpose. Rep. Justus inquired how many of the positions being eliminated were 'hot bodies'? Ms. Wolper gave Senate reduction figures – the 11 office assistant positions were all vacant – the 17 PPO 1's – 16 were vacant – intermediate officer positions – 8 of the 11 were vacant – intensive officer positions – 17 were vacant and 7 of the surveillance officer positions were vacant. Rep. Kiser asked in regard to item #19 how many intensive and surveillance officers do we have? Ms. Wolper answered that there are 361 intensive teams and 515 intermediate officers. Rep. Kiser stated that over the years they have tried to keep Intensive and Surveillance officers at 25 – what is it now? Ms. Wolper said that it was right at 25 – statewide average. Rep Sexton pointed to item #21 and funding for an inactive program in Caswell County – why? Ms. Wolper said that the Partnership Programs funds on a reimbursement basis, so its not as if money has been given to them and its being spent. The reduction for inactive programs in this years budget are non-recurring, so there is the potential that if these programs regroup, they may reapply. Rep Justus asked what would be the total money spent in the TJPP program with the proposed reductions? Ms. Wolper replied it would be about $7.2 million proposed this year in the House proposal, and it would go up considerably next year to about $9 million. Rep Justus asked how many programs would be left? Ms. Wolper said there were 95 last year and it would go down to 91. Rep. Hall asked if anyone had looked at increasing fees instead of reducing personnel? Rep. Haire said that there was a fee bill and we have certainly looked at that and will talk about that a little bit later. Rep Kiser inquired as to how many inmates were in the intensive probation program? Ms. Wolper answered there were 9,000.

Jim Mills continued with Corrections starting with item # 26. After completing the Corrections section, Rep. Kiser asked what the total budget would be after adding $15 million to the Inmate Medical Budget? Mr. Mills said it would be about $141 million. Rep. Goodwin asked if there was an overlap in items #51 and #52? Ms. Wolper stated that all 8 are total overlap. Rep. Hall asked if we have looked at having the counties pay for their share of the cost of work crews? Rep. Haire said that it had been looked at and Rep. Culpepper pointed out that a lot of the work is done at schools and we wouldn't want education to have to pay for that. Rep. Culpepper asked where the Senate item is that was a trade-off for House items #64-#72? Was that left off? Mr. Mills stated that no, it was a mix of several things – items #32 and #53. Rep. Goodwin asked about items #48 and #49 – volunteer chaplains – who would fund that – local governments, churches? Mr. Mills replied that it could come from any organization willing to fund. There are 24 community funded chaplains and 29 volunteer chaplains with no payment. There is also a small number of contract chaplains and that is something that is being looked at. Rep. Justus requested that the committee continue with questions at 8:30 a.m. on Wednesday regarding Corrections.

The meeting was adjourned at 3:00 p.m.

Presiding Committee Chair, Rep. Phil Haire

Sara Jane Lennard
Committee Assistant

Attachments:

Handout #1

HOUSE DRAFT BUDGET COMPARED TO CERTIFIED, SENATE, AND GOVERNOR'S RECOMMENDED BUDGETS

Updated: 7/23/02 @ 12:15 p.m.

AGENCY	Certified FY 02-03 Budget	Governor's FY 02-03 Recommend.	Senate FY 02-03 Budget	House Draft FY 02-03 Budget*	% Change Certified	% Change Governor	% Change Senate
Judicial*	$ 305,465,135	$ 294,464,466	$ 291,590,155	$ 295,133,922	96.6%	100.2%	101.2%
OIDS	$ 68,867,771	$ 68,867,771	$ 71,123,382	$ 72,262,674	104.9%	104.9%	101.6%
Justice	$ 73,785,584	$ 70,520,309	$ 69,199,492	$ 70,307,193	95.3%	99.7%	101.6%
Juvenile Justice	$ 142,554,017	$ 129,424,739	$ 126,299,171	$ 127,748,476	89.6%	98.7%	101.1%
Correction*	$ 930,964,916	$ 867,625,340	$ 874,459,405	$ 898,839,324	96.5%	103.6%	102.8%
Crime Control	$ 28,493,506	$ 28,233,432	$ 24,855,123	$ 18,295,977	64.2%	64.8%	73.6%
Total	**$ 1,550,130,929**	**$ 1,459,136,057**	**$ 1,457,526,728**	**$ 1,482,587,566**	95.6%	101.6%	101.7%
House Increase (Decrease)	$ (67,543,363)	$ 23,451,509	$ 25,060,838				

*House draft includes $25 million to fund lapse salary items in Correction ($24 million) and Judicial ($1 million)

Handout # 2

DRAFT HOUSE/SENATE/GOVERNOR RECOMMENDATIONS

COMPARISON BUDGET REPORT

JULY 23, 2002

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY

House/Senate Comparison Report

DRAFT

Correction

		House FY 02-03	Senate FY 02-03	GOV
	Alcohol and Chemical Dependency			
1	DART Cherry Program	($292,434) -10.00	($292,434) -10.00	0
	DART Cherry is a 300 bed residential treatment program for DWI parolees, other parolees, and probationers. Staffing is reduced by 10 positions--six substance abuse workers and four counselors--by increasing caseloads.			
2	DART In-Prison Residential Programs	($1,696,261) -49.00		($3,113,606) with #4
	The Governor's budget recommended eliminating all but one medium custody in-prison residential substance abuse treatment program, a portion of the in-prison non-residential programs (e.g. aftercare, short-term treatment programs), and 45% of central office staff. By contrast, this reduction action maintains several of the medium custody prison residential programs and all of the funds for non-residential prison programs such as aftercare and short-term treatment. This reduction action has four components (1) closes the two close custody residential programs (Pasquotank and Marion) since a 35 to 90 day program is of limited value to inmates with long-term sentences (three other positions shown in Pasquotank's position count are actually for the Tyrrell minimum custody program and are not eliminated); (2) closes four medium custody residential programs (Foothills, Caswell, Brown Creek, and Polk Youth); (3) reduces 15 staff statewide by increasing caseloads; and, (4) reduces Central Office staff by two positions (Correctional Administrator I and Substance Abuse Program Consultant, both vacant).			

Correction

	House FY 02-03	Senate FY 02-03	GOV
3 DART In-Prison Residential Programs		($1,376,598) -40.00	

The Governor's budget recommended eliminating all but one medium custody in-prison residential substance abuse treatment program, a portion of the in-prison non-residential programs (e.g. aftercare, short-term treatment programs), and 45% of central office staff. By contrast, this reduction action maintains most of the medium custody prison residential programs and all of the funds for non-residential prison programs such as aftercare and short-term treatment. This reduction action has four components (1) closes the two close custody residential programs (Pasquotank and Marion) since a 35 to 90 day program is of limited value to inmates with long-term sentences (3 other positions shown in Pasquotank's position count are actually for the Tyrrell minimum custody program and are not eliminated); (2) closes three medium custody residential programs (Foothills, Caswell, and Polk Youth); (3) reduces 15 staff statewide by increasing caseloads; and, (4) reduces Central Office staff by two positions (Correctional Administrator I and Substance Abuse Program Consultant, both vacant).

4	Regional Offices in DACDP	($351,088) -6.00	($351,088) -6.00	See #2

Due to reductions in substance abuse treatment staffing statewide and closing of residential treatment programs in five prisons, it is recommended that the number of Regional Offices be reduced from four to two.

5	Cancel Contract for Private Treatment Beds	($1,113,300)	0	($1,335,961) 7/1/02

This reduction eliminates the contract for 75 minimum custody treatment beds, effective September 1. Two of four private contracts were eliminated in 2001. This reduction leaves one private contract for prison residential treatment, a program for female offenders.

Central Administration

6	Delay Vehicle Replacement See #10	($800,000) NR		$1 MILLION

DOC will delay vehicle replacement for one more year

Correction	House FY 02-03	Senate FY 02-03	Gov
7 Reduce Central Administration Budget		($515,267) -9.00	SAME ($515,267)

Nine DOC management and administrative positions are eliminated as recommended in the Governor's budget.

Corr. Psychological Program Director
Special Asst to Secy.
Social Research Assoc. II
Social Research Asst I
Corr. Training Coordinator
Personnel Supv. I (Vacant)
Personnel Analyst I (Vacant)
Asst Secy Program Development (Vacant)
Info Comm Specialist (Vacant)

8 Reduce Central Administration Budget	($515,267) -9.00		SAME

Nine DOC management and administrative positions are eliminated as recommended in the Governor's budget.

Corr. Psychological Program Director
Special Asst to Secy.
Social Research Assoc. II
Social Research Asst I
Corr. Training Coordinator (Vacant)
Personnel Supv. I (Vacant)
Personnel Analyst I
Asst Secy Program Development (Vacant)
Info Comm Specialist (Vacant)

9 MIS Contract Conversion	($355,155) 4.00	($355,155) 4.00	SAME ($355,155)

Expenditures for MIS contracts will be reduced by converting contract funds to four MIS positions. The savings result from canceling contract positions and fees charged for contracts. The four positions are Telecommunication Systems Analyst, and three Applications Analyst/Programmer Specialists (one at grade 83 and two at 81)

10 Delay Vehicle Replacement — SEE #6			
DOC will delay purchase of replacement vehicles for one more year		($1,000,000) NR	SAME $1M
11 Cancel Training Facility Contract	($183,000)	($183,000)	0

DOC uses a Fort Fisher facility operated by the National Guard for training of staff in Eastern N.C. DOC will cancel contract and identify less expensive training facilities.

Correction

	House FY 02-03	Senate FY 02-03	Gov.
12 Reduce Funding in Training Division	($181,063) -2.00	($181,063) -2.00	SAME ($181,063)

Two vacant positions are eliminated from the Office of Staff Development and Training -- a Correctional Training Instructor II and an Office Asst. IV. Non-salary items for the Office are also reduced in the areas of phone services, per diem for meals and rent of motor vehicles.

Community Corrections

13 Close IMPACT programs	($4,196,999) -100.00		($4,157,652) (108)

The IMPACT Boot Camp Program will be terminated August 15, 2002 for a savings of $4.66 Million. The 2001 budget had indicated the programs would terminate June 30, 2003 but the closing date is being moved earlier.The positions eliminated include 53 positions each at IMPACT East and IMPACT West and 2 in Raleigh. Of the funds made available from this termination, $260,208 shall be used to establish 8 new community work crews at prisons near the communities of Hoffman and Morganton. These crews will be supervised by 8 new correctional officer positions, reducing the net position reduction to 100.

14 Reduction in Funding of Nonprofits		($275,694) NR	($2,006,942)

Pass through funding to community corrections programs is reduced in 2002-3 as follows; 10% reduction for Summit House; 20% reductions for Harriet's House, Women at Risk and the John Hyman Foundation. Summit House funding was reduced 10% for the biennium in the 2002 budget. The reduction in Summit House funding shall be taken as follows; $25,649 (a 16.7% reduction) from the state office and $100,045 (a 9.1% reduction) from the local programs. As of May 1, 2003, all state funds shall be used in the local programs only.

15 Reduction in Funding of Nonprofits		($200,694) NR	

Pass through funding to community corrections programs is reduced by 10% in 2002-3. The reduction in Summit House funding shall be taken as follows; $25,649 (a 16.7% reduction) from the state office and $100,045 (a 9.1% reduction) from the local programs. As of May 1, 2003, all state funds for Summit House shall be used in the local programs only.

Correction	House FY 02-03	Senate FY 02-03	Gov
16 Electronic Monitoring Cost Sharing		($276,218) -1.00	
The General Fund cost of the Electronic Monitoring program is reduced to reflect cost sharing with outside agencies that utilize the program (local law enforcement and the Department of Juvenile Justice & Delinquency Prevention). In addition, 1 position (EHA Specialist) is eliminated to reflect lower workload on 3nd shift and budgeted overtime is reduced by $25,000 to reflect actual.			eliminate (1,277,479) (14)
17 Electronic Monitoring Cost Sharing	($151,442) -1.00		
The General Fund cost of the Electronic Monitoring program is reduced to reflect cost sharing with outside agencies that utilize the program (local law enforcement and the Department of Juvenile Justice & Delinquency Prevention). In addition, 1 position (EHA Manager) is eliminated.			
18 Probation and Parole Staffing		($3,356,367) -90.00	
he following positions are eliminated in the ~~Division of Community Correction district offices;~~ 11 Office Assistants, 17 PPO I (community), 11 PPO II (Intermediate), 23 Intensive Officers and 28 Surveillance Officers. ~~Based on current population projections, this will~~ result in average caseloads of 27/78/100 for intensive/intermediate/1community. The Office Assistants may be either OA's assigned to probation-parole officers or to the community service work program.			
19 Probation and Parole Staffing	($3,378,692) -92.00		
The following positions are eliminated in the ~~Division of Community Correction district offices~~; 14 Office Assistants, 22 PPO I (community), 8 PPO II (Intermediate), 23 Intensive Officers and 25 Surveillance Officers. ~~Based on current population projections, this will~~ result in average caseloads of 27/78/101 for intensive/intermediate/ community. The Office Assistants may be either OA's assigned to probation-parole officers or to the community service work program.			
20 Vacant Trainer Position	($38,913) -1.00	($38,913) -1.00	
A vacant trainer position is eliminated. This leaves 4 trainers for the Division of Community Corrections. (4550-1030-0060-167)			

Correction	House FY 02-03	Senate FY 02-03	Gov
21 Criminal Justice Partnership Program Funding for the CJPP program is reduced to reflect the following: $844,533 in cost efficiencies in day reporting centers in the following counties, realized from using probation parole officers and the TASC program in DHHS to provide case management where possible (Albemarle multi-county program, Buncombe,Catawba,Cumberland, Davidson, Durham, Forsyth, Gaston,Guilford,Mecklenburg, Onslow, Randolph, Wake, Wayne and the Vance-Granville-Franklin-Warren program); (2) $405,000 from reducing appropriations to under-spending programs based on historical reversions; (3) $352,390 from eliminating funding for 5 small pretrial release programs (Anson, Caldwell, Columbus, Greene, Montgomery), 2 small resource centers (Graham, McDowell), and a satellite substance abuse program in Union County; (4) eliminating funding for an inactive program in Caswell County ($45,110); (5)$57615 from elimination of 1 research analyst position and associated operating costs.	($947,258) -1.00 ($757,390) NR		(8,803,797) eliminates (12)
22 Criminal Justice Partnership Program Funding for the CJPP program is reduced to reflect the following: cost efficiencies in day reporting centers from using probation parole officers and the TASC program in DHHS to provide case management; across the board reductions in contractual services, elimination of 2 positions coordinating the program at DCC, and elimination of funding for the following counties; Person, Caswell, and Union.		($1,053,302) -2.00 ($1,146,698) NR	
23 Reduce Operational Costs for Drug Screening The operational costs for the 6 drug screening labs operated by DCC will be reduced due to new technology and other efficiencies.	($162,216)	($162,216)	(162,216)
24 Reduction in Automobile Expenses The Division will be able to reduce the number of leased vehicles from the Department of Administration, based on actual usage.	($88,452)	($88,452)	(88,452)
25 Contractual Parole Revocation Hearing Officers Parole Revocation Hearings are handled by contract employees. This item reduces the budget to reflect actual spending.	($115,000)	($115,000)	—

Correction

	House FY 02-03	Senate FY 02-03	GOV

Department Wide

26 Non-Salary Line Items

($1,378,951)

($17,721,049) NR

($18,621,049) NR

DOC will reduce non-salary expenditures such as travel, equipment, and supplies system wide for one more year.
Recurring reductions are: $200,000 equipment; $200,000 rent; facility/hardware supplies $600,000 and Utilities, $378,951. The total recommended reduction by DOC was $18,621,049. The Utilities recurring reduction of $378,951 an additional reduction of $100,000 in facility/hardware supplies brings the total reduction to $19.1 million.

27 Non-Salary Line Item Cuts

($1,278,951)

($17,721,049) NR

DOC will reduce non-salary expenditures such as travel, equipment, and supplies system wide for one more year.
Recurring reductions are: $200,000 equipment; $200,000 rent; facility/hardware supplies $500,000 and Utilities, $378,951. The total recommended reduction by DOC was $18,621,049. The Utilities recurring reduction of $378,951 brings total reduction to $19 million.

Parole and Post Release Supervision

28 Further Reductions to Parole Commision

($226,108) -5.00

($226,108) -5.00

SAME ($226,108)

The General Assembly has directed that the Commission reduce its budget by a minimum of10% each year due to declining parole cases. This reduction would cut approximately 14%. Five positions are eliminated: three parole case analysts (one vacant), an Office Assistant V (vacant), and Chief of Operations.

Prisons

29 Use Federal Funds for Inmate Labor Projects

($450,000)

SAME ($450,000)

DOC is directed to use federal funds to pay contractual employees assigned to work on federally funded construction projects. The primary work is carried out by inmates.

30 Use Federal Funds to Pay for Inmate Labor

($450,000)

SAME

DOC uses inmate labor for various construction projects funded by federal Truth in Sentencing Grants but pays inmates from DOC funds. Using federal funds allows a reduction in the General Fund.

Correction

	House FY 02-03	Senate FY 02-03	GOV
31 Reduce Prison Administration Costs	($481,971) -9.00	($481,971) -9.00	SAME (481,971)

Eliminate nine positions in the central office of the Division of Prisons as recommended in the Governor's budget.

Program Asst V (Vacant)
Nurse Clinician II (Vacant)
Corr Programs Director III (Vacant)
Psychological Program Director III (Vacant)
Educational Services Specialist (Vacant)
Office Asst IV
Office Asst III (Vacant)
Corr Programs Director III (Vacant)
Social Worker II (Vacant)

32 Security Staffing: Increase Inmate to staff ratio		($9,539,100) -300.00	—

DOC's current security staffing ratio is 2.92 inmates per correctional position (officers and supervisors). This is one of the lowest ratios in the country, primarily due to operating older, inefficient facilities. However, it is believed through system efficiencies in assignment of security posts that some positions can be eliminated. A reduction of 300 correctional officer positions would increase the ratio to 3 inmates for every security staff position. It is assumed that all or most of the 300 positions would be taken out of the 1000 plus vacant correctional officer positions.

See House Options 64, 65, 68, 72

33 Security Staffing --Lieutenants		($564,779) -17.00	GOV SAME (564,779)

Seventeen lieutenant positions are reduced at prison facilities with high lieutenant to sergeant ratios.

34 Security Staffing -- Lieutenants	($531,557) -16.00		

Sixteen lieutenant postions are eliminated at prisons with high lieutenant to sergeant ratios or a high number of sergeants.

35 Reduce Security Staffing: Update Relief Formula	($4,285,845) -135.00	($4,285,845) -135.00	—

DOC assigns a "relief formula" to each security post to determine the number of postions needed. This relief formula accounts for leave usage, training hours and so on to ensure security posts are always covered. The DOC relief formula has not been adjusted to account for reduced leave usage for officers both on eight and twelve hour shifts. Adjusting the relief formula to 1.73 per 24 hour post compared to the current 1.76 formula, and similar reductions for other posts, allows for a reduction of 135 officer positions system-wide.

Correction

		House FY 02-03	Senate FY 02-03	GOV
36	Close Blue Ridge Correctional Center		($1,274,095) -35.00	(1,154,6) (-35)
	Blue Ridge Correctional Center will be closed July 1, 2002. The cost per day was $96 in Fy 2001. The reduction amount includes a 50% reduction in the inmate budget. The BRIDGE forestry program, which operates out of Blue Ridge and Western Correctional Centers will now operate only at Western.			
37	Close Haywood Correctional Center		($1,317,266) -34.00	—
	Close Haywood Correctional Center July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.			
38	Close Henderson Correctional Center		($1,335,978) -33.00	—
	Henderson Correctional Center will be closed July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.			
39	Close Union Correctional Center	($1,196,855) -30.00		—
	Close Union Correctional Center, one of four remaining GPAC units. The reduction amount includes a 50% reduction in the inmate support budget.			
40	Close Rowan Diagnostic Center	($144,598) -5.00	($144,598) -5.00	SAME ($144,598)
	Due to overstaffing in relation to workload standards, Rowan and other diagnostic centers were reduced by eight positions in 2001-02. Rowan has a relatively small workload that can be absorbed at other diagnostic centers.			
41	Convert Cleveland Correctional Center		($407,931) -17.00	—
	Cleveland Correctional center is a medium custody facility that costs $75 a day, higher than the state average of $67.43 for medium custody prisons. Cleveland will be converted to minimum custody to save costs. The inmate construction program will continue and the segregation beds and staff will not be reduced.			
42	Reduce Inmate Food budget		($1,000,000)	—
	Through system efficiencies, DOC has been able to further reduce expenditures in the inmate food service program.			

Correction

		House FY 02-03	Senate FY 02-03	GOV
43	Reduce Inmate Food Budget	($236,000)		—
	Reduce inmate food budget through further system efficiencies.			
44	Food Service Officers		($443,088) -14.00	—
	By increasing the ratio of inmates to food service officers from 77 inmates to one officer to 80 to one, 14 positions can be reduced system wide. Positions are 12 food service officer I's and 2 food service manager positions.			
45	Reduction of Inmate Medical Costs	($3,575,166) -36.00	($3,575,166) -36.00	SAME (3,575,166)
	DOC recommended reducing funding for the inmate medical program by implementing two major program efficiencies: (1) eliminating positions at eight smaller prisons and having medical services provided by nearby larger facilities; and (2) eliminating certain medical contracts and contract positions and then converting some contract positions to lower cost state positions.			
46	Reduce Contract for Mobile Surgery Unit		($600,000)	(617,610)
	DOC pays a fixed contract rate for use of a Mobile Surgery Unit at Central Prison. Based on a lower utilization rate than anticipated, the fixed contract rate can be reduced.			
47	Cancel Contract for Mobile Surgery Unit	($1,572,055)		
	DOC pays a fixed rate for use of a mobile surgery unit at Central Prison. The contract is cancelled August 1 due to underutilization, the expense of transporting inmates to Central Prison, and the availability of most services at local hospitals.			
48	Reduce Prison Chaplain Program		($855,146) -18.00	($196,766) -5
	It is recommended that 16 chaplains, 2 central office chaplain positions (one on contract), and one regional coordinator position be eliminated. This will require prisons with 400 or fewer inmates to use community funded or volunteer chaplains. Prisons with 400 to 700 inmates will be reduced from 2 to 1 chaplains plus community funded and volunteer chaplains. This leaves 42 chaplain positions and nine contract chaplains in the system.			

Correction

		House FY 02-03	Senate FY 02-03	GOV
49	Reduce Prison Chaplain Program	($919,853) -23.00		

It is recommended that 21 chaplains, 2 central office chaplain positions (one on contract), and one regional coordinator position be eliminated. Four of the chaplain positions are to be converted to contract positions so only benefits of $25,200 are cut for four positions. The chaplain program reduction assumes that prisons with 400 or fewer inmates will rely on community funded or volunteer chaplains. Prisons with 400 to 700 inmates will be reduced from 2 to 1 chaplains and rely on community funded and volunteer chaplains for chaplain services. Four prisons will be reduced from 3 to 2 or two to one state positions and have the positions replaced with contract chaplains. This leaves 37 chaplain positions and 13 contract chaplains in the system.

50	Inmate Community Work Crews	($2,239,107) -29.00		—

Eliminate 25 of 164 inmate work crews and assign an additional 39 crews to do litter control work for DOT in carrying out SB 1014. 25 correctional officer and four sergeant positions are eliminated. Crews will not be eliminated at locations where only one or two crews currently operate. Reduction amount of $2,239,107 includes approximately $1.3 million for increasing receipts from DOT.

51	Inmate Community Work Crews		($2,620,071) -41.00	—

Eliminate 37 of 164 inmate work crews and assign an additional 39 crews to do litter control work for DOT in carrying out SB 1014. Crews will not be eliminated at locations where only one or two crews currently operate. Reduction amount of $2,620,071 includes approximately 50% for eliminating 37 crews (37 correctional officers and 4 sergeants) and increasing receipts from DOT for the other 50%.

52	Inmate Clothing Budget	($500,000)	($500,000)	SAME ($500,000)

Reduce budget for inmate clothing by reducing allocation of clean clothes to four days a week, the minimum required by the courts in lawsuit settlements.

Correction	House FY 02-03	Senate FY 02-03	GOV
57 Safekeeper Payments	($800,000)	($800,000)	(861,630)

Safekeepers are county prisoners who are transferred to the State. Counties pay DOC $18 a day to hold safekeepers. Current law excludes payment to DOC if an offender being held in one county is a resident of another. This reduction is based on increased receipts due to deleting the residency exclusion from the General Statutes.

GOV ALTERNATE PROPOSAL - INCREASE COUNTY PAYMENT FROM $18 TO $40

58 Operating Funds for New Prisons		$5,277,478 556.00 $2,443,885 NR	[redacted]

The three new 1000 bed prisons authorized by the General Assembly in 2001 are scheduled for completion in FY 2002-03 and FY 2003-04. Funds are appropriated for startup for each of the three prisons with the bulk of the funds for Scotland, which will be completed in May, 2003. The total funding in FY 2002-03 is $7,721,363 to be allocated as follows:

$7.7m

$8,269,786 (567)

GOV
$6,810,046 (417)
963,793 (138)
491,947 (12)

Scotland: $6,616,630 410 positions
Anson: $ 816,825 138 positions
Alexander: $ 287,908 8 positions

59 Operating Funds for New Prisons	$4,868,445 468.00 $2,246,085 NR		

The three new 1000 bed prisons authorized by the General Assembly in 2001 are scheduled for completion in FY 2002-03 and FY 2003-04. Funds are appropriated for startup for two of the three prisons with the bulk of the funds for Scotland, which will be completed in May, 2003. The total funding in FY 2002-03 is $7,114,530 to be allocated as follows:

Scotland: $6,616,630 410 positions
Anson: $ 497,900 58 positions

60 Energy for Committed Offenders, Inc. (ECO)	($35,562)		($355,616) ELIMINATE

DOC contracts with ECO for 20 minimum custody beds. The contract amount is reduced by 10%.

61 Energy for Committed Offenders, Inc. (ECO)		($24,264) NR	

DOC contracts with ECO for 20 minimum custody female beds. The contract amount is reduced for 02-03.

62 Inmate Infraction Receipts	($150,000)	($150,000)	SAME ($150,000)

DOC charges inmates $10 for every infraction conviction. It is estimated receipts will exceed the budget so a reduction in the General Fund can be taken.

53 Increase Caseloads of Prison Program Staff — Senate FY 02-03: ($1,571,945) -50.00 — Gov: —

The current prison program staff are allocated at approximately one for every 55 inmates. This reduction would increase ratio to one to 60 and reduce positions from 593 to 543. The following positions would be eliminated:

40 Program Asst. I's
5 Program Ass. II's
5 Program Supervisors

54 Inmate Education Programs — House FY 02-03: ($465,824) -10.00 — Gov: —

Due to a decline in youthful offender inmates, DOC can further reduce education staff. The following positions are to be eliminated:

4 teachers
1 Office Asst
3 Library Tech Assts
1 Librarian
1 Guidance Counselor

Eight of 10 positions are vacant.

55 Inmate Education Programs — Senate FY 02-03: ($559,313) -11.00 — Gov: —

Due to a decline in youthful offender inmates, DOC can further reduce education staff. The following positions are to be eliminated:

4 teachers
1 Office Asst
3 Library Tech Assts
1 Librarian
1 Guidance Counselor
1 Processing Asst III

Eight of 11 positions are vacant.

56 Reduce Maintenance Staffing — House FY 02-03: ($1,422,745) -40.00 — Senate FY 02-03: ($1,422,745) -40.00 — Gov: ($281,593) (-8)

DOC recommended eliminating 8 maintenance positions; another 32 positions will be eliminated due to increased system efficiencies and increasing inmate to staff ratios from 64 to 1 to 70 to 1.

Correction

	House FY 02-03	Senate FY 02-03	GOV
63 Alien Assistance Receipts	($310,000) NR	($310,000) NR	SAME ($310,000)
DOC receives federal funds for housing illegal aliens convicted of crimes in N.C. It is estimated that receipts will exceed the budgeted amount by $310,000 in FY 03. Program is likely to end after FY 03 so the reduction is non-recurring.			
64 Reduce Utility Custody Posts	($1,506,913) -48.00	—	—
DOC indicates it can reduce one utility post at most prisons with 260 or more inmates. These posts include canteen/mailroom and clotheshouse.			
65 Reduce Transportation Officers	($1,381,337) -44.00	—	—
DOC indicates it can reduce transportation officers statewide and still fulfill inmate transportation needs by eliminating one transportation post at most prisons with 300 or more inmates.s			
66 Reduce Clerical Staff in Prison Programs	($959,232) -36.00	—	—
In lieu of deeper cuts in professional program staff, DOC indicates it can reduce clerical positions systemwide. Reductions include 17 office assistant III's and 19 processing assistant III's			
67 Abolish Prison Administrative Clerical Positions	($936,665) -35.00	—	—
Thirty five office assistant III's assigned to administration at 35 prisons are eliminated.			
68 Reduce Correctional Sergeant Positions	($944,355) -26.00	—	—
Twenty six sergeant positions are reduced at 17 different prisons. These include larger institutions with ratios below one position for every 7.96 inmates and small to medium size prisons with one more sergeant than needed for standard shift rotation.			
69 Inmate Medical Reorganization	($556,529) -12.00	—	—
Twelve vacant mental health related positions are abolished. DOC believes through internal reorganization, services can be maintained after these reductions.			

Correction

		House FY 02-03	Senate FY 02-03	GOV
70	Prison Administration – Additional Reductions	($149,697) -4.00	—	—

Four additional vacant administrative positions are abolished:
Office Asst. III(2) , Nurse Clinician I, and an Inmate Hearing Officer.

71	Reduce Classification Coordinator Positions	($448,397) -12.00	—	—

Twelve classification coordinators are eliminated at 12 different prisons. The duties of these positions, which are to review inmate background and behavior to determine custody levels, can be absorbed by Program Director I's at these prisons.

72	Close Minimum Custody Section at Sampson	($593,910) -19.00	—	—

Sampson Correctional Center will close its minimum custody section only.

73	Reduce Community College Funds	($31,000)	—	—

DOC provides pass-through funds of $25,000 each to community colleges in Avery/Mitchell and Pamlico. In 2001-02, Community Colleges only expended $19,000 of the $50,000. It is recommended the amount be reduced to $19,000.

74	Adjust Payments to UNC Health Services	($1,639,777)	—	—

It is estimated that savings can be achieved by adjusting the rate that DOC pays for inmate medical services at UNC to the Medicaid rate. This is recommended since UNC is also a public agency. This action will lessen the impact of a 30% rate increase charged to DOC in FY 2002.

75	Premium Shift Pay and Holiday Pay	$6,511,542	—	—

DOC has been paying special supplemental pay to correctional officers since June of 2000 in order to improve recruitment and retention. This includes holiday pay at 75% over regular pay (50% is standard) and supplemental shift premium pay. The shift premium pay was changed from the standard 10% on evening and night shifts to 20% on these shifts on the weekends only. Day shift on weekends was changed from 0 to 10% shift differential pay. These pay changes have been funded previously with lapsed salaries.

Correction	House FY 02-03	Senate FY 02-03	Gov
76 Funding to Operate Pamlico and Mt. View	$2,238,952		—
DOC has been partially funding the operations of Pamlico and Mountain View prisons with lapsed salaries since DOC took over the prisons from the private sector. This recommended funding will fully fund these operations.			
77 Fully Fund Inmate Medical Budget	$15,325,066		—
DOC's continuation budget for inmate medical is adjusted to match actual expenditures. Areas to be funded include prescription drugs, hospital and provider services, and contractual medical employees.			
Department Totals	($14,582,544) -373.00 ($17,543,048) NR	($38,471,691) -401.00 ($18,033,820) NR	(25,413,716) +267 (37,926,230)

ITEM 78 BLANK RECORD

GOVERNOR'S ITEMS NOT INCLUDED

1. LAPSED SALARY SAVINGS
   (17,145,181 NR)

2. INCREASE COUNTY SAFEKEEPER CHARGE FROM $18 TO 40
   ($861,630)

3. CLOSE GATES CORRECTIONAL CENTER
   ($935,245) (-28)

	House FY 02-03	Senate FY 02-03	GOV

Administration

79	Eliminate Positions	($114,589) -2.00	($114,589) -2.00	(114,589) -2.00

Eliminate 2 vacant positions in the Office of the Secretary:

4960-0000-0010-402 Agency Legal Specialist II
4910-0000-0001-408 Public Relations Officer

80	Eliminate Vacant Boxing Commission Position	($35,683) -1.00		—

Eliminate one vacant office assistant position in the Boxing Commission:

4910-0000-0000-173 Office Assistant IV

81	Eliminate Boxing Commission		($215,964) -3.00	—

The continuation budget is reduced by the amount in the certified budget for the Boxing Commission.

82	Budget Boxing Commission Receipts	($40,000)		(23,756)

The continuation budget for the Office of the Secretary is adjusted to reflect Boxing Commission receipts.

83	Reduce Operating Expenses	($117,449)		(117,449)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

84	Reduce Operating Expenses		($114,589)	—

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

85	Administrative Costs		($1,100,000)	—

The State Highway Patrol comprises 77 percent of all employees in the Department of Crime Control and Public Safety. The continuation budget for the Department's administration is adjusted to reflect increased receipts from Budget Code 24960, Fund Code 2610 - Highway Patrol. The receipts will be used to support central administrative costs associated with the operations of the State Highway Patrol. The Department is directed to identify cost savings within Budget Code 24960, Fund Code 2610 to offset the transfer of these funds to Budget Code 14900.

	House FY 02-03	Senate FY 02-03	GOV
86 Administrative Costs	($1,100,000)		

The State Highway Patrol comprises 77 percent of all employees in the Department of Crime Control and Public Safety. The continuation budget for the Department's administration is adjusted to reflect increased receipts from Budget Code 24960, Fund Code 2610 - Highway Patrol. The receipts will be used to support central administrative costs associated with the operations of the State Highway Patrol. The Department is directed to identify cost savings within Budget Code 24960, Fund Code 2610 to offset the transfer of these funds to Budget Code 14900. These cost savings represent less than one percent of the budget for the State Highway Patrol.

Alcohol Law Enforcement

87	Reduce Operating Expenses	($485,942)	($485,942)	(485,942)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

88	Eliminate Vacant Positions	($377,114) -8.00	($377,114) -8.00	(377,114) -8.00

Eliminate 8 vacant positions:
4940-0000-0000-633 Missing Persons Specialist
4940-0000-0500-507 ALE Agent II
4940-0000-0700-512 ALE Agent II
4940-0000-0200-516 ALE Agent II
4940-0000-0000-629 ALE Agent II
4940-0000-0300-473 ALE Agent II
4940-0000-0700-452 ALE Agent I
4940-0000-0900-499 ALE Agent I

89	Receipt Support for ALE Operations	($6,758,163)		—

Increase the law enforcement set-aside from ABC revenues to include the cost of ALE operations. The ALE Division enforces alcohol statutes and regulations at the local/county level. The expansion of the ABC set-aside for law enforcement will increase receipts to offset the operating cost of the ALE Division.

Butner Public Safety

90	Reduce Operating Expenses	($112,356)		(112,356)

Reduce the continuation budget line items for travel, equipment, supplies, contracts, etc.

Crime Control and Public Safety

		House FY 02-03	Senate FY 02-03	GOV
91	Eliminate Vacant Positions	($101,048) -3.00		(101,048) -3.00

Eliminate 3 vacant positions:
4991-0000-0001-732 Public Safety Officer Grade 65
4991-0000-0001-741 Public Safety Officer Senior Grade 66T
4991-0000-0001-751 Public Safety Officer Grade 65

Civil Air Patrol

92	Reduce Operating Expenses	($14,783)	($14,783)	(14,783)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Emergency Management

93	Eliminate Vacant Positions	($155,074) -4.00	($155,074) -4.00	(155,074) -4.00

Eliminate 4 vacant positions:
4950-0000-0000-678 Admin Asst I
4950-1000-0000-712 Computer Sys Adm I
4950-1000-0000-715 Staff Dev Tech II
4950-0000-0001-191 Office Asst IV

94	Reduce Operating Expenses	($152,817)	($152,817)	(152,817)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Governor's Crime Commission

95	Reduce Operating Expenses	($146,138)	($146,138)	(146,138)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

96	Drug Task Force		($125,000)	-

Reduce the amount in the continuation budget for the drug task force. Localities desiring to establish future task forces should seek alternative sources of fundings.

97	Eliminate Roanoke-Chowan Drug Task Force	($250,000)		-

Eliminate the amount in the continuation budget for the Roanoke-Chowan Drug Task Force. Localities desiring to establish future task forces should seek alternative sources of funding.

National Guard

98	Tarheel Challenge	($112,000)	($112,000)	—

The continuation budget for the Tarheel Challenge Program is reduced by 10 percent. The National Guard is directed to identify alternative sources of funding which may be used to meet the 40 percent state match requirement.

99	Eliminate Vacant Positions	($103,457) -3.00	($103,457) -3.00	(103,457)

Eliminate three vacant positions:
4920-0000-0000-116 Processing Asst III
4920-0000-0000-119 Admin Asst II
4920-0000-0000-190 Prog Asst IV

100	Reduce Operating Expenses	($435,922)	($435,922)	(435,922)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

101	Tuition Assistance Program		$500,000	—

The continuation budget for tuition assistance is increased by $500,000. This will enable the National Guard to accommodate the increased tuition assistance requests resulting from the economic downturn and the impact of September 11th.

102	Tuition Assistance Program	$900,000		—

The continuation budget for tuition assistance is increased by $900,000. This will enable the National Guard to accommodate the increased tuition assistance requests resulting from the economic downturn and the impact of September 11th.

Victims' Compensation

103	Reduce Salary Reserve	($395,428)	($395,428)	(395,428)

Continuation budget is reduced by the balance of residual salary reserve remaining after the Community Service Work Program was transferred to the Department of Correction.

104	Reduce Operating Expenses	($89,566)	($89,566)	(89,566)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc

Crime Control and Public Safety	House FY 02-03	Senate FY 02-03	GOV
Department Totals	($10,197,529) -21.00	($3,638,383) -20.00	(2,760,074) -18.0

GOV Recommendations not included in House or Senate

Increase Funding for Crime Victims 2,500,000

	House FY 02-03	Senate FY 02-03	GOV

10 Reduction in Salary Reserve — ($1,000,000) (1,000,000)

The accumulated balance in salary reserve is reduced by $1,000,000.

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105 Vacant Court Reporter Positions — ($99,266) -3.00

Three vacant court reporter positions are eliminated, anticipating fewer Special Superior Court Judges during 2002-3. This leave 103 court reporters for 102 judges. Of the funds made available by this reduction, the AOC may use up to $45,000 in 2002-3 to pilot a program in District #13 using audio visual equipment in lieu of court reporters.

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106 Vacant Court Reporter Position — ($50,593) -1.00

One vacant court reporter position is eliminated. The Judicial Branch generally has several vacancies among the 106 funded positions.

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10 Eliminate Public Information Staff — ($137,377) -2.00

Two positions in the Public Information Office at the AOC are eliminated.(2201-1100-0150-514 and 2201-1100-0650-647) and these functions will be absorbed by other personnel.

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108 Eliminate Communications Director — ($79,668) -1.00

The position of Communications Director is eliminated as recommended by the AOC. This leaves a public information officer position for the courts communication needs.

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109 Information Technology Positions — ($250,742) -3.00 — ($250,742) -3.00

A vacant special projects coordinator position in the information technology division (2209-1100-0750-807)and a vacant Business System's Analyst position (2210-1100-0650-654) are eliminated. An additional Business Systems Manager position is also eliminated.

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110 Guardian Ad Litem Administration — ($59,739) -1.00 — ($59,739) -1.00

The number of regional administrators in the Guardian Ad Litem program is reduced from 4 to 3.

111 Blank Record

	House FY 02-03	Senate FY 02-03	Gov
112 Contractual Services		($575,000)	(500,000)
The budget for contractual services at the Administrative Office of the Courts is reduced by $575,000.			
113 Contractual Services	($300,000)		
Budgeted funds for contractual services are reduced by $300,000. This leaves a certified budget of $1.5 Million. The AOC uses lapsed salaries for the majority of contractual expenses.			
114 Reduction in Conference Expenses		($201,670) ($119,000) NR	
Travel and per-diem expenses are reduced by $320,670 to reflect less frequent conferences for court personnel. The number of DA training conferences is reduced from 2 to 1, the number of Judges' conferences from 3 to 2 and the number of Clerks' conferences from 2 to 1. In addition, conferences will be held only at state facilities and utilize state agencies as trainers. There will be no out-of-state travel with state funds in 2002-3 by Judicial Branch employees or officials.			
115 Reduction in Travel & Per Diem	($201,670) ($479,000) NR		
Travel and per-diem expenses are reduced by $680,670 to reflect various cost savings in judicial branch travel and legal education. The number of District Attorney training conferences is reduced from 2 to 1, the number of Judges' conferences from 3 to 2 and the number of Clerks' conferences from 2 to 1. In addition, there will be no out-of-state travel on judicial branch business with state funds in 2002-3. A further reduction of $360,000 is to be achieved by suspending automatic rotation of Superior Court Judges throughout 2002-3.			
116 Assistant District Attorney Positions		($522,851) -7.00	
Seven Assistant District Attorney positions are eliminated effective July 1, 2002. The positions shall be taken from the offices which rank lowest in workload with no more than 1 position taken from any office. (1,9A, 12,17A, 21, 27B and 30)			

	House FY 02-03	Senate FY 02-03
117 Magistrate Positions		($338,140) -15.00
Fifteen magistrate positions will be eliminated Jan 1, 2003 with the reductions taken in the lowest workload counties. Magistrate positions that are currently vacant or become vacant prior to December 31st shall remain vacant until new appointments are made effective Jan 1, 2003. The AOC shall identify the counties where the reduction will be implemented.		
118 Vacant Magistrate Positions	($80,000) NR	
Magistrate positions that are currently vacant or become vacant during the remainder of 2002 shall remain vacant until new appointments are made effective January 1, 2003. Exceptions may be made for counties whose number of active magistrates would fall below 4.		
119 Custody Mediation Program		($448,752) -4.38
The custody mediation program is reduced as follows; the programs run under contract in districts 27A,27B and 28 are abolished. In addition, staff positions are eliminated in districts 9,6B,17A,19B, and 19A. This leaves 25.1 staff in 15 districts.		
120 Appellate Courts	($71,813) -1.00	
Funding for the Court of Appeals and the Supreme Court are reduced to reflect elimination of the use of emergency judges at the court of appeals and elimination of a vacant Supreme Court editorial assistant position.		
121 Appellate Courts		($512,009) -9.00
Funding for the appellate courts is reduced to reflect (1) elimination of the use of emergency judges at the Court of Appeals and (2) reduction in library expenses to eliminate unnecessary duplication of library resources between the Court of Appeals and the Supreme Court. Nine positions at the Supreme Court are eliminated: a vacant Editorial Assistant, 7 Research Assistants, and any positions authorized under GS 7A-12. This brings the staffing of the Supreme Court and Court of Appeals more in line with their relative workloads. In 2000-01, Supreme Court Research Assistants each handled an average of 100 dispositions while those at the Ct of Appeals handled 180.		

122 Reduce Emergency Judge Pay — ($250,000)

Budgeted funds for emergency judge pay at the trial court level are reduced 66% to reflect greater management of the use of emergency judges.

123 Reduce Emergency Judge Pay — ($189,067)

The budget for emergency judge pay at the District and Superior Court level is reduced by 50%.

124 Delay 4 Special Superior Court Judgeships

($401,540) NR

Four Special Superior Court Judgeships expire in August 2002. Two of their replacements are to be effective on or after January 1, 2003 and the other two on or after July 1, 2003.

125 Delay Reappointment Special Superior Court Judges

($512,693) NR

Four Special Superior Court Judgeships expire in August 2002. Their replacements are to be effective on or after July 1, 2003.

126 Reduction in Dispute Settlement Centers — ($183,487)

($157,737) NR

elim (1,603,124)

Funding for all 27 programs is reduced 20% in 2002-3 and 10% thereafter. In addition, funding is eliminated for a program in Johnston County that is no longer operating.

127 Reduction in Dispute Settlement Centers

($254,872) NR

Funding for all 27 programs is reduced 16% in 2002-3. In addition, a process for collection of court costs in court referred cases that are successfully resolved by the program is to be established, affecting overall General Fund availability by $451,418 on an annualized basis.

128 Sentencing Commission Position — ($56,713) -1.00

A vacant Research & Policy Associate position at the Sentencing & Policy Advisory Commission is eliminated.

129 Sentencing Commission Positions — ($98,510) -2.00

(110,199) (2)

A vacant Research & Policy Associate position and an Administrative Assistant I position at the Sentencing & Policy Advisory Commission are eliminated.

130 Family Court Program — ($281,740) -3.00

Nonpersonnel expenses for the Family Court program are reduced $100,000 to reflect increased efficiencies in training and operational costs. Three case manager positions are eliminated in Districts 12, 26 and 20. This leaves 3 case managers in #26 and 2 in Districts #12 and #20.

131 Family Court Program — ($394,436) -7.00

Staffing levels are reduced in the Family Court Program. Seven case manager positions are eliminated to allocate 1 manager for every 3 family court judges (current ratio is 1:2). The positions to be eliminated are in Districts 8, 12, 14, 20, 25 and two positions in District #26.

132 District Attorney Staff — ($522,483) -12.00

Twelve Victims and Witness/Legal Assistant (VWLA) positions are eliminated. In implementing this reduction, the AOC shall limit the number of VWLA positions to be less than the number of Assistant District Attorneys in each district. Positions would be eliminated in districts 2, 6A, 6B, 9A,14,17A, 17B, 9C, 23, 24, 26 and 30.

133 Delay Replacement for Retiring Judges — ($41,394) NR

Personnel costs for District Court Judges are reduced to reflect anticipated mandatory retirements. Appointments for replacements for these judges will be effective on or after July 1, 2003.

134 Operating Cost Reductions — ($678,141) (800,000)

The following operating cost line items are reduced; budgeted funds for matching federal grants are eliminated ($350,000), funding for software maintenance is reduced by ($274,495) to reflect new agreements on upgraded hardware, rent expenses are reduced by ($19,500), postage is reduced by ($16,900), and registration fees by ($17,246).

135 Operating Cost Reductions — ($624,495)

Budgeted funds for matching federal grants are eliminated ($350,000) and funding for software maintenance is reduced by ($274,495) to reflect new agreements on upgraded hardware.

136 District Court Mandatory Arbitration — ($215,718) -3.50

Expenditures for arbitration fees are reduced to reflect limitations on the program to exclude collections cases from mandatory arbitration. These cases represent about 21% of the current caseload. In addition, eight fulltime coodinator positions are reduced to .75 fte (districts 10,14,18,20,21,25, 26 and 27A) and 1 fulltime position in district #29 and a half time position in #27A are eliminated.

137 District Court Arbitration Program Reduction — ($587,660) -13.00

Funding for the mandatory civil arbitration program in district court is reduced to reflect the elimination of collection on account cases and certain magistrate appeals from the program. Also, 13 of the 15.5 existing staff positions are eliminated and the program will be administered by other court staff. This leaves staff in the highest volume districts; 12, 26 and 27A.

138 Drug Treatment Court Reduction — ($300,000) -1.00

(1,140,780)
(8)

The General Fund portion of funding for the Drug Treatment Court program is reduced to reflect changes in the allocation of federal funds, the greater use of outside resources for case management and efficiencies in administration of the program. The Drug Treatment Court Administrator position is eliminated and these duties will be absorbed by other AOC staff.

139 Drug Treatment Court Reduction — ($373,557) -1.00

The General Fund portion of funding for the Drug Treatment Court program is reduced to reflect changes in the allocation of federal funds, the greater use of outside resources for case management and efficiencies in administration of the program. The Drug Treatment Court Administrator position is eliminated and these duties will be absorbed by other AOC staff.

140 Transfer & Redesign of Sentencing Services Program — ($5,759,409) -33.50 — ($5,759,409) -33.50

The Sentencing Services program is transferred to the Office of Indigent Defense Services as of July 1, 2002.

Judicial	House FY 02-03	Senate FY 02-03	Gov
141 Budget Worthless Check Receipts	($175,000)	($175,000)	—
Fully budgets receipts from the worthless check program. This adjustment reflects receipt levels for 2001-2 and leaves a General Fund appropriation of $24,077.			
142 Increase Worthless Check Program Fee	($100,545)		—
The fee for participation in the worthless check program is increased from $50 to $60, effective Sept 1. Proceeds shall be treated as a budgeted receipt for the Judicial Branch.			
143 Remove Funding for Telephone Systems/Network Cable		($125,000) NR	—
Funding previously provided for cabling and telephone lines in a new courthouse in New Hanover County is removed. The counties will assume responsibility for these systems in New Hanover and Dare Counties.			
144 Eliminate Associate Counsel Position		($84,282) -1.00	—
An Associate Counsel position at the Administrative Office of the Courts is eliminated, effective July 1, 2002.			
145 Judicial Assistant Position	($38,132) -1.00		—
A Superior Court Judicial Assistant position in District #19B (Montgomery, Moore, Randolph) is eliminated effective August 1, 2002.This position is assigned to a regular rather than Senior Resident Superior Court Judge.			
146 Consolidate Three Superior Court Districts		($27,402) -1.00	—
The following Superior Court Districts are recombined to align the Superior Court districts with the District Court and Prosecutorial Districts; 11A & 11B, 25A & 25B, 30A & 30B. These consolidations allow the elimination of 1 trial court coordinator position in 11, effective January 15, 2003.			
Department Totals	**($10,101,783)** **-52.00** **($1,229,430) NR**	**($12,933,174)** **-112.88** **($941,806) NR**	(11,000,669) -43.5

Judicial - Indigent Defense

	House FY 02-03	Senate FY 02-03	Gov

147 Reduce Funding to NC State Bar

Grant funding to the NC State Bar for improvement of the administration of justice is reduced by 10%.

($59,000) NR

148 Reduce Public Defender Staff

($148,454) -2.00 | ($148,454) -2.00

Two Assistant Public Defender positions are eliminated in District #12 effective July 1, 2002, leaving 12 positions. This office ranks lowest in cases per attorney.

149 Transfer of Sentencing Services Program

$2,463,065 21.00

The Sentencing Services program is transferred from the Administrative Office of the Courts to the Office of Indigent Defense Services. Of the 33.5 state positions currently authorized, only 2 positions may be assigned to administrative duties not directly related to the production of sentencing plans. Funding for the program is reduced by 57% to reflect a narrower focus for the program and more efficient administration. The Office of Indigent Defense Services may use a combination of state employees and contractual arrangements with local governments or non profit organizations to provide sentencing services in as many districts as possible.

eliminates entire program

150 Transfer of Sentencing Services Program

$3,543,357 26.00

The Sentencing Services program is transferred from the Administrative Office of the Courts to the Office of Indigent Defense Services. Of the 26 state positions currently authorized, only 3 positions may be assigned to administrative duties not directly related to the production of sentencing plans. Funding for the program is reduced by 33% to reflect a narrower focus for the program and more efficient administration. The Office of Indigent Defense Services may use a combination of state employees and contractual arrangements with local governments or non profit organizations to provide sentencing services in as many districts as possible.

Judicial - Indigent Defense

	House FY 02-03	Senate FY 02-03
151 Expansion of Mecklenburg Public Defender Program	$0 15.00 $0 NR	

The Office of Indigent Defense Services is authorized to create up to 10 attorney positions and up to 5 other (legal assistant, investigator) positions in the Mecklenburg County Public Defender office, effective October 1, 2002. These positions will be funded out of existing funding for indigent defense. This expansion is projected to save $143,015 in 2002-3.

152 Increased Funding for Assigned Counsel	$675,000	

The budget for costs of assigned counsel for indigent defendants is increased by $675,000.

153 Budget Receipts from Appointment Fee	($675,000)	

A new appointment fee will be instituted October 1, 2002 with the receipts to be budgeted to the office of indigent defense services.

Department Totals	**$3,394,903** **39.00** **$0 NR**	**$2,314,611** **19.00** **($59,000) NR**

	House FY 02-03	Senate FY 02-03	GOV
154 Temporary Services			
Reduce the continuation budget for temporary personnel services.	($200,415) NR	($200,415) NR	—
155 National Association of Attorney Generals			
Delay full payment of annual membership fees to the National Association of Attorney Generals. Delay will not affect the state's membership privileges.		($40,761) NR	(19,800) NR
156 Legal Services Receipts			
Increase receipts in the Legal Services Division to decrease the number of positions supported by the General Fund		($250,000) NR	—
157 NC LEAF		($40,000)	—
Reduce amount budgeted for NC Legal Education Assistance Foundation			
158 DARE Program		($150,286) -3.00	—
Reduce the continuation budget for the Drug and Alcohol Resistance Education (DARE) Program. Amount remaining may be used to purchase and distribute educational materials to local law enforcement agencies for use in support of their anti-drug initiatives.			
159 DARE Program	($150,286) -3.00		
Reduce the continuation budget for the Drug and Alcohol Resistance Education (DARE) Program. Amount remaining may be provided as pass-through funding to the NC Dare Foundation to purchase and distribute educational materials or provide technical assistance to support local law enforcement agencies' anti-drug initiatives.			
160 Laboratory Drug/Alcohol Analyses		($500,000)	—
Increase collection of restitution payments to cover the cost of alcohol and drug analyses conducted by the SBI Crime Laboratory.			

Justice	House FY 02-03	Senate FY 02-03	GOV
161 Laboratory Drug/Alcohol Analyses	($500,000)		
Effective October 1, 2002, increase the restitution payments for drug analyses and add new restitution payment for alcohol related DWI analyses conducted by the SBI Crime Laboratory.			—
162 NC Background Checks		($40,000)	(40,000)
Eliminate the exemption of NC background check fees for prospective lawyers and adoptive parents.			
163 Criminal Justice Network DCI-PIN Terminals	($500,000)	($500,000)	—
Based upon OSBM's study of the criminal justice information network costs, rental rates for DCI-PIN terminals and circuits will be adjusted effective January 1, 2003 to cover increased network costs. This adjustment will generate $500,000 in additional receipts in FY02-03.			
164 SBI Undercover Operations			
Reduce funds budgeted for undercover drug purchases		($500,000) NR	—
165 Uniform Allowance			
Reduce amount budgeted for SBI uniform allowances.	($117,200) NR	($117,200) NR	(117,200) NR
166 SBI Training Academy			
One time reduction in the amount budgeted for SBI training.	($50,000) NR	($50,000) NR	(50,000) NR
167 SBI Accreditation			
Defer annual SBI law enforcement accreditation payment. Delay will not affect agency's accreditation status.		($50,000) NR	(50,000) NR
168 Reduction in Force	($479,305) -12.00		—
Eliminate 12 positions in Legal Services, Criminal Training and Standard, and the SBI.			
169 Reduction in Force		($267,986) -7.00	—
Eliminate 7 positions in the Legal Services and the Criminal Training and Standard Divisions			

Justice	House FY 02-03	Senate FY 02-03	GN
170 Vehicle Replacement			
Reduce vehicle replacement budget by $500,000.		($500,000) NR	(500,000) NR
171 Vehicle Replacement			
Reduce vehicle replacement budget by $350,000.	($350,000) NR		
172 Eliminate Remaining OIG Funds	($42,895)	($42,895)	(120,000)
The Office of Inspector General was eliminated effective January 1, 2002. The balance remaining in the continuation budget for this purpose is eliminated.			
173 LEXIS Contract	($100,000)	($100,000)	(100,000)
Continuation budget is reduced to reflect savings from the renegotiation of the LEXIS publishing contract.			
174 Supplies and equipment			
Reduce continuation budget for supplies and equipment.	($523,500) NR	($523,500) NR	(523,500) R
175 Overtime Costs		($584,000)	(300,000) R SBI only
Reduce overtime expenditures across all agency divisions			
176 Eliminate Vacant Positions	($169,790) -4.00		(1,444,775) -34.0
Eliminate 4 vacant positions: #4506 Business Officer I #4627 Prog. Asst. IV #0839 Prog. Asst. V #3555 Proc. Asst. V			
177 Eliminate Vacant Positions		($129,049) -3.00	
Eliminate 3 vacant positions in the Criminal Justice Training Standards and Legal Services Divisions			
178 Increase Justice Academy Receipts	($295,000)		—
The continuation budget is adjusted to reflect increased receipts from the implementation of a $10 per diem charge for lodging at the Justice Academy dormitories. This charge is effective October 1, 2002.			

Justice

	House FY 02-03	Senate FY 02-03	GOV
Department Totals	($2,237,276) -19.00 ($1,241,115) NR	($2,354,216) -13.00 ($2,231,876) NR	(2,645,475) - 34.0 (619,800)

Juvenile Justice & Delinquency Prevention

	House FY 02-03	Senate FY 02-03	GOV

Central Administration

179 Reduce Non-Salary Line Items

Continue one time reduction from FY 2002; this excludes travel reductions for court counselors

($500,000) NR

180 Reduce Central Administration Budget

($916,320) -3.00 | ($916,320) -3.00 | (919,871) 3.0

The Central Office budget is reduced by 11% by cutting operating expenses and three vacant positions: Teen Court Coordinator, Asst. Secy. For Special Initiatives, and a Specialist for the Center for the Prevention of Violence. Position reductions total $227,184 while Non-Salary reductions are:

$122,987 Travel and Supplies
$101,788 Indirect Costs from Federal Grants
$100,000 Rent
$ 36,383 SOS Program N.S. Line Items
$ 29,900 Gov One on One N.S. Line Items
$298,078 Prior year refunds from JCPC's

181 Eliminate Vacant Special Assistant Position

($83,684) -1.00 | ($83,684) -1.00

The duties of this position have been combined with another position so this vacant position can be eliminated.

Intervention/Prevention

182 Juvenile Court Counselors

($1,277,836) -26.00 | (600,000) -8.0

The continuation budget for juvenile court counselors is reduced by $1,277,836. Of this amount, $200,000 is to be taken from 532700 Travel/Other Employee Expenses. The remaining amount shall be generated by eliminating 26 vacant positions effective July 1, 2002; 24 court counselors and two office assistants. DJJDP recommended eliminating 14 positions, 12 counselors and two office assistants

183 Juvenile Court Counselors

($786,250) -14.00

The continuation budget for juvenile court counselors is reduced by $786,2506. Of this amount, $200,000 is to be taken from 532700 Travel/Other Employee Expenses. The remaining amount shall be generated by eliminating 14 vacant positions effective July 1, 2002.

184 Project Challenge

Reduce pass-through funds by 20%.

($30,000) NR (16,500) R

185 Close one Multipurpose Group Home

($500,000)

Close one of the three multi-purpose group homes currently operating under contract.

186 Close Multipurpose Group Homes ($1,500,000) (1,500,000)

Close three multi-purpose group homes located in Macon, Randolph and Cabarrus Counties.

187 JCPC Grants ($445,335)

The continuation budget for the Juvenile Crime Prevention Councils (JCPC) county allocations is reduced by $445,335. This amount is less than the proposed Senate reduction and is intended to offset the elimination of direct state appropriations for county teen court programs. For FY 2002-03, DJJDP shall allocate $488,660 to JCPCs in those counties which received a direct state appropriation for a teen court program in FY 2001-02, as specified below. DJJDP shall instruct the county JCPCs to provide funds to their county teen court programs in the amount specified:

$30,000 Bladen County
$20,000 Brunswick County
$25,000 Buncombe County
$14,330 Cabarrus County
$25,000 Chatham County
$20,000 Columbus County
$30,000 Cumberland County
$30,000 Davidson County
$20,000 Duplin County
$70,000 Durham County
$14,330 Forsyth County
$20,000 Guilford County
$30,000 Jones County
$30,000 New Hanover County
$20,000 Onslow County
$40,000 Orange County
$25,000 Rockingham County
$25,000 Wake County

188 JCPC Grants

The continuation budget for the Juvenile Crime Prevention Councils (JCPC) county allocations is reduced by $890,670.

($890,670) NR (466,979)

Juvenile Justice & Delinquency Prevention

		House FY 02-03	Senate FY 02-03	GOV
189	Teen Court	($488,660)	($488,660)	(53,753)
	Dedicated state funding for teen court programs in specific counties is eliminated. Those counties wishing to retain a teen court program are directed to provide funding from their JCPC allocations or alternative funding sources.			
190	Juvenile Assessment Center			
	Reduce pass-through funds by 20%.		($30,000) NR	(16,500) R
191	Governor's One-on-One			
	Reduce the continuation budget by 10 percent.		($117,811) NR	(195,929) R
192	Eckerd Camp Services	($1,000,000)		—
	One-half of the juveniles admitted to Eckerd Camps are referred by local mental health authorities and local education agencies. Local mental health authorities and local education agencies shall reimburse DJJDP at the daily contracted rate for all juveniles referred and admitted to an Eckerd Camp. The continuation budget for Eckerd is reduced to reflect these increased receipts.			
193	Eckerd Camp Services		($1,200,000)	
	Local mental health authorities and local education agencies shall reimburse DJJDP at the daily contracted rate for all juveniles referred and admitted to an Eckerd Camp. The continuation budget for Eckerd is reduced by 10 percent to reflect these increased receipts.			
194	Boys and Girls Club Funds	($40,000)		(44,000)
	Reduce pass-through funds by 10%.			
195	Boys and Girls Club Funds			—
	Reduce pass-through funds by 20%.		($80,000) NR	
196	Communities in Schools		($90,000)	(49,500)
	Reduce pass-through funds by 20%.			

197 Communities in Schools — ($102,500)

Reduce pass-through funds by $102,500. This reduction is to be taken from the central headquarters' budget and, combined with other state funding reductions, represents an overall decrease of about 10% in the administrative budget.

198 Eliminate Vacant Program Coordinator — ($50,132) -1.00 — ($50,132) -1.00 —

Eliminate the position of Community Based Alternative Program Coordinator (1881-0000-0000-290) effective July 1, 2002.

Youth Facilities

199 Convert Samarkand Manor YDC to Female Facility — ($6,860,236) -154.00 (7,433,822) -140.0

DJJDP will eliminate 128 juvenile offender beds and 154 positions at the Samarkand Manor Youth Development Center (Training School). Up to 73 beds will remain for female offenders. Samarkand is being closed because of the high cost of operations, the extent of renovation and repair needs, and to begin carrying out the intent of the Juvenile Justice Act to downsize and eventually eliminate training schools (YDCs).

The reduction amount shown for Samarkand is lower than the original amount of ($7,433,822) due to initial overestimates of position savings by DJJDP. Additional positions (all vacant) in the juvenile justice system were eliminated in order to meet the budgeted reduction amount. These vacancies are identified elsewhere in this report.

200 Convert Samarkand Manor YDC to Female Facility — ($6,860,236) -154.00

DJJDP will eliminate 128 juvenile offender beds and 154 positions at the Samarkand Manor Youth Development Center (Training School). Up to 73 beds will remain for female offenders. Samarkand is being closed because of the high cost of operations, the extent of renovation and repair needs, and to begin carrying out the intent of the Juvenile Justice Act to downsize and eventually eliminate training schools (YDCs).

Juvenile Justice & Delinquency Prevention

		House FY 02-03	Senate FY 02-03	GOV
201	Consolidate Detention Centers	($1,482,424) -37.00	($1,482,424) -37.00	(1,482,424) -36.0

Buncombe and Umstead state detention centers will be closed July 1. The forty bed capacity of these two facilities combined will be re-established at the Dillon and the Juvenile Evaluation Center YDC's. Juveniles in detention will be housed and managed separately from the training school population. This action will result in the loss of another 40 YDC beds. Combined with the downsizing of Samarkand, a total of 168 YDC beds will be eliminated. The 37 positions being eliminated here are vacant; some vacancies are being taken from the YDC's to meet the budget reduction amount shown and to avoid further reductions in filled positions.

202	Reduce Medical Budget	($100,000)	($100,000)	—

The budget for medical services for juvenile offenders exceeds expenditures in FY 02. With the downsizing of facilities, an additional reduction can be made.

203	Reduce YDC Education Budget		($249,132) -5.00	—

Four vacant teacher positions and one vacant librarian position (vacant since December 2000) are eliminated. The teacher reductions, combined with 12 vacant teacher positions recommended for elimination by DJJDP as part of the Samarkand and Detention Center conversions, eliminate 16 of 22 vacant teacher positions. Teacher positions have traditionally had high vacancy rates in the juvenile system.

204	Increase Detention Center Receipts	($600,000)	($600,000)	—

The State and County each pay 50% of the cost of a detention center bed. The rate charged to counties has not been adjusted in FY 02 to reflect actual State costs which now exceed 50%. Adjusting the rate charged to counties will increase receipts by $600,000, allowing a reduction in the General Fund.

205	Increase Receipts for Food Service	($350,000) 1.00	($350,000) 1.00	(350,000) no positions

DJJDP Detention Centers are eligible to receive federal funds to help pay for meals for youthful offenders. Receiving these receipts will allow a reduction in the General Fund. One federally funded position is established to manage this program.

206 Eliminate Vacant Detention Center Positions		($126,618) -3.50	—

3.5 vacant positions are eliminated. 2.5 positions are eliminated from Alexander Detention Center: a Maintenance Mechanic III, a Nurse (.5), and a Youth Program Assistant. One position is eliminated from Richmond Detention, an Administrative Assistant V. These positions were recommended for reduction by DJJDP in order to meet the original reduction amount of $7.43 million for Samarkand.

207 Eliminate Youth Facility Positions		($231,323) -8.00	—

Eight additional vacant positions are eliminated from a combination of Detention Centers, Youth Development Centers, and YDC transitional programs. These positions were recommended by DJJDP in lieu of cutting seven Behavioral Specialists.

Counselor Tech's: 5 positions (Buncombe, Gaston, Alexander, and two from Camp Red Wolf)

Security Officer I (Stonewall)

Cook II (Stonewall)

Recreation Worker (Dobbs)

Department Totals	($14,805,541) -209.00	($14,606,365) -237.50 ($1,648,481) NR	(13,129,278) -187.0

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

Wednesdayday, July 24, 2002
8:30 a.m.
Room 415 Legislative Office Building

AGENDA

I. CALL TO ORDER

Chairmen: Representative Bill Culpepper, Presiding
Representative Phillip Haire

II. PRESENTATIONS

- Opening Remarks/Discussion by Chairs

- Review of JPS Budgets—Draft House/Senate/Governor's Recommendations

  Fiscal Staff

III. COMMITTEE DISCUSSION/OTHER BUSINESS

IV. ADJOURNMENT

HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
JUSTICE AND PUBLIC SAFETY

The House Appropriations Subcommittee on Justice and Public Safety met on **Wednesday, July 24, 2002,** at 8:30 a.m. in Room 415 LOB. The following members of the House were present:

Rep. Bill Culpepper, Co-Chair
Rep. Phil Haire, Co-Chair
Rep. Wayne Goodwin
Rep. John Hall
Rep. Larry Justus
Rep. Joe Kiser
Rep. Wayne Sexton

A Visitors' Registration Sheet is attached and made part of these minutes.

Rep. Culpepper called the meeting to order at 8:40 p.m. with the introduction of Pages.

Rep. Culpepper opened the floor for questions from Tuesday, July 23, 2002, - Corrections Section of the Comparison Budget Report – **(Handout #1).** Rep. Kiser asked, regarding Item #59 from Jim Mills', staff, report – Funds for New Prisons – are they on schedule? Mr. Mills commented that the prisons are actually several months ahead of the original schedule when the General Assembly first authorized those new prisons. The Scotland Prison would be the first coming on line. The last project completion date is May, 2003. There are 3 dates involved – the construction completion, the state acceptance of the building and then 3-4 months for inmate occupancy. So, Scotland is May, '03, Lanesboro (Anson), September, '03, and Alexander, December, '03 You will see a staggered establishment of new positions. Rep. Kiser asked when the hiring would be done, to which Mr. Mills handed out a Schedule for Establishing Positions at New Prisons in FY,'03, **(Handout #2).** Rep. Kiser asked if the committee had ever moved toward outside staffing in the Department? Mr. Mills stated that, in the Senate Budget, and there might be in the House, there is a provision directing Corrections to look at things post by post and prison by prison, which has actually already been started and taking another look at staffing. That provision also directs that there be some outside consulting help to do this. Rep. Sexton pointed to Item #50 on page 11 – Cutting 25 Work Crews – what do they do? Mr. Mills said that those 25 were community work crews that work for municipalities and schools. Another 39 would be converted to DOT litter crews. Rep. Sexton commented that it seems we never have enough of those work crews. Mr. Mills stated that another idea, if the cut is accepted, that remembering last year the General Assembly transferred community service to the DOC and there is a provision that directs DOC, in some cases, to see if some community service workers could take the place of some of the inmate work crews.

Denise Thomas, staff, continued with **(Handout #1)** – page 17 – Crime Control and Public Safety. Ms. Thomas began by saying that most of the items in this section of the Budget were items that were submitted by the Department and in the Governor's Budget – a lot of them described as a reduction in operating funds. Upon completion of this

section, Rep Justus went back to Item #86 – Highway Patrol – asking what these reductions represent in terms of services affected? Ms. Thomas replied that the Department submitted these reductions in vehicle replacement. Rep. Justus inquired about the Highway Fund noting that apparently there was no shortage and asked for a reason as to why there should be a reduction? Ms. Thomas said that there was a shortage in the Highway Fund, but not in the Highway Trust Fund. In talking with their chairs, they indicated that they could not increase funding to the Highway Patrol from the Highway Fund and were indeed taking some pretty deep cuts to the Department of Transportation which is also funded from the Highway Fund. Rep Justus asked for a copy of the report listing the cuts for the Department of Transportation. Rep Justus asked about vacant positions in Item #88. Gregg McCleod, Dept. of Crime Control and Public Safety agreed to provide that information by the afternoon. Rep. Justus further asked if positions were frozen and Rep. Culpepper replied in the affirmative. In regard to Item # 89, Rep. Justus asked if, in picking up receipts for local operations, are we adding an additional burden to local government? Ms. Thomas stated that we did not believe so, because, bottom line, net profits should remain about the same. Rep. Justus asked about Item #87 and if it was fully operational at this time? Ms. Thomas stated that she would not call it fully operational as in the fiscal year that ended in June, 2001, they had not submitted their reimbursement requests in time – was submitted sometime in September. At that time the Governor reverted the money and so they started out in the fiscal year with only about $100,000 or less in their budget. They have used those funds, plus Crime Commissions' federal receipt, but she doesn't know if they have been fully operational. Mr. McCleod said there had been the effort to pool resources to fight drug crime and work together in this effort. Rep. Justus asked about the number of task forces? Ms. Thomas answered that there was only one - will get back to Rep. Justus with any others who might be funded in another way. Rep. Sexton inquired about the vacant positions in Item #91 and how long had they been vacant and what kind of impact that will have on the operations there? Mr. Rufus Sabs, Butner Crime Control and Public Safety replied that one position had been vacant for 2 months, and the other 2 vacant for 3 months. In terms of impact, he said that it would be devastating to lose these positions – they have only had an increase of 5 positions in the past 15 years along with a 100% increase in responsibility – they are stretched in that they are the first responder to every emergency in the Butner area. Rep. Sexton pointed to Item #98 and asked if the National Guard is going to be able to come up with a matching amount? Ms. Thomas said that the Tar Heel Challenge officials have identified that match from the City of Salemburg, the county and possibly the National Guard and the US Dept. of Defense and have been given permission to use some of their in kind contributions to meet this match. Rep. Kiser returned to Item #87 and asked how they operate. Ms. Thomas said that they find savings where they can. Rep. Culpepper asked about the percentage? Mr. McLeod said it would be an 11 % reduction. Rep. Kiser asked if there was this much money left over in the account last year? Mr. McLeod stated that is was a difficult choice and they have had to tighten the belt – regretfully. Rep. Kiser asked about Item #89 – where does it come from and what percentage of the profits is there going to be? Will it effect the ability to hire local ALE officers and if we are cutting back on AlE State and local officers – who id going to do the work that the ALE does? Rep. Culpepper asked how much would be left under the proposal? Ms. Thomas stated that they were spending about $5 million for local

law enforcement and that set aside and another $5.7 million for alcohol education set-aside, but not all ABC contribute to either of those. There is no eliminating of local education – the local law enforcement set- aside at all – just that it is no longer mandated at that percentage. ABC Boards may contribute any amount, so there is no substituting ALE for any local ABC police departments that are out there and we are not mandating that any funds that they may have been contributing to their local sheriffs and police now go to ALE. What we are eliminating is the mandated Alcohol Education set - aside. Rep. Kiser inquired about the 7% for law enforcement – are we eliminating that? Ms. Thomas answered that we were not. Rep. Kiser asked if a county didn't want to have an ALE officer and they don't want to spend that money for law enforcement – can they spend it for something else? Ms. Thomas stated that it would be up to the ABC Board. Rep. Kiser expressed concern over this. Rep. Justus asked if the money we are talking about here comes from profits on liquor sales? Rep. Haire answered in the affirmative. Rep. Kiser further asked who sets the prices of commodities? Ms. Thomas said the she believed that it is the local ABC Boards. Mr. Joel Keith, Chief of Law Enforcement, ABC of Wake County said that the ABC Commission sets the prices so that they are uniform throughout the state.

Elisa Wolper, staff, continued with Judicial, page 22. Rep. Justus noted that the AlC budget has been lowered by $10 million total and asked if all fees had been explored or adjusted so that cuts could be less? Rep. Culpepper stated that all had been looked at and asked that Rep. Justus bring any further possibilities to the committee and they would be glad to take a look at them. Rep. Kiser asked about what was meant by 'redesign' in Item #140? Rep. Culpepper stated that the discussion on that item would be taken up in the next section.

The meeting was adjourned.

Presiding Committee Chair, Rep. Bill Culpepper

Sara Jane Lennard
Committee Assistant

Attachments:

VISITOR REGISTRATION SHEET

8:30 a.m.

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY
Name of Committee

Sept 24, 2002
Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Michelle Frazier	NC Bar Ass'n
Allyson Duncan	NC Bar Assn
Cameron Ratliff	NC State Watch
Lad Rubsert	CJPC
John McHugh	COU OFFICE
THOMAS BISSETTE	CUMBERLAND CO. ABC LAW ENFORCEMENT
Michael Naylor	Cumberland Co. ABC Law Enforcement
Peg Dorer	Conference of D.As
Sean Lusk	AOC
John Madler	NC Sentencing Commission
Karen Jorgensen	NC Sentencing Commission

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY — July 24, 2002

Name of Committee — Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Allen Reep	The Healing Place of Wake County
Tye Hunter	IDS
Lou Mitchell	The Healing Place of Wake County
DENNIS PARNELL	THE HEALING PLACE OF WAKE CO.
Susanne Hayes	The Healing Place of Wake County
Richard Fitzgerald	The Raleigh Rescue Mission, Inc
Robert A. Boswell Jr.	Rowan County ABC Law Enforcement
Bird Penrose	Wake Co. ABC Law Enforcement
Allen Barrow	Pitt Co. ABC Law Enforcement
Ray Shuler	Rowan County ABC Law Enforcement
Jimmy Pyatt	Durham Co ABC Law Enforcemt

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 7-24-2007

Name of Committee Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
DERRICK MCMILLAN	DURHAM CO ABC LAW ENFORCEMENT
LEW NUCKLES	Wake Co. ABC Law Enforcement
Joel Keith	Wake Co. ABC Law Enforcement
Ricky Barbour	Wake Co. ABC Law Enforcement
Boyd Bennett	NC Division of Prisons
Tracy Little	DOC
Rufus Sales	CCPS Butner Public Safety
Mike Sprayberry	NCNG
Gary McLeod	CCPS
BARBARA GOODMON	Healing Place of Wake County Wake County Human Services Board
Fred Tucker	CCPS

VISITOR REGISTRATION SHEET

APPROPRIATIONS-JUSTICE AND PUBLIC SAFETY 7-24-02

Name of Committee Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jim Newell	OSBM
Larry Dix	DJJDP
Kimberly Gibney	AOC-TSD
NELS ROSELAND	NC DOJ
Steve Shaber	Poyner + Spruill
Larry Smith	SBI
Lee Allen	SBI
Kristi Hyun	DOJ
Roy Nicholls	Wake Co Human Services
John Fleming	NC Bar Assoc.

Handout # 1

DRAFT HOUSE/SENATE/GOVERNOR RECOMMENDATIONS

COMPARISON BUDGET REPORT

JULY 23, 2002

HOUSE APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE & PUBLIC SAFETY

House/Senate Comparison Report

DRAFT

Correction

	House FY 02-03	Senate FY 02-03	GOV.
Alcohol and Chemical Dependency			
DART Cherry Program	($292,434) -10.00	($292,434) -10.00	0
DART Cherry is a 300 bed residential treatment program for DWI parolees, other parolees, and probationers. Staffing is reduced by 10 positions--six substance abuse workers and four counselors--by increasing caseloads.			
DART In-Prison Residential Programs	($1,696,261) -49.00		($3,113,606) with #4
The Governor's budget recommended eliminating all but one medium custody in-prison residential substance abuse treatment program, a portion of the in-prison non-residential programs (e.g. aftercare, short-term treatment programs), and 45% of central office staff. By contrast, this reduction action maintains several of the medium custody prison residential programs and all of the funds for non-residential prison programs such as aftercare and short-term treatment. This reduction action has four components (1) closes the two close custody residential programs (Pasquotank and Marion) since a 35 to 90 day program is of limited value to inmates with long-term sentences (three other positions shown in Pasquotank's position count are actually for the Tyrrell minimum custody program and are not eliminated); (2) closes four medium custody residential programs (Foothills, Caswell, Brown Creek, and Polk Youth); (3) reduces 15 staff statewide by increasing caseloads; and, (4) reduces Central Office staff by two positions (Correctional Administrator I and Substance Abuse Program Consultant, both vacant).			

Correction

		House FY 02-03	Senate FY 02-03	GOV
3	DART In-Prison Residential Programs		($1,376,598) -40.00	

The Governor's budget recommended eliminating all but one medium custody in-prison residential substance abuse treatment program, a portion of the in-prison non-residential programs (e.g. aftercare, short-term treatment programs), and 45% of central office staff. By contrast, this reduction action maintains most of the medium custody prison residential programs and all of the funds for non-residential prison programs such as aftercare and short-term treatment. This reduction action has four components (1) closes the two close custody residential programs (Pasquotank and Marion) since a 35 to 90 day program is of limited value to inmates with long-term sentences (3 other positions shown in Pasquotank's position count are actually for the Tyrrell minimum custody program and are not eliminated); (2) closes three medium custody residential programs (Foothills, Caswell, and Polk Youth); (3) reduces 15 staff statewide by increasing caseloads; and, (4) reduces Central Office staff by two positions (Correctional Administrator I and Substance Abuse Program Consultant, both vacant).

4	Regional Offices in DACDP	($351,088) -6.00	($351,088) -6.00	See #2

Due to reductions in substance abuse treatment staffing statewide and closing of residential treatment programs in five prisons, it is recommended that the number of Regional Offices be reduced from four to two.

5	Cancel Contract for Private Treatment Beds	($1,113,300)	0	($1,335,961) 7/1/02

This reduction eliminates the contract for 75 minimum custody treatment beds, effective September 1. Two of four private contracts were eliminated in 2001. This reduction leaves one private contract for prison residential treatment, a program for female offenders.

Central Administration

6	Delay Vehicle Replacement See #10	($800,000) NR		$1 Million

DOC will delay vehicle replacement for one more year

Correction	House FY 02-03	Senate FY 02-03	GOV
7 Reduce Central Administration Budget		($515,267) -9.00	SAME ($515,267)

Nine DOC management and administrative positions are eliminated as recommended in the Governor's budget.

Corr. Psychological Program Director
Special Asst to Secy.
Social Research Assoc. II
Social Research Asst I
Corr. Training Coordinator
Personnel Supv. I (Vacant)
Personnel Analyst I (Vacant)
Asst Secy Program Development (Vacant)
Info Comm Specialist (Vacant)

Reduce Central Administration Budget	($515,267) -9.00		SAME

Nine DOC management and administrative positions are eliminated as recommended in the Governor's budget.

Corr. Psychological Program Director
Special Asst to Secy.
Social Research Assoc. II
Social Research Asst I
Corr. Training Coordinator (Vacant)
Personnel Supv. I (Vacant)
Personnel Analyst I
Asst Secy Program Development (Vacant)
Info Comm Specialist (Vacant)

MI[illegible]ntract Conversion	($355,155) 4.00	($355,155) 4.00	SAME ($355,155)

Expenditures for MIS contracts will be reduced by converting contract funds to four MIS positions. The savings result from canceling contract positions and fees charged for contracts. The four positions are Telecommunication Systems Analyst, and three Applications Analyst/Programmer Specialists (one at grade 83 and two at 81)

0 Delay Vehicle Replacement — SEE #6			
		($1,000,000) NR	SAME $1M

DOC will delay purchase of replacement vehicles for one more year

1 Cancel Training Facility Contract	($183,000)	($183,000)	0

DOC uses a Fort Fisher facility operated by the National Guard for training of staff in Eastern N.C. DOC will cancel contract and identify less expensive training facilities.

Correction

	House FY 02-03	Senate FY 02-03	Gov.
12 Reduce Funding in Training Division	($181,063) -2.00	($181,063) -2.00	SAME ($181,063)

Two vacant positions are eliminated from the Office of Staff Development and Training -- a Correctional Training Instructor II and an Office Asst. IV. Non-salary items for the Office are also reduced in the areas of phone services, per diem for meals and rent of motor vehicles.

Community Corrections

13 Close IMPACT programs	($4,196,999) -100.00		(4,157,652) (108)

The IMPACT Boot Camp Program will be terminated August 15, 2002 for a savings of $4.66 Million. The 2001 budget had indicated the programs would terminate June 30, 2003 but the closing date is being moved earlier.The positions eliminated include 53 positions each at IMPACT East and IMPACT West and 2 in Raleigh. Of the funds made available from this termination, $260,208 shall be used to establish 8 new community work crews at prisons near the communities of Hoffman and Morganton. These crews will be supervised by 8 new correctional officer positions, reducing the net position reduction to 100.

14 Reduction in Funding of Nonprofits		($275,694) NR	(2,006,942)

Pass through funding to community corrections programs is reduced in 2002-3 as follows; 10% reduction for Summit House; 20% reductions for Harriet's House, Women at Risk and the John Hyman Foundation. Summit House funding was reduced 10% for the biennium in the 2002 budget. The reduction in Summit House funding shall be taken as follows; $25,649 (a 16.7% reduction) from the state office and $100,045 (a 9.1% reduction) from the local programs. As of May 1, 2003, all state funds shall be used in the local programs only.

15 Reduction in Funding of Nonprofits		($200,694) NR	

Pass through funding to community corrections programs is reduced by 10% in 2002-3. The reduction in Summit House funding shall be taken as follows; $25,649 (a 16.7% reduction) from the state office and $100,045 (a 9.1% reduction) from the local programs. As of May 1, 2003, all state funds for Summit House shall be used in the local programs only.

Correction

		House FY 02-03	Senate FY 02-03	GEN
16	Electronic Monitoring Cost Sharing		($276,218) -1.00	

The General Fund cost of the Electronic Monitoring program is reduced to reflect cost sharing with outside agencies that utilize the program (local law enforcement and the Department of Juvenile Justice & Delinquency Prevention). In addition, 1 position (EHA Specialist) is eliminated to reflect lower workload on 3nd shift and budgeted overtime is reduced by $25,000 to reflect actual.

eliminate
(1,277,479)
(14)

17	Electronic Monitoring Cost Sharing	($151,442) -1.00		

The General Fund cost of the Electronic Monitoring program is reduced to reflect cost sharing with outside agencies that utilize the program (local law enforcement and the Department of Juvenile Justice & Delinquency Prevention). In addition, 1 position (EHA Manager) is eliminated.

18	Probation and Parole Staffing		($3,356,367) -90.00	

he following positions are eliminated in the ~~Division of Community Correction district offices~~, 11 Office Assistants, 17 PPO I (community), 11 PPO II (Intermediate), 23 Intensive Officers and 28 Surveillance Officers. Based on current population projections, this will result in average caseloads of 27/78/100 for intensive/intermediate/1community. The Office Assistants may be either OA's assigned to probation-parole officers or to the community service work program..

19	Probation and Parole Staffing	($3,378,692) -92.00		

The following positions are eliminated in the ~~Division of Community Correction district offices~~; 14 Office Assistants, 22 PPO I (community), 8 PPO II (Intermediate), 23 Intensive Officers and 25 Surveillance Officers. ~~Based on current population projections, this will~~ result in average caseloads of 27/78/101 for intensive/intermediate/ community. The Office Assistants may be either OA's assigned to probation-parole officers or to the community service work program.

20	Vacant Trainer Position	($38,913) -1.00	($38,913) -1.00	

A vacant trainer position is eliminated. This leaves 4 trainers for the Division of Community Corrections. (4550-1030-0060-167)

Correction	House FY 02-03	Senate FY 02-03	Gov
21 Criminal Justice Partnership Program	($947,258) -1.00 ($757,390) NR		
Funding for the CJPP program is reduced to reflect the following: $844,533 in cost efficiencies in day reporting centers in the following counties, realized from using probation parole officers and the TASC program in DHHS to provide case management where possible (Albemarle multi-county program, Buncombe,Catawba,Cumberland, Davidson, Durham, Forsyth, Gaston,Guilford,Mecklenburg, Onslow, Randolph, Wake, Wayne and the Vance-Granville-Franklin-Warren program); (2) $405,000 from reducing appropriations to under-spending programs based on historical reversions; (3) $352,390 from eliminating funding for 5 small pretrial release programs (Anson, Caldwell, Columbus, Greene, Montgomery), 2 small resource centers (Graham, McDowell), and a satellite substance abuse program in Union County; (4) eliminating funding for an inactive program in Caswell County ($45,110); (5)$57615 from elimination of 1 research analyst position and associated operating costs.			(8,803,797) eliminates (12)
22 Criminal Justice Partnership Program		($1,053,302) -2.00 ($1,146,698) NR	
Funding for the CJPP program is reduced to reflect the following: cost efficiencies in day reporting centers from using probation parole officers and the TASC program in DHHS to provide case management; across the board reductions in contractual services, elimination of 2 positions coordinating the program at DCC, and elimination of funding for the following counties; Person, Caswell, and Union.			
23 Reduce Operational Costs for Drug Screening	($162,216)	($162,216)	(162,216)
The operational costs for the 6 drug screening labs operated by DCC will be reduced due to new technology and other efficiencies.			
24 Reduction in Automobile Expenses	($88,452)	($88,452)	(88,452)
The Division will be able to reduce the number of leased vehicles from the Department of Administration, based on actual usage.			
25 Contractual Parole Revocation Hearing Officers	($115,000)	($115,000)	—
Parole Revocation Hearings are handled by contract employees. This item reduces the budget to reflect actual spending.			

Correction

	House FY 02-03	Senate FY 02-03	GOV

Department Wide

6 Non-Salary Line Items — ($1,378,951) / ($17,721,049) NR — ($18,621,049) NR

DOC will reduce non-salary expenditures such as travel, equipment, and supplies system wide for one more year.
Recurring reductions are: $200,000 equipment; $200,000 rent; facility/hardware supplies $600,000 and Utilities, $378,951. The total recommended reduction by DOC was $18,621,049. The Utilities recurring reduction of $378,951 an additional reduction of $100,000 in facility/hardware supplies brings the total reduction to $19.1 million.

7 Non-Salary Line Item Cuts — ($1,278,951) / ($17,721,049) NR

DOC will reduce non-salary expenditures such as travel, equipment, and supplies system wide for one more year.
Recurring reductions are: $200,000 equipment; $200,000 rent; facility/hardware supplies $500,000 and Utilities, $378,951. The total recommended reduction by DOC was $18,621,049. The Utilities recurring reduction of $378,951 brings total reduction to $19 million.

Parole and Post Release Supervision

8 Fur[illegible] Reductions to Parole Commision — ($226,108) -5.00 / ($226,108) -5.00 — SAME ($226,108)

The General Assembly has directed that the Commission reduce its budget by a minimum of10% each year due to declining parole cases. This reduction would cut approximately 14%. Five positions are eliminated: three parole case analysts (one vacant), an Office Assistant V (vacant), and Chief of Operations.

Prisons

9 Use Federal Funds for Inmate Labor Projects — ($450,000) — SAME ($450,000)

DOC is directed to use federal funds to pay contractual employees assigned to work on federally funded construction projects. The primary work is carried out by inmates.

10 Use Federal Funds to Pay for Inmate Labor — ($450,000) — SAME

DOC uses inmate labor for various construction projects funded by federal Truth in Sentencing Grants but pays inmates from DOC funds. Using federal funds al[illegible] a reduction in the General Fund.

Correction	House FY 02-03	Senate FY 02-03	Gov
31 Reduce Prison Administration Costs	($481,971) -9.00	($481,971) -9.00	SAME (481,971)

Eliminate nine positions in the central office of the Division of Prisons as recommended in the Governor's budget.

Program Asst V (Vacant)
Nurse Clinician II (Vacant)
Corr Programs Director III (Vacant)
Psychological Program Director III (Vacant)
Educational Services Specialist (Vacant)
Office Asst IV
Office Asst III (Vacant)
Corr Programs Director III (Vacant)
Social Worker II (Vacant)

32 Security Staffing: Increase Inmate to staff ratio		($9,539,100) -300.00	—

DOC's current security staffing ratio is 2.92 inmates per correctional position (officers and supervisors). This is one of the lowest ratios in the country, primarily due to operating older, inefficient facilities. However, it is believed through system efficiencies in assignment of security posts that some positions can be eliminated. A reduction of 300 correctional officer positions would increase the ratio to 3 inmates for every security staff position. It is assumed that all or most of the 300 positions would be taken out of the 1000 plus vacant correctional officer positions.

See House Options 64, 65, 68, 72

33 Security Staffing –Lieutenants		($564,779) -17.00	GOV SAME (564,779)

Seventeen lieutenant positions are reduced at prison facilities with high lieutenant to sergeant ratios.

34 Security Staffing – Lieutenants	($531,557) -16.00		

Sixteen lieutenant postions are eliminated at prisons with high lieutenant to sergeant ratios or a high number of sergeants.

35 Reduce Security Staffing: Update Relief Formula	($4,285,845) -135.00	($4,285,845) -135.00	—

DOC assigns a "relief formula" to each security post to determine the number of postions needed. This relief formula accounts for leave usage, training hours and so on to ensure security posts are always covered. The DOC relief formula has not been adjusted to account for reduced leave usage for officers both on eight and twelve hour shifts. Adjusting the relief formula to 1.73 per 24 hour post compared to the current 1.76 formula, and similar reductions for other posts, allows for a reduction of 135 officer positions system-wide.

Correction

	House FY 02-03	Senate FY 02-03	GOV
6 Close Blue Ridge Correctional Center		($1,274,095) -35.00	(1,154,623) (-35)

Blue Ridge Correctional Center will be closed July 1, 2002. The cost per day was $96 in Fy 2001. The reduction amount includes a 50% reduction in the inmate budget. The BRIDGE forestry program, which operates out of Blue Ridge and Western Correctional Centers will now operate only at Western.

7 Close Haywood Correctional Center		($1,317,266) -34.00	—

Close Haywood Correctional Center July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.

8 Close Henderson Correctional Center		($1,335,978) -33.00	—

Henderson Correctional Center will be closed July 1, 2002. The reduction amount includes a 50% reduction in the inmate budget.

9 Close Union Correctional Center	($1,196,855) -30.00		—

Close Union Correctional Center, one of four remaining GPAC units. The reduction amount includes a 50% reduction in the inmate support budget.

0 Close Rowan Diagnostic Center	($144,598) -5.00	($144,598) -5.00	SAME ($144,598)

Due to overstaffing in relation to workload standards, Rowan and other diagnostic centers were reduced by eight positions in 2001-02. Rowan has a relatively small workload that can be absorbed at other diagnostic centers.

1 Convert Cleveland Correctional Center		($407,931) -17.00	—

Cleveland Correctional center is a medium custody facility that costs $75 a day, higher than the state average of $67.43 for medium custody prisons. Cleveland will be converted to minimum custody to save costs. The inmate construction program will continue and the segregation beds and staff will not be reduced.

2 Reduce Inmate Food budget		($1,000,000)	—

Through system efficiencies, DOC has been able to further reduce expenditures in the inmate food service program.

	House FY 02-03	Senate FY 02-03	GOV
43 Reduce Inmate Food Budget	($236,000)		—
Reduce inmate food budget through further system efficiencies.			
44 Food Service Officers		($443,088) -14.00	—
By increasing the ratio of inmates to food service officers from 77 inmates to one officer to 80 to one, 14 positions can be reduced system wide. Positions are 12 food service officer I's and 2 food service manager positions.			
45 Reduction of Inmate Medical Costs	($3,575,166) -36.00	($3,575,166) -36.00	SAME (3,575,166)
DOC recommended reducing funding for the inmate medical program by implementing two major program efficiencies: (1) eliminating positions at eight smaller prisons and having medical services provided by nearby larger facilities; and (2) eliminating certain medical contracts and contract positions and then converting some contract positions to lower cost state positions.			
46 Reduce Contract for Mobile Surgery Unit		($600,000)	(617,610)
DOC pays a fixed contract rate for use of a Mobile Surgery Unit at Central Prison. Based on a lower utilization rate than anticipated, the fixed contract rate can be reduced.			
47 Cancel Contract for Mobile Surgery Unit	($1,572,055)		
DOC pays a fixed rate for use of a mobile surgery unit at Central Prison. The contract is cancelled August 1 due to underutilization, the expense of transporting inmates to Central Prison, and the availability of most services at local hospitals.			
48 Reduce Prison Chaplain Program		($855,146) -18.00	($196,766) -5
It is recommended that 16 chaplains, 2 central office chaplain positions (one on contract), and one regional coordinator position be eliminated. This will require prisons with 400 or fewer inmates to use community funded or volunteer chaplains. Prisons with 400 to 700 inmates will be reduced from 2 to 1 chaplains plus community funded and volunteer chaplains. This leaves 42 chaplain positions and nine contract chaplains in the system.			

	House FY 02-03	Senate FY 02-03	GOV
19 Reduce Prison Chaplain Program	($919,853) -23.00		

It is recommended that 21 chaplains, 2 central office chaplain positions (one on contract), and one regional coordinator position be eliminated. Four of the chaplain positions are to be converted to contract positions so only benefits of $25,200 are cut for four positions. The chaplain program reduction assumes that prisons with 400 or fewer inmates will rely on community funded or volunteer chaplains. Prisons with 400 to 700 inmates will be reduced from 2 to 1 chaplains and rely on community funded and volunteer chaplains for chaplain services. Four prisons will be reduced from 3 to 2 or two to one state positions and have the positions replaced with contract chaplains. This leaves 37 chaplain positions and 13 contract chaplains in the system.

0 Inmate Community Work Crews	($2,239,107) -29.00		—

Eliminate 25 of 164 inmate work crews and assign an additional 39 crews to do litter control work for DOT in carrying out SB 1014. 25 correctional officer and four sergeant positions are eliminated. Crews will not be eliminated at locations where only one or two crews currently operate. Reduction amount of $2,239,107 includes approximately $1.3 million for increasing receipts from DOT.

1 Inmate Community Work Crews		($2,620,071) -41.00	—

Eliminate 37 of 164 inmate work crews and assign an additional 39 crews to do litter control work for DOT in carrying out SB 1014. Crews will not be eliminated at locations where only one or two crews currently operate. Reduction amount of $2,620,071 includes approximately 50% for eliminating 37 crews (37 correctional officers and 4 sergeants) and increasing receipts from DOT for the other 50%.

2 Inmate Clothing Budget	($500,000)	($500,000)	SAME ($500,000)

Reduce budget for inmate clothing by reducing allocation of clean clothes to four days a week, the minimum required by the courts in lawsuit settlements.

	House FY 02-03	Senate FY 02-03	Gov
53 Increase Caseloads of Prison Program Staff		($1,571,945) -50.00	—

The current prison program staff are allocated at approximately one for every 55 inmates. This reduction would increase ratio to one to 60 and reduce positions from 593 to 543. The following positions would be eliminated:

40 Program Asst. I's
5 Program Ass. II's
5 Program Supervisors

54 Inmate Education Programs	($465,824) -10.00		—

Due to a decline in youthful offender inmates, DOC can further reduce education staff. The following positions are to be eliminated:

4 teachers
1 Office Asst
3 Library Tech Assts
1 Librarian
1 Guidance Counselor

Eight of 10 positions are vacant.

55 Inmate Education Programs		($559,313) -11.00	—

Due to a decline in youthful offender inmates, DOC can further reduce education staff. The following positions are to be eliminated:

4 teachers
1 Office Asst
3 Library Tech Assts
1 Librarian
1 Guidance Counselor
1 Processing Asst III

Eight of 11 positions are vacant.

56 Reduce Maintenance Staffing	($1,422,745) -40.00	($1,422,745) -40.00	($281,593) (-8)

DOC recommended eliminating 8 maintenance positions; another 32 positions will be eliminated due to increased system efficiencies and increasing inmate to staff ratios from 64 to 1 to 70 to 1.

57 Safekeeper Payments — ($800,000) — ($800,000) — (861,63..)

Safekeepers are county prisoners who are transferred to the State. Counties pay DOC $18 a day to hold safekeepers. Current law excludes payment to DOC if an offender being held in one county is a resident of another. This reduction is based on increased receipts due to deleting the residency exclusion from the General Statutes.

GOV ALTERNATE PROPOSAL - INCREASE COUNTY PAYMENT FROM $18 TO $40

58 Operating Funds for New Prisons — $5,277,478 / 556.00 / $2,443,885 NR — [redacted]

The three new 1000 bed prisons authorized by the General Assembly in 2001 are scheduled for completion in FY 2002-03 and FY 2003-04. Funds are appropriated for startup for each of the three prisons with the bulk of the funds for Scotland, which will be completed in May, 2003. The total funding in FY 2002-03 is $7,721,363 to be allocated as follows:

$7.7M — $8,269,786 (567)

GOV
$ 6,810,046 (417)
967,793 (138)
491,947 (12)

Scotland:	$6,616,630	410 positions
Anson:	$ 816,825	138 positions
Alexander:	$ 287,908	8 positions

59 Operating Funds for New Prisons — $4,868,445 / 468.00 / $2,246,085 NR

The three new 1000 bed prisons authorized by the General Assembly in 2001 are scheduled for completion in FY 2002-03 and FY 2003-04. Funds are appropriated for startup for two of the three prisons with the bulk of the funds for Scotland, which will be completed in May, 2003. The total funding in FY 2002-03 is $7,114,530 to be allocated as follows:

Scotland:	$6,616,630	410 positions
Anson:	$ 497,900	58 positions

60 Energy for Committed Offenders, Inc. (ECO) — ($35,562) — ($355,616) ELIMINATE

DOC contracts with ECO for 20 minimum custody beds. The contract amount is reduced by 10%.

61 Energy for Committed Offenders, Inc. (ECO) — ($24,264) NR

DOC contracts with ECO for 20 minimum custody female beds. The contract amount is reduced for 02-03.

62 Inmate Infraction Receipts — ($150,000) — ($150,000) — SAME ($150,000)

DOC charges inmates $10 for every infraction conviction. It is estimated receipts will exceed the budget so a reduction in the General Fund can be taken.

Correction

	House FY 02-03	Senate FY 02-03	GOV
63 Alien Assistance Receipts	($310,000) NR	($310,000) NR	SAME ($310,000)
DOC receives federal funds for housing illegal aliens convicted of crimes in N.C. It is estimated that receipts will exceed the budgeted amount by $310,000 in FY 03. Program is likely to end after FY 03 so the reduction is non-recurring.			
64 Reduce Utility Custody Posts	($1,506,913) -48.00	—	—
DOC indicates it can reduce one utility post at most prisons with 260 or more inmates. These posts include canteen/mailroom and clotheshouse.			
65 Reduce Transportation Officers	($1,381,337) -44.00	—	—
DOC indicates it can reduce transportation officers statewide and still fulfill inmate transportation needs by eliminating one transportation post at most prisons with 300 or more inmates.s			
66 Reduce Clerical Staff in Prison Programs	($959,232) -36.00	—	—
In lieu of deeper cuts in professional program staff, DOC indicates it can reduce clerical positions systemwide. Reductions include 17 office assistant III's and 19 processing assistant III's			
67 Abolish Prison Administrative Clerical Positions	($936,665) -35.00	—	—
Thirty five office assistant III's assigned to administration at 35 prisons are eliminated.			
68 Reduce Correctional Sergeant Positions	($944,355) -26.00	—	—
Twenty six sergeant positions are reduced at 17 different prisons. These include larger institutions with ratios below one position for every 7.96 inmates and small to medium size prisons with one more sergeant than needed for standard shift rotation.			
69 Inmate Medical Reorganization	($556,529) -12.00	—	—
Twelve vacant mental health related positions are abolished. DOC believes through internal reorganization, services can be maintained after these reductions.			

Correction

		House FY 02-03	Senate FY 02-03	GOV
70	Prison Administration – Additional Reductions	($149,697) -4.00	—	—

Four additional vacant administrative positions are abolished:
Office Asst. III(2) , Nurse Clinician I, and an Inmate Hearing Officer.

71	Reduce Classification Coordinator Positions	($448,397) -12.00	—	—

Twelve classification coordinators are eliminated at 12 different prisons. The duties of these positions, which are to review inmate background and behavior to determine custody levels, can be absorbed by Program Director I's at these prisons.

72	Close Minimum Custody Section at Sampson	($593,910) -19.00	—	—

Sampson Correctional Center will close its minimum custody section only.

73	Reduce Community College Funds	($31,000)	—	—

DOC provides pass-through funds of $25,000 each to community colleges in Avery/Mitchell and Pamlico. In 2001-02, Community Colleges only expended $19,000 of the $50,000. It is recommended the amount be reduced to $19,000.

74	Adjust Payments to UNC Health Services	($1,639,777)	—	—

It is estimated that savings can be achieved by adjusting the rate that DOC pays for inmate medical services at UNC to the Medicaid rate. This is recommended since UNC is also a public agency. This action will lessen the impact of a 30% rate increase charged to DOC in FY 2002.

75	Premium Shift Pay and Holiday Pay	$6,511,542	—	—

DOC has been paying special supplemental pay to correctional officers since June of 2000 in order to improve recruitment and retention. This includes holiday pay at 75% over regular pay (50% is standard) and supplemental shift premium pay. The shift premium pay was changed from the standard 10% on evening and night shifts to 20% on these shifts on the weekends only. Day shift on weekends was changed from 0 to 10% shift differential pay. These pay changes have been funded previously with lapsed salaries.

Correction	House FY 02-03	Senate FY 02-03	Gov
76 Funding to Operate Pamlico and Mt. View	$2,238,952		
DOC has been partially funding the operations of Pamlico and Mountain View prisons with lapsed salaries since DOC took over the prisons from the private sector. This recommended funding will fully fund these operations.			
77 Fully Fund Inmate Medical Budget	$15,325,066		
DOC's continuation budget for inmate medical is adjusted to match actual expenditures. Areas to be funded include prescription drugs, hospital and provider services, and contractual medical employees.			
Department Totals	($14,582,544) -373.00 ($17,543,048) NR	($38,471,691) -401.00 ($18,033,820) NR	(25,413,716) +267 (37,926,230)

ITEM 78 BLANK RECORD

GOVERNOR'S ITEMS NOT INCLUDED

1. LAPSED SALARY SAVINGS
(17,145,181 NR)

2. INCREASE COUNTY SAFEKEEPER CHARGE FROM $18 TO 40
($861,630)

3. CLOSE GATES CORRECTIONAL CENTER
($935,245) (-28)

	House FY 02-03	Senate FY 02-03	GOV

Administration

79	Eliminate Positions	($114,589) -2.00	($114,589) -2.00	(114,589) -2.00

Eliminate 2 vacant positions in the Office of the Secretary:

4960-0000-0010-402 Agency Legal Specialist II
4910-0000-0001-408 Public Relations Officer

80	Eliminate Vacant Boxing Commission Position	($35,683) -1.00	—

Eliminate one vacant office assistant position in the Boxing Commission:

4910-0000-0000-173 Office Assistant IV

81	Eliminate Boxing Commission	($215,964) -3.00	—

The continuation budget is reduced by the amount in the certified budget for the Boxing Commission.

82	Budget Boxing Commission Receipts	($40,000)	(23,756)

The continuation budget for the Office of the Secretary is adjusted to reflect Boxing Commission receipts.

83	Reduce Operating Expenses	($117,449)	(117,449)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

84	Reduce Operating Expenses	($114,589)	—

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

85	Administrative Costs	($1,100,000)	—

The State Highway Patrol comprises 77 percent of all employees in the Department of Crime Control and Public Safety. The continuation budget for the Department's administration is adjusted to reflect increased receipts from Budget Code 24960, Fund Code 2610 - Highway Patrol. The receipts will be used to support central administrative costs associated with the operations of the State Highway Patrol. The Department is directed to identify cost savings within Budget Code 24960, Fund Code 2610 to offset the transfer of these funds to Budget Code 14900.

Crime Control and Public Safety

	House FY 02-03	Senate FY 02-03	GOV

86 Administrative Costs ($1,100,000)

The State Highway Patrol comprises 77 percent of all employees in the Department of Crime Control and Public Safety. The continuation budget for the Department's administration is adjusted to reflect increased receipts from Budget Code 24960, Fund Code 2610 - Highway Patrol. The receipts will be used to support central administrative costs associated with the operations of the State Highway Patrol. The Department is directed to identify cost savings within Budget Code 24960, Fund Code 2610 to offset the transfer of these funds to Budget Code 14900. These cost savings represent less than one percent of the budget for the State Highway Patrol.

Alcohol Law Enforcement

87 Reduce Operating Expenses ($485,942) ($485,942) (485,942)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

88 Eliminate Vacant Positions ($377,114) -8.00 ($377,114) -8.00 (377,114) -8.00

Eliminate 8 vacant positions:

4940-0000-0000-633	Missing Persons Specialist
4940-0000-0500-507	ALE Agent II
4940-0000-0700-512	ALE Agent II
4940-0000-0200-516	ALE Agent II
4940-0000-0000-629	ALE Agent II
4940-0000-0300-473	ALE Agent II
4940-0000-0700-452	ALE Agent I
4940-0000-0900-499	ALE Agent I

89 Receipt Support for ALE Operations ($6,758,163)

Increase the law enforcement set-aside from ABC revenues to include the cost of ALE operations. The ALE Division enforces alcohol statutes and regulations at the local/county level. The expansion of the ABC set-aside for law enforcement will increase receipts to offset the operating cost of the ALE Division.

Butner Public Safety

90 Reduce Operating Expenses ($112,356) (112,356)

Reduce the continuation budget line items for travel, equipment, supplies, contracts, etc.

Crime Control and Public Safety

		House FY 02-03	Senate FY 02-03	GOV
91	Eliminate Vacant Positions	($101,048) -3.00		(101,048) -3.00

Eliminate 3 vacant positions:
4991-0000-0001-732 Public Safety Officer Grade 65
4991-0000-0001-741 Public Safety Officer Senior Grade 66T
4991-0000-0001-751 Public Safety Officer Grade 65

Civil Air Patrol

92	Reduce Operating Expenses	($14,783)	($14,783)	(14,783)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Emergency Management

93	Eliminate Vacant Positions	($155,074) -4.00	($155,074) -4.00	(155,074) -4.00

Eliminate 4 vacant positions:
4950-0000-0000-678 Admin Asst I
4950-1000-0000-712 Computer Sys Adm I
4950-1000-0000-715 Staff Dev Tech II
4950-0000-0001-191 Office Asst IV

94	Reduce Operating Expenses	($152,817)	($152,817)	(152,817)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

Governor's Crime Commission

95	Reduce Operating Expenses	($146,138)	($146,138)	(146,138)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

96	Drug Task Force		($125,000)	-

Reduce the amount in the continuation budget for the drug task force. Localities desiring to establish future task forces should seek alternative sources of fundings.

97	Eliminate Roanoke-Chowan Drug Task Force	($250,000)		-

Eliminate the amount in the continuation budget for the Roanoke-Chowan Drug Task Force. Localities desiring to establish future task forces should seek alternative sources of funding.

	House FY 02-03	Senate FY 02-03	GOV

National Guard

98	Tarheel Challenge	($112,000)	($112,000)	—

The continuation budget for the Tarheel Challenge Program is reduced by 10 percent. The National Guard is directed to identify alternative sources of funding which may be used to meet the 40 percent state match requirement.

99	Eliminate Vacant Positions	($103,457) -3.00	($103,457) -3.00	(103,457)

Eliminate three vacant positions:
4920-0000-0000-116 Processing Asst III
4920-0000-0000-119 Admin Asst II
4920-0000-0000-190 Prog Asst IV

100	Reduce Operating Expenses	($435,922)	($435,922)	(435,922)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc.

101	Tuition Assistance Program		$500,000	—

The continuation budget for tuition assistance is increased by $500,000. This will enable the National Guard to accommodate the increased tuition assistance requests resulting from the economic downturn and the impact of September 11th.

102	Tuition Assistance Program	$900,000		—

The continuation budget for tuition assistance is increased by $900,000. This will enable the National Guard to accommodate the increased tuition assistance requests resulting from the economic downturn and the impact of September 11th.

Victims' Compensation

103	Reduce Salary Reserve	($395,428)	($395,428)	(395,428)

Continuation budget is reduced by the balance of residual salary reserve remaining after the Community Service Work Program was transferred to the Department of Correction.

104	Reduce Operating Expenses	($89,566)	($89,566)	(89,566)

Reduce continuation budget line items for travel, equipment, supplies, contract, etc

Crime Control and Public Safety	House FY 02-03	Senate FY 02-03	GOV
Department Totals	($10,197,529) -21.00	($3,638,383) -20.00	(2,760,074) -18.0

GOV Recommendations not included in House or Senate

Increase Funding for Crime Victims 2,500,000

	House FY 02-03	Senate FY 02-03	GOV

104 Reduction in Salary Reserve		($1,000,000)	(1,000,000)
The accumulated balance in salary reserve is reduced by $1,000,000.			
105 Vacant Court Reporter Positions	($99,266) -3.00		
Three vacant court reporter positions are eliminated, anticipating fewer Special Superior Court Judges during 2002-3. This leave 103 court reporters for 102 judges. Of the funds made available by this reduction, the AOC may use up to $45,000 in 2002-3 to pilot a program in District #13 using audio visual equipment in lieu of court reporters.			
106 Vacant Court Reporter Position		($50,593) -1.00	
One vacant court reporter position is eliminated. The Judicial Branch generally has several vacancies among the 106 funded positions.			
107 Eliminate Public Information Staff		($137,377) -2.00	
Two positions in the Public Information Office at the AOC are eliminated.(2201-1100-0150-514 and 2201-1100-0650-647) and these functions will be absorbed by other personnel.			
108 Eliminate Communications Director	($79,668) -1.00		
The position of Communications Director is eliminated as recommended by the AOC. This leaves a public information officer position for the courts communication needs.			
109 Information Technology Positions	($250,742) -3.00	($250,742) -3.00	
A vacant special projects coordinator position in the information technology division (2209-1100-0750-807)and a vacant Business System's Analyst position (2210-1100-0650-654) are eliminated. An additional Business Systems Manager position is also eliminated.			
110 Guardian Ad Litem Administration	($59,739) -1.00	($59,739) -1.00	
The number of regional administrators in the Guardian Ad Litem program is reduced from 4 to 3.			

111 Blank Record

	House FY 02-03	Senate FY 02-03	Gov
112 Contractual Services		($575,000)	(500,000)
The budget for contractual services at the Administrative Office of the Courts is reduced by $[illegible]000.			
113 Contractual Services	($300,000)		
Budgeted funds for contractual services are reduced by $300,000. This leaves a certified budget of $1.5 Million. The AOC uses lapsed salaries for the majority of contractual expenses.			
114 Reduction in Conference Expenses		($201,670)	
		($119,000) NR	
Travel and per-diem expenses are reduced by $320,670 to reflect less frequent conferences for court personnel. The number of DA training conferences is reduced from 2 to 1, the number of Judges' conferences from 3 to 2 and the number of Clerks' conferences from 2 to 1. In addition, conferences will be held only at state facilities and utilize state agencies as trainers. There will be no out-of-state travel with state funds in 2002-3 by Judicial Branch employees or officials.			
115 Reduction in Travel & Per Diem	($201,670)		
	($479,000) NR		
Tr[illegible] and per-diem expenses are reduced by $680,670 to reflect various cost savings in judicial branch travel and legal education. The number of District Attorney training conferences is reduced from 2 to 1, the number of Judges' conferences from 3 to 2 and the number of Clerks' conferences from 2 to 1. In addition, there will be no out-of-state travel on judicial branch business with state funds in 2002-3. A further reduction of $360,000 is to be achieved by suspending automatic rotation of Superior Court Judges throughout 2002-3.			
116 Assistant District Attorney Positions		($522,851)	
		-7.00	
Seven Assistant District Attorney positions are eliminated effective July 1, 2002. The positions shall be taken from the offices which rank lowest in workload with no more than 1 position taken from any office. (1,9A, 12,17A, 21, 27B and 30)			

117 Magistrate Positions — ($338,140) -15.00

Fifteen magistrate positions will be eliminated Jan 1, 2003 with the reductions taken in the lowest workload counties. Magistrate positions that are currently vacant or become vacant prior to December 31st shall remain vacant until new appointments are made effective Jan 1, 2003. The AOC shall identify the counties where the reduction will be implemented.

118 Vacant Magistrate Positions — ($80,000) NR

Magistrate positions that are currently vacant or become vacant during the remainder of 2002 shall remain vacant until new appointments are made effective January 1, 2003. Exceptions may be made for counties whose number of active magistrates would fall below 4.

119 Custody Mediation Program — ($448,752) -4.38

The custody mediation program is reduced as follows; the programs run under contract in districts 27A,27B and 28 are abolished. In addition, staff positions are eliminated in districts 9,6B,17A,19B, and 19A. This leaves 25.1 staff in 15 districts.

120 Appellate Courts — ($71,813) -1.00

Funding for the Court of Appeals and the Supreme Court are reduced to reflect elimination of the use of emergency judges at the court of appeals and elimination of a vacant Supreme Court editorial assistant position.

121 Appellate Courts — ($512,009) -9.00

Funding for the appellate courts is reduced to reflect (1) elimination of the use of emergency judges at the Court of Appeals and (2) reduction in library expenses to eliminate unnecessary duplication of library resources between the Court of Appeals and the Supreme Court. Nine positions at the Supreme Court are eliminated: a vacant Editorial Assistant, 7 Research Assistants, and any positions authorized under GS 7A-12. This brings the staffing of the Supreme Court and Court of Appeals more in line with their relative workloads. In 2000-01, Supreme Court Research Assistants each handled an average of 100 dispositions while those at the Ct of Appeals handled 180.

Judicial

		House FY 02-03	Senate FY 02-03	GW
122	Reduce Emergency Judge Pay	($250,000)		
	Budgeted funds for emergency judge pay at the trial court level are reduced 66% to reflect greater management of the use of emergency judges.			
123	Reduce Emergency Judge Pay		($189,067)	
	The budget for emergency judge pay at the District and Superior Court level is reduced by 50%.			
124	Delay 4 Special Superior Court Judgeships		($401,540) NR	
	Four Special Superior Court Judgeships expire in August 2002. Two of their replacements are to be effective on or after January 1, 2003 and the other two on or after July 1, 2003.			
125	Delay Reappointment Special Superior Court Judges	($512,693) NR		
	Four Special Superior Court Judgeships expire in August 2002. Their replacements are to be effective on or after July 1, 2003.			
126	Reduction in Dispute Settlement Centers	($183,487)		elim
	Funding for all 27 programs is reduced 20% in 2002-3 and 10% thereafter. In addition, funding is eliminated for a program in Johnston County that is no longer operating.	($157,737) NR		(1,603,124)
127	Reduction in Dispute Settlement Centers		($254,872) NR	
	Funding for all 27 programs is reduced 16% in 2002-3. In addition, a process for collection of court costs in court referred cases that are successfully resolved by the program is to be established, affecting overall General Fund availability by $451,418 on an annualized basis.			
128	Sentencing Commission Position	($56,713) -1.00		
	A vacant Research & Policy Associate position at the Sentencing & Policy Advisory Commission is eliminated.			
129	Sentencing Commission Positions		($98,510) -2.00	(110,199) (2)
	A vacant Research & Policy Associate position and an Administrative Assistant I position at the Sentencing & Policy Advisory Commission are eliminated.			

Handout #1
Aug 1., 02

HOUSE APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY

DRAFT SPECIAL PROVISIONS

AUGUST 1, 2002

AOC

Senate provisions not included

1. successors to mandatory retirement
2. eliminate ADA
3. magistrate reduction / study
4. judicial efficiencies

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H1(S14.1)

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

SPECIAL SUPERIOR COURT JUDGES

SECTION 14.1.(a) Effective August 27, 2002, G.S. 7A-45.1(a2) is repealed.

SECTION 14.1.(b) G.S. 7A-45.1 is amended by adding a new section to read:

"(a6) Effective July 1, 2003, the Governor may appoint four special superior court judges to serve terms expiring five years from the date that each judge takes office. Successors to the special superior court judges appointed pursuant to this subsection shall be appointed to five-year terms. A special judge takes the same oath of office and is subject to the same requirements and disabilities as are or may be prescribed by law for regular judges of the superior court, save the requirement of residence in a particular district."

follows $$

Sen modified

delays all 4

(1)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H3(S14.3)

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

RESTRICT DISTRICT COURT MANDATORY ARBITRATION

SECTION 14.3. G.S. 7A-37.1(c) reads as rewritten:

"(c) This procedure may be employed in civil actions where claims do not exceed fifteen thousand dollars ~~($15,000).~~ ($15,000), except that it shall not be employed in actions in which the sole claim is an action on an account, including appeals from magistrates on such actions."

follows $#

Sen also had language making program self-supporting

2

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H4(S14.4)

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

FEDERAL GRANT FUNDS

SECTION 14.4. The Judicial Department shall use up to the sum of eight hundred seventy-five thousand dollars ($875,000) from funds available to the Department to provide the State match needed in order to receive federal grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Commission on Governmental Operations on the grants to be matched using these funds.

modified Sen

S had language sending

court info tech fund to

match local CJIN projects

related to (350,000) cut

3

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H7(S14.7)

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TRANSFER SENTENCING SERVICES PROGRAM TO OFFICE OF INDIGENT DEFENSE SERVICES

SECTION 14.7.(a) The statutory authority, powers, duties, and functions, records, personnel, property, unexpended balances of appropriations, allocations or other funds, including the functions of budgeting and purchasing, of the Administrative Office of the Courts to conduct the Sentencing Services Program, as provided by Article 61 of Chapter 7A of the General Statutes, are transferred to the Office of Indigent Defense Services.

SECTION 14.7.(b) G.S. 7A-498.2(a) reads as rewritten:

"(a) The Office of Indigent Defense Services, which is administered by the Director of Indigent Defense Services and includes the Commission on Indigent Defense ~~Services,~~ Services and the Sentencing Services Program established in Article 61 of this Chapter, is created within the Judicial Department. As used in this Article, "Office" means the Office of Indigent Defense Services, "Director" means the Director of Indigent Defense Services, and "Commission" means the Commission on Indigent Defense Services."

SECTION 14.7.(c) G.S. 7A-498.6(b) reads as rewritten:

"(b) The Director shall:

(1) Prepare and submit to the Commission a proposed budget for the Office of Indigent Defense Services, an annual report containing pertinent data on the operations, costs, and needs of the Office, and such other information as the Commission may require;

(2) Assist the Commission in developing rules and standards for the delivery of services under this Article;

(3) Administer and coordinate the operations of the Office and supervise compliance with standards adopted by the Commission;

(4) Subject to policies and procedures established by the Commission, hire such professional, technical, and support personnel as deemed reasonably necessary for the efficient operation of the Office of Indigent Defense Services;

(5) Keep and maintain proper financial records for use in calculating the costs of the operations of the Office of Indigent Defense Services;

(6) Apply for and accept on behalf of the Office of Indigent Defense Services any funds that may become available from government grants, private gifts, donations, or bequests from any source;

(7) Coordinate the services of the Office of Indigent Defense Services with any federal, county, or private programs established to provide assistance to indigent persons in cases subject to this Article and consult with professional bodies concerning improving the administration of indigent services;

(8) Conduct training programs for attorneys and others involved in the legal representation of persons subject to this Article; ~~and~~

(8a) Administer the Sentencing Services Program established in Article 61 of this Chapter; and

(9) Perform other duties as the Commission may assign."

SECTION 14.7.(d) G.S. 7A-771(2a) reads as rewritten:

"(2a) "Director" means the Director of ~~the Administrative Office of the Courts.~~ Indigent Defense Services."

SECTION 14.7.(e) G.S. 7A-772(b) reads as rewritten:

"(b) The Director may establish local sentencing services 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~~ Office of Indigent Defense Services shall adopt rules necessary and appropriate for the administration of the program. Funds appropriated by the General Assembly for the establishment and maintenance of sentencing services programs under this Article shall be administered by the ~~Administrative Office of the Courts.~~ Office of Indigent Defense Services."

SECTION 14.7.(f) Each Sentencing Services Program shall review its procedures and implement methods of (i) minimizing the frequency with which plans are prepared but not presented to the court, and (ii) ensuring the efficient management of probation revocation cases when they are referred by a judge. Sen prohibits

SECTION 14.7.(g) As of July 1, 2002, the ~~number~~ of State positions assigned as administrative staff is reduced from 11 to three. Notwithstanding the provisions of G.S. 7A-772(b), the number of State positions shall not exceed 26. The Office of Indigent Defense Services may reallocate State employee positions ~~in order~~ to provide sentencing services in any of the districts formerly served by non-State agencies. The Office of Indigent Defense Services shall renegotiate contractual arrangements with some of the highest performing nonprofits that have administered sentencing services program to date. Within existing funding, the Office of Indigent Defense Services may also contract with individuals or organizations to provide additional sentencing services.

SECTION 14.7.(h) The Office of Indigent Defense Services shall report by November 1, 2002 to the Chairs of the Senate and House Appropriations Committees and the Senate and House Appropriations Subcommittees on Justice and Public Safety on the reorganization of the Sentencing Services Program pursuant to this section. The report shall include the specific assignments for the State positions, the districts in

5

which sentencing services will be available, the means by which those services will be provided, and an estimated number of plans and cost per plan for the 2002-2003 fiscal year.

follows $$

- implement transfer
- 3 central office
- up to 26 total posn
- mix state and nonprofit contracts
- modifies Senate

6

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H8A(S14.8)

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

DRUG TREATMENT COURT PROGRAM

SECTION 14.8.(a) The Drug Treatment Court Program shall maintain the existing State-funded programs in Districts 5, 9, 9A, 10, 14, 21, and ~~26 during~~ the 2002-2003 fiscal year.

SECTION 14.8.(b) It is the intent of ~~the General Assembly~~ that State Drug Treatment Court funds not be used to fund case manager positions when those services can be reasonably provided by the Treatment Alternatives to ~~Street~~ Crime (TASC) program in the Department of Health and Human Services or by other existing resources. The Drug Treatment Court Program shall identify areas of potential cost savings in the local programs that would result from reducing the number of case manager positions. The Program shall also identify areas in which federal funding might absorb administrative costs.

The Drug Treatment Court Program shall report by February 1, 2003, 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 savings identified.

SECTION 14.8.(c) Prior to the establishment of any new local drug treatment court programs, the local drug treatment court management committee shall consult with the TASC program as to the availability of case management services in that community.

Tech change only from Senate

7

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H13

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

APPELLATE COURTS PRINTING AND COMPUTER OPERATIONS

SECTION 2.2.(l) Article 29 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-343.3. Appellate Courts Printing and Computer Operations Fund.**

The Appellate Courts Printing and Computer Operations Fund is established within the Judicial Department as an interest-bearing special revenue account. Accordingly, interest and other investment income earned by the Fund shall be credited to it. All moneys collected through charges to litigants for the reproduction of appellate records and briefs under G.S. 7A-11 and 7A-20(b) shall remitted to the State Treasurer and held in this Fund. Moneys in the Fund shall be used to support the print shop operations of the Supreme Court and the Court of Appeals, including personnel, maintenance, and capital costs. The Judicial Department may create and maintain receipt-supported positions for these purposes. Revenue in the Fund at the end of each fiscal year shall be transferred to the Court Information Technology Fund established in G.S. 7A-343.2."

SECTION 2.2.(m) G.S. 7A-11 reads as rewritten:

"**§ 7A-11. Clerk of the Supreme Court; salary; bond; fees; oath.**

The clerk of the Supreme Court shall be appointed by the Supreme Court to serve at its pleasure. The annual salary of the clerk shall be fixed by the Administrative Officer of the Courts, subject to the approval of the Supreme Court. The clerk may appoint assistants in the number and at the salaries fixed by the Administrative Officer of the Courts. The clerk shall perform such duties as the Supreme Court may assign, and shall be bonded to the State, for faithful performance of duty, in the same manner as the clerk of the superior court, and in such amount as the Administrative Officer of the Courts shall determine. He shall adopt a seal of office, to be approved by the Supreme Court. A fee bill for services rendered by the clerk shall be fixed by rules of the Supreme Court, and all such fees shall be remitted to the State ~~treasury, except that charges to litigants for the reproduction of appellate records and briefs shall be fixed and administered as provided by rule of the Supreme Court.~~ treasury. Charges to litigants for the reproduction of appellate records and briefs shall be fixed by rule of the Supreme Court and remitted to the Appellate Courts Printing and Computer Operations Fund established in G.S. 7A-343.3. The operations of the Clerk of the Supreme Court shall be subject to the oversight of the State Auditor pursuant to Article 5A of Chapter 147 of the General Statutes. Before entering upon the duties of his office, the clerk shall take the oath of office prescribed by law."

SECTION 2.2.(n) G.S. 7A-20(b) reads as rewritten:

"**§ 7A-20. Clerk; oath; bond; salary; assistants; fees.**

(a) The Court of Appeals shall appoint a clerk to serve at its pleasure. Before entering upon his duties, the clerk shall take the oath of office prescribed for the clerk of the Supreme Court, conformed to the office of clerk of the Court of Appeals, and shall be bonded, in the same manner as the clerk of superior court, in an amount prescribed by the Administrative Officer of the Courts, payable to the State, for the faithful performance of his duties. The salary of the clerk shall be fixed by the Administrative Officer of the Courts, subject to the approval of the Court of Appeals. The number and salaries of his assistants, and their bonds, if required, shall be fixed by the Administrative Officer of the Courts. The clerk shall adopt a seal of office, to be approved by the Court of Appeals.

(b) Subject to approval of the Supreme Court, the Court of Appeals shall promulgate from time to time a fee bill for services rendered by the clerk, and such fees shall be remitted to the State ~~Treasurer, except that charges to litigants for the reproduction of appellate records and briefs shall be fixed and administered as provided by rule of the Supreme Court.~~ Treasurer. Charges to litigants for the reproduction of appellate records and briefs shall be fixed by rule of the Supreme Court and remitted to the Appellate Courts Printing and Computer Operations Fund established in G.S. 7A-343.3.The operations of the Court of Appeals shall be subject to the oversight of the State Auditor pursuant to Article 5A of Chapter 147 of the General Statutes."

SECTION 2.2.(o) Of the cash balance of any funds not remitted to the State Treasurer pursuant to G.S. 7A-11 and GS 7A-20(b) prior to the effective date of this act, only funds necessary for payroll and existing contractual obligations may be expended. → See also The cash balance of these funds shall be transferred to the General Fund on July 1, 2002.

Transfer balance
– Availability (NR)

~~[illegible]~~ modified Senate

9

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H19

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

SUPERIOR COURT JUDGES' SUBSISTENCE ALLOWANCE

SECTION #. Notwithstanding the provisions of G.S. 7A-44(a), during the 2002-2003 fiscal year each superior court judge shall be allowed three thousand five hundred dollars ($3,500) per month in lieu of necessary subsistence expenses while attending court or transacting official business at a place other than in the county of the judge's residence and in lieu of other professional expenses incurred in the discharge of the judge's official duties.

follows $$

Hs only

10

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-AOC-H20

Administrative Office of the Courts
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ADDITIONAL PUBLIC DEFENDER OFFICE

SECTION #.(a) G.S. 7A-498.7 reads as rewritten:

"(a) The following counties of the State are organized into the defender districts listed below, and in each of those defender districts an office of public defender is established:

Defender District	Counties
3A	Pitt
3B	Carteret
12	Cumberland
14	Durham
15B	Orange, Chatham
16A	Scotland, Hoke
16B	Robeson
18	Guilford
21	Forsyth
26	Mecklenburg
27A	Gaston
28	Buncombe

After notice to, and consultation with, the affected district bar, senior resident superior court judge, and chief district court judge, the Commission on Indigent Defense Services may recommend to the General Assembly that a district or regional public defender office be established. A legislative act is required in order to establish a new office or to abolish an existing office."

SECTION #.(b) The Office of Indigent Defense Services may use up to the sum of one million two hundred twenty-five thousand dollars ($1,225,000) in funds appropriated to create new positions for the Forsyth County Public Defenders office. These positions shall include the public defender, up to 13 assistant public defenders and up to 7 support positions. "

SECTION #.(c) This section becomes effective September 1, 2002.

Hs only (11)

JUSTICE

In Senate but not included in House

- Restitution for SBI Drug Analyses
- Remove Exemptions from Fingerprint Charges
- DENR Reimburse Dept. of Justice

SENATE REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-ATTY-H2(S15.2)

Attorney General's Office
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representative Baddour

NO-CALL REGISTRY AUTHORIZATION

SECTION 15.2.(a) The Department of Justice may use funds available to the Department up to seven hundred thousand dollars ($700,000) during the 2002-2003 fiscal year to establish and implement a no-call registry to stop unwanted telemarketing calls and to increase protections for consumers in transactions initiated by telemarketers. These funds shall also be used to develop programs to protect citizens from improper electronic invasions of privacy.

SECTION 15.2.(b) This section becomes effective only when legislation authorizing the Department of Justice to establish and implement a no-call registry becomes law.

SEN = $1,000,000

12

SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-ATTY-H5(S15.5)i

Attorney General's Office
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representative

INSURANCE REGULATORY FUND REIMBURSEMENT

SECTION 15.5. G.S. 58-6-25(d) reads as rewritten:

"(d) Use of Proceeds. – The Insurance Regulatory Fund is created in the State treasury, under the control of the Office of State Budget and Management. The proceeds of the charge levied in this section and all fees collected under Articles 69 through 71 of this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be credited to the Fund. The Fund shall be placed in an interest-bearing account and any interest or other income derived from the Fund shall be credited to the Fund. Moneys in the Fund may be spent only pursuant to appropriation by the General Assembly and in accordance with the line item budget enacted by the General Assembly. The Fund is subject to the provisions of the Executive Budget Act, except that no unexpended surplus of the Fund shall revert to the General Fund. All money credited to the Fund shall be used to reimburse the General Fund for the following:

(1) Money appropriated to the Department of Insurance to pay its expenses incurred in regulating the insurance industry and other industries in this State.

(2) Money appropriated to State agencies to pay the expenses incurred in regulating the insurance industry, in certifying statewide data processors under Article 11A of Chapter 131E of the General Statutes, and in purchasing reports of patient data from statewide data processors certified under that Article.

(3) Money appropriated to the Department of Revenue to pay the expenses incurred in collecting and administering the taxes on insurance companies levied in Article 8B of Chapter 105 of the General Statutes.

(4) Money appropriated for the office of Managed Care Patient Assistance Program established under G.S. 143-730 to pay the actual costs of administering the program.

(5) Money appropriated to the Department of Insurance for the implementation and administration of independent external review procedures required by Part 4 of Article 50 of this Chapter.

(6) Money appropriated to the Department of Justice to pay its expenses incurred in representing the Department of Insurance in its regulation of the insurance industry and other related programs and industries in this State that fall under the jurisdiction of the Department of Insurance."

JUVENILE JUSTICE

SENATE REVISED

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-DJJDP-H1(S16.1)

Department of Juvenile Justice and Delinquency Prevention
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

USE OF FUNDS FOR YOUTH DEVELOPMENT CENTER AND MULTIPURPOSE BEDS

SECTION 16.1.(a) The Department of Juvenile Justice and Delinquency Prevention may use funds available during the 2002-2003 ~~fiscal year to (i) establish~~ new Youth Development Center beds, (ii) re-establish one multipurpose group home, and (iii) convert one of the 50-bed modular camps in the ~~Eckerd Wilderness Camp~~ Program for use as a Youth Development Center, as defined in G.S. 7B-1501. Any conversion shall be effectuated with existing contract funds.

SECTION 16.1.(b) The Department shall consult with the Joint Legislative Commission on Governmental Operations and the Corrections, Crime Control, and Juvenile Justice Oversight Committee prior to:

(1) Converting any Eckerd Wilderness Camp beds to secure confinement beds during the 2002-2003 fiscal ~~year~~;

(2) Establishing bed capacity at ~~the standard or expanded capacity level~~ greater than 730 beds, including beds converted at Eckerd Wilderness Camps, during the 2002-2003 fiscal year; or

(3) Re-establishing one multipurpose group home during the 2002-2003 fiscal year.

The report shall include the sources of funding for any additional beds.

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HOUSE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-DJJDP-H2(S16.2)

Department of Juvenile Justice and Delinquency Prevention
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

FUNDING OF TEEN COURT PROGRAMS

SECTION 16.2.(a) Of the funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the 2002-2003 fiscal year, the sum of four hundred eighty-eight thousand six hundred sixty dollars ($488,660) shall be used to continue the operations of teen court programs which received direct State appropriations from the Department in the 2001-2002 fiscal year. For the 2002-2003 fiscal year, the Department shall allocate funds to the Juvenile Crime Prevention Councils in the counties in which those teen court programs are located. For each teen court program, the allocation shall be in an amount equal to the appropriation received by that program in the 2001-2002 fiscal year. The allocations authorized by this subsection are in addition to the formula allocations for the applicable counties.

SECTION 16.2.(b) G.S. 143B-520(b) reads as rewritten:

"(b) Every teen court program that receives ~~State funds, including~~ funds from Juvenile Crime Prevention ~~Councils,~~ Councils shall comply with rules and reporting requirements of the Department of Juvenile Justice and Delinquency Prevention. ~~In particular, teen court programs receiving State funds shall report to the Department on the expenditure of State funds and the number of cases served each year.~~"

SEN - Section B

15

SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-DJJDP-H3(S16.3)

Department of Juvenile Justice and Delinquency Prevention
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

COMMUNITIES IN SCHOOLS REDUCTIONS

SECTION 16.3. The General Fund appropriation to the Department of Juvenile Justice and Delinquency Prevention for Communities in Schools of North Carolina, Inc., is reduced by the sum of one hundred two thousand five hundred dollars ($102,500) for the 2002-2003 fiscal year. This reduction in funding shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites.

SENATE = 90,000

16

SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-DJJDP-H6(S16.5)i

Department of Juvenile Justice and Delinquency Prevention
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

SECTION 16.5. Section 24.4 of S.L. 2001-424 reads as rewritten:

"**SECTION 24.4.** Funds appropriated in this act to the Department of Juvenile Justice and Delinquency Prevention for the ~~2001-2002~~ 2002-2003 fiscal year may be used as matching funds for the Juvenile Accountability Incentive Block Grants. If North Carolina receives Juvenile Accountability Incentive Block Grants, or a notice of funds to be awarded, the Office of State Budget and Management and the Governor's Crime Commission shall consult with the Department of Juvenile Justice and Delinquency Prevention regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Juvenile Justice and Delinquency Prevention shall report to the Appropriations Committees of the Senate and House of Representatives and the Joint Legislative Commission on Governmental Operations prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the ~~2001-2002~~ 2002-2003 fiscal year, the amount of funds anticipated for the ~~2002-2003~~ 2003-2004 fiscal year, and the allocation of funds by program and purpose."

17

HOUSE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-DJJDP-H7

Department of Juvenile Justice and Delinquency Prevention
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

PLANNING FOR NEW YOUTH DEVELOPMENT CENTER

SECTION #. The Department of Juvenile Justice and Delinquency Prevention may initiate the planning and design of a new 300- to 500-bed youth development center using funds allocated to the Department of Administration for the planning and design of juvenile justice facilities. The Department shall report by November 1, 2002 to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Correction, Crime Control, and Juvenile Justice Oversight Committee on its progress in the planning and design phase. The Department shall also provide a preliminary report on how its plan for a new center will ensure effective security and programming while achieving staffing efficiencies.

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DEPT. OF CORRECTION

(DROPPED SENATE PROVISION ON MOBILE MEDICAL CONTRACT)

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

SEN./HOUSE SAME

DRAFT
SPECIAL PROVISION

2002-CORR-H2(S17.1)i

FOLLOWS MONEY

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ALL COUNTIES TRANSFERRING SAFEKEEPERS TO THE DEPARTMENT OF CORRECTION TO REIMBURSE DEPARTMENT REGARDLESS OF SAFEKEEPERS' RESIDENCY

SECTION 17.1. G.S. 162-39(c) reads as rewritten:

"(c) The sheriff of the county from which the prisoner is removed shall be responsible for conveying the prisoner to the jail or prison unit where he is to be held, and for returning him to the common jail of the county from which he was transferred. The return shall be made at the expiration of the time designated in the court order directing the transfer unless the judge, by appropriate order, shall direct otherwise. The sheriff or keeper of the jail of the county designated in the court order, or the officer in charge of the prison unit designated by the Secretary of Correction, shall receive and release custody of the prisoner in accordance with the terms of the court order. If a prisoner is transferred to a unit of the State prison system, the county from which the prisoner is transferred shall pay the Department of Correction for maintaining the prisoner for the time designated by the court at the per day, per inmate rate at which the Department of Correction pays a local jail for maintaining a prisoner. The county shall also pay the Department of Correction for the costs of extraordinary medical care incurred while the prisoner was in the custody of the Department of Correction, defined as follows:

(1) Medical expenses incurred as a result of providing health care to a prisoner as an inpatient (hospitalized);

(2) Other medical expenses when the total cost exceeds thirty-five dollars ($35.00) per occurrence or illness as a result of providing health care to a prisoner as an outpatient (nonhospitalized); and

(3) Cost of replacement of eyeglasses and dental prosthetic devices if those eyeglasses or devices are broken while the prisoner is incarcerated, provided the prisoner was using the eyeglasses or devices at the time of his commitment and then only if prior written consent of the county is obtained by the Department.

~~However, a county is not required to reimburse the State for maintaining a prisoner who was a resident of another state or county at the time he committed the crime for which he is imprisoned.~~ If the prisoner is transferred to a jail in some other county, the county from which the prisoner is transferred shall pay to the county receiving the prisoner in its jail the actual cost of maintaining the prisoner for the time designated by the court. Counties are hereby authorized to enter into contractual agreements with other counties

to provide jail facilities to which prisoners may be transferred as deemed necessary under this section.

Whenever prisoners are arrested in such numbers that county jail facilities are insufficient and inadequate for the safekeeping of such prisoners, the resident judge of the superior court or any superior or district court judge holding court in the district may order the prisoners transferred to a unit of the State Department of Correction designated by the Secretary of Correction or his authorized representative, where the prisoners may be held for such length of time as the judge may direct, such detention to be in cell separate from that used for imprisonment of persons already convicted of crimes, except when admission to an inpatient prison medical or mental health unit is required to provide services deemed necessary by a prison health care clinician. The sheriff of the county from which the prisoners are removed shall be responsible for conveying the prisoners to the prison unit or units where they are to be held, and for returning them to the common jail of the county from which they were transferred. However, if due to the number of prisoners to be conveyed the sheriff is unable to provide adequate transportation, he may request the assistance of the Department of Correction, and the Department of Correction is hereby authorized and directed to cooperate with the sheriff and provide whatever assistance is available, both in vehicles and manpower, to accomplish the conveying of the prisoners to and from the county to the designated prison unit or units. The officer in charge of the prison unit designated by the Secretary of Correction or his authorized representative shall receive and release the custody of the prisoners in accordance with the terms of the court order. The county from which the prisoners are transferred shall pay to the Department of Correction the actual cost of transporting the prisoners and the cost of maintaining the prisoners at the per day, per inmate rate at which the Department of Correction pays a local jail for maintaining a prisoner, provided, however, that a county is not required to reimburse the State for transporting or maintaining a prisoner who was a resident of another state or county at the time he was arrested. However, if the county commissioners shall certify to the Governor that the county is unable to pay the bill submitted by the State Department of Correction to the county for the services rendered, either in whole or in part, the Governor may recommend to the Council of State that the State of North Carolina assume and pay, in whole or in part, the obligation of the county to the Department of Correction, and upon approval of the Council of State the amount so approved shall be paid from Contingency and Emergency Fund to the Department of Correction.

When, due to an emergency, it is not feasible to obtain from a judge of the superior or district court a prior order of transfer, the sheriff of the county and the Department of Correction may exercise the authority hereinafter conferred; provided, however, that the sheriff shall, as soon as possible after the emergency, obtain an order from the judge authorizing the prisoners to be held in the designated place of confinement for such period as the judge may direct. All provisions of this subsection shall be applicable to municipalities whenever prisoners are arrested in such numbers that the municipal jail facilities and the county jail facilities are insufficient and inadequate for the safekeeping of the prisoners. The chief of police is hereby authorized to exercise the authority herein conferred upon the sheriff, and the municipality shall be liable for the cost of transporting and maintaining the prisoners to the same extent as a county would be

unless action is taken by the Governor and Council of State as herein provided for counties which are unable to pay such costs."

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GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H3(S17.2)

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: **Representatives Culpepper, Haire**

JAIL BACKLOG

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM

SECTION 17.2. Section 25.4 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.4.** The Department of Correction may use funds ~~appropriated~~ available to the Department for the ~~2001-2002 fiscal year~~ 2001-2003 biennium to pay ~~the sum~~ of forty dollars ($40.00) per day as reimbursement to counties for the cost of housing convicted inmates, parolees, and post-release supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The Department shall report by December 1 and May 1 of each year to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee, the Chairs of the Senate and House of Representatives Appropriations Committees, and the Chairs of the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety on the expenditure of funds to reimburse counties for prisoners awaiting transfer and on its progress in reducing the jail backlog."

SEN. / HOUSE SAME

EXCEPT ONE WORD

CHANGE

22

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H4(S17.3)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REPORT ON INMATES ELIGIBLE FOR PAROLE

SECTION 17.3. Section 25.21 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.21.** The Post-Release Supervision and Parole Commission shall ~~provide quarterly reports~~ report by January 15 and July 15 of each year to the Senate and House of Representatives Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on inmates eligible for parole. These reports shall include at least the following:

(1) The total number of Fair Sentencing and Pre-Fair Sentencing inmates that were parole-eligible during the previous quarter and the total number of those inmates that were paroled. The report should group these inmates by offense ~~type and custody classification;~~ type, custody classification, and type of parole;

~~(2) A list of all those inmates paroled or released by category of parole or release, including each inmate's offense and custody classification at the time of the parole or release;~~

~~(3)~~(2) The average time served, by offense class, of Fair Sentencing and Pre-Fair Sentencing inmates compared to inmates sentenced under Structured Sentencing; and

~~(4)~~(3) The projected number of parole-eligible inmates to be paroled or released by the end of the ~~2001-2002~~ 2002-2003 fiscal year and by the end of the ~~2002-2003~~ 2003-2004 fiscal year."

SEN./HOUSE SAME

23

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H5(S17.4)

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

SHIFT PAY AND HOLIDAY PAY FOR SECURITY STAFF

SECTION 17.4. The Department of Correction may use funds appropriated for the 2002-2003 fiscal year for the payment to security staff of (i) special premium holiday pay that exceeds standard holiday pay by up to twenty-five percent (25%) or (ii) special supplemental weekend shift premium pay that exceeds standard weekend shift pay by up to ten percent (10%). The Department shall also continue to take steps to hold down the cost of shift pay by converting prisons from three eight-hour shifts to two twelve-hour shifts whenever practical.

The Department of Correction shall report to the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2003, on the benefits to recruitment and retention of correctional staff as a result of the use of special holiday pay and shift premium pay, as well as its progress in converting prison work shifts from eight hours to twelve hours. The report shall include information on savings generated to date and potential future savings, as well as any changes in employee morale and leave usage, as a result of converting to twelve-hour shifts.

SEN. PROHIBITS

HOUSE AUTHORIZES

AND APPROPRIATED MONEY

24

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H6(S17.5)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

DEPARTMENT OF CORRECTION SECURITY STAFFING FORMULAS

SECTION 17.5.(a) The Department of Correction shall conduct security staffing post-audits of each prison at least biannually, the first such audit to be completed during the 2002-2003 fiscal year. The initial post-audit shall be conducted jointly by Department staff and a consultant, external to the Department, and shall include analysis of the staffing levels assigned for supervision of correctional officers.

SECTION 17.5.(b) The Department of Correction shall update the security staffing relief formula biannually, the first update to be completed during the 2002-2003 fiscal year. Each update shall include a review of all annual training requirements for security staff to determine which of these requirements should be mandatory and the appropriate frequency of the training.

SECTION 17.5.(c) The Department of Correction shall report the results of the initial security staffing post-audits and relief formula update to the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 1, 2003.

HOUSE/ SEN SAME

25

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H7(S17.6)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

COMMUNITY WORK CREWS

SECTION 17.6.(a) The Department of Correction shall implement a reduction in inmate community work crews systemwide, but work crews shall not be reduced at any locations that have fewer than three work crews.

The Department of Correction may use up to 39 work crews for Department of Transportation litter control projects. The Department of Transportation shall transfer at least one million three hundred thousand dollars ($1,300,000) from the Highway Fund to the Department of Correction during the 2002-2003 fiscal year to cover the cost of those work crews. Should the two departments determine that the actual cost of operating 39 work crews exceeds that amount, the Department of Transportation shall transfer an additional amount as agreed upon by the two departments and the Office of State Budget and Management.

SECTION 17.6.(b) The Department of Correction shall identify locations where the number of inmate work crews is being reduced or diverted to perform litter control for the Department of Transportation and, to the extent possible, arrange for community service work program placements so that the affected work projects for State and local government can be maintained. The Department shall report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on all projects formerly performed by inmate work crews that have been continued through the community service work program.

SECTION 17.6.(c) The Department of Correction shall identify all inmate labor supplied to public agencies for which the Department does not receive reimbursement for the costs of the labor and the supervision of the labor. The Department shall report by March 1, 2003, to the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on the type of labor provided, the number of security positions assigned for that labor, and the actual costs of providing the labor and supervision. The report shall also identify alternative methods for charging public agencies for the costs of inmate labor and the supervision of that labor.

HOUSE / SEN. SAME

26

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H8(S17.7)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: **Representatives Culpepper, Haire**

SEN/HOUSE SAME

SUBSTANCE ABUSE PROGRAMS

SECTION 17.7. G.S. 143B-262.1 reads as rewritten:

"**§ 143B-262.1. Department of Correction – Substance Abuse Program.**

(a) The Substance Abuse Program established by subsection (d) of § 143B-262 shall be offered in a ~~medium custody~~ correctional facility, or a portion of a ~~medium custody~~ correctional facility that is self-contained, so that the residential and program space is separate from any other programs or inmate housing, and shall be operational by January 1, 1988, at such unit as the Secretary may designate.

(b) An Assistant Secretary for Substance Abuse shall be employed and shall report directly to the Office of the Secretary of Correction. ~~A Correctional Administrator I shall be employed to manage programs for offenders with substance abuse problems in the Department of Correction and its divisions. The Correctional Administrator I shall report to the Assistant Secretary for Substance Abuse. A Secretary IV shall be employed to assist the Correctional Administrator I. An Administrative Officer II and a Secretary IV shall be employed to assist the Assistant Secretary and work under his direction and management.~~ The duties of the Assistant Secretary shall include the following:

(1) Administer and coordinate all substance abuse programs, grants, contracts, and related functions in the Department of Correction;

(2) Develop and maintain working relationships and agreements with agencies and organizations that will assist in developing and operating a Substance Abuse Program in the Department of Correction;

(3) Develop and coordinate the use of volunteers in the Substance Abuse Program;

(4) Develop and present training programs related to substance abuse for employees and others at all levels in the agency;

(5) Develop programs that provide effective treatment for inmates, probationers, and parolees with substance abuse problems;

(6) Maintain contact with key leaders in the substance abuse field and active supporters of the Correction Program;

(7) Supervise directly the directors of treatment units, specialized personnel, and programs that exist or may be developed in the Department of Correction; and

(8) Develop employee assistance programs for employees with substance abuse problems.

~~(c) Ten additional program staff shall be employed. There shall be a Correctional Program Director II who is responsible to the Assistant Secretary for Substance Abuse. This employee shall be responsible for managing and implementing the inpatient treatment program. Also employed will be a Correctional Program Director I, two Correctional Program Supervisors, four Correctional Program Assistant II's, one Correctional Program Assistant I, and one Clerk Stenographer IV.~~

~~(d) The duties of the Program Director shall include the following:~~

~~(1) Implement and manage the inpatient treatment program for inmates with substance abuse problems;~~

~~(2) Supervise personnel assigned to the inpatient treatment program;~~

~~(3) Assist in developing the treatment program for inmates with substance abuse problems;~~

~~(4) Recruit and develop staff for the inpatient program and other staff as required;~~

~~(5) Assist in developing linkage and follow-up of inmates between the inpatient program, related agencies, organizations, and other facilities of the Department of Correction;~~

~~(6) Be responsible for treatment plans and daily activities and schedules for all assigned inmates;~~

~~(7) Develop methods for involving families of inmates in the program to the extent deemed appropriate and useful; and~~

~~(8) Other duties as required.~~

~~Preference shall be accorded to qualified recovering alcoholics and substance abusers in the employment of treatment counselors.~~

(e) In the unit there shall be a unit superintendent under the Division of Prisons and other custodial, administrative, and support staff as required for a medium custody facility for approximately 100 inmates. The unit superintendent shall be responsible for all matters pertaining to custody and administration of the unit. The ~~Correctional Program Director II will~~ Assistant Secretary shall designate an employee to administer the inpatient treatment program under the direction of the Assistant Secretary for Substance Abuse.

(f) Extensive use may be made of inmates working in the role of ancillary staff, peer counselors, role models, or group leaders as the program manager determines. Additional resource people who may be required for specialized treatment activities, presentations, or group work may be employed on a fee or contractual basis.

~~(g) The Program in each unit shall be structured such that approximately 25 offenders will enter the Program on a weekly basis.~~

(h) Admission priorities shall be established as follows:

(1) Court recommendation.

(2) Evaluation and referral from reception and diagnostic centers.

(3) General staff referral.

(4) Self-referral.

The Program shall include extensive follow-up after the period of intensive treatment. There will be specific plans for each departing inmate for follow-up, including active involvement with Alcoholics Anonymous, community resources, and personal sponsorship."

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H9(S17.8)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

USE OF CLOSED PRISON FACILITIES

SECTION 17.8. Section 25.5 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.5.** In conjunction with the closing of prison facilities, including 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, with the elected State and local officials, and with State agencies about the possibility of converting that unit to other use. The Department may also consult with any private for-profit or nonprofit firm about the possibility of converting the unit to other use. In developing a proposal for future use of each unit, the Department shall give priority to converting the unit to other criminal justice use. Consistent with existing law and the future needs of the Department of Correction, the State may provide for the transfer or the lease of any of these units to counties, municipalities, State agencies, 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;~~one security custody level to another, where that conversion would be cost-effective. A prison unit under lease to a county pursuant to the provisions of this section for use as a jail is exempt for the period of the lease from any of the minimum standards adopted by the Secretary of Health and Human Services pursuant to G.S. 153A-221 for the housing of adult prisoners that would subject the unit to greater standards than those required of a unit of the State prison system.

Prior to any transfer or lease of these units, the Department of Correction shall report on the terms of the proposed transfer or lease to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee. The Department of Correction shall also provide annual summary reports to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the conversion of these units to other use and on all leases or transfers entered into pursuant to this section."

SEN./HOUSE SAME

29

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H10(S17.9)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

MEDICAL BUDGET FOR PRESCRIPTION DRUGS

SECTION 17.9. Section 25.6(b) of S.L. 2001-424 reads as rewritten:

"**SECTION 25.6.(b)** Notwithstanding the provisions of G.S. 143-23(a2), the Department of Correction may use funds available during the ~~2001-2002 fiscal year~~ 2001-2003 biennium for the purchase of prescription drugs for inmates if expenditures are projected to exceed the Department's inmate medical continuation budget for prescription drugs. The Department shall consult with the Joint Legislative Commission on Governmental Operations prior to exceeding the continuation budget amount.

The Department of Administration, Purchase and Contract Division, and the Department of Correction shall review the current statewide contract for purchase of prescription drugs as it applies to the Department of Correction's purchases for inmates to determine if the Department is receiving the lowest rate available and to determine whether the Department should be authorized to issue a request for proposals for a separate vendor or purchasing consortium for the provision of prescription drugs for inmates. The Departments shall report on their findings to the Joint Legislative Commission on Governmental Operations by February 1, 2002."

SEN./HOUSE SAME

30

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H11(S17.10)

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ELECTRONIC MONITORING COSTS

SECTION 17.10. Article 1 of Chapter 148 of the General Statutes is amended by adding a new section to read:

"**§ 148-10.3. Electronic monitoring costs.**

Personnel, equipment, and other costs of providing electronic monitoring of pretrial or sentenced offenders shall be reimbursed to the Department of Correction by the State or local agency requesting the service in an amount not exceeding the actual costs."

Follows the money.
Modifies Senate version.

Senate provision directed DOC to report on efforts to increase the use of electronic monitoring.

30A

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H12(S17.11)

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

COLLECTION OF OFFENDER FEES

SECTION 17.11. The Department of Correction and the Judicial Department shall jointly develop a plan to improve the collection rate of offender fees for probationers and for nonprobationers sentenced to community service. The plan should address improving both the rate at which offenders are levied fees and the rate at which those offenders satisfy their obligations. The plan shall address steps to improve the overall collection rate from thirty-seven percent (37%) to forty percent (40%) during the 2002-2003 fiscal year.

The two departments shall report by April 1, 2003 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 success of their efforts to improve these collection rates. The report shall also include any recommendations for statutory changes aimed at improving the collection rates.

Modified Sen

Sen had 45% goal in 03-04

affects availability

31

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H14(S17.13)

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

CRIMINAL JUSTICE PARTNERSHIP PROGRAM

SECTION 17.13.(a) Notwithstanding the provisions of G.S. 143B-273.16, Caswell, Graham, McDowell, and Union Counties shall not receive implementation funding for the Criminal Justice Partnership Program for the 2002-2003 fiscal year. However, those counties will be eligible to reapply for funding in future years.

SECTION 17.13.(b) It is the intent of the General Assembly that State Criminal Justice Partnership Program funds not be used to fund case manager positions when those services can be reasonably provided by Division of Community Corrections personnel or by the Treatment Alternatives to Street Crime (TASC) program in the Department of Health and Human Services. The Division of Community Corrections shall identify at least the sum of eight hundred fifty-two thousand dollars ($852,000) in cost savings by eliminating funding for personnel in these cases and shall reduce the amount of implementation grant funding for those affected counties. Within 20 days of the date this act becomes law, each county Criminal Justice Partnership advisory board shall review the Division's recommended modifications for providing Criminal Justice Partnership Program case management services in its jurisdiction and determine whether these services can be reasonably provided in the manner proposed. If the local board determines that the services cannot be reasonably provided, the jurisdiction may opt instead to have the designated reduction made from other items in its budget. If the board determines that the services can be reasonably provided, the recommended modifications shall be reviewed and approved by the State Criminal Justice Partnership Advisory Board within another ten days. Revised contracts should be sent to the counties no later than 45 days after this act becomes law. The Division of Community Corrections shall report 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 specific adjustments within 60 days of the enactment of the budget for the 2002-2003 fiscal year.

SECTION 17.13.(c) For the 2002-2003 fiscal year only, funds provided to the Criminal Justice Partnership Program for distribution as implementation grants are reduced by an additional sum of one million four hundred five thousand dollars ($1, 405,000).

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H15(S17.14)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

CONVERSION OF CONTRACTED MEDICAL POSITIONS

SECTION 17.14.(a) The Department of Correction may convert contract medical positions to permanent State medical positions at individual correctional facilities if the Department can document that the total savings generated will exceed the total cost of the new positions for each facility. Where practical, the Department shall convert contract positions to permanent positions by using existing vacancies in medical positions.

SECTION 17.14.(b) The Department of Correction shall report by October 1, 2002, to the Joint Legislative Commission on Governmental Operations and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety on all conversions made pursuant to this section, by type of position and location, and on the savings generated at each correctional facility.

SEN./HOUSE AMT

33

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H16(S17.15)i

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

REDUCE SUMMIT HOUSE APPROPRIATION

SECTION 17.15. Subsection (a) of Section 25.14 of S.L. 2001-424 reads as rewritten:

"**SECTION 25.14.(a)** The General Fund appropriation to the Department of Correction for Summit House, Inc., is reduced by the sum of one hundred thirty-nine thousand six hundred fifty dollars ($139,650) for ~~each year of the 2001-2003 biennium. This~~ the 2001-2002 fiscal year and by the sum of two hundred sixty-three thousand three hundred dollars ($263,300) for the 2002-2003 fiscal year. The ten percent (10%) reduction in funding for the 2001-2002 fiscal year shall be accomplished by reducing expenditures at the State office and not through reductions in funding to individual sites. The additional ten percent (10%) reduction for the 2002-2003 fiscal year shall be accomplished by reducing State funding for the State office by at least sixteen and seven-tenths percent (16.7%) in order to minimize the impact on the individual sites.

The Summit House Management Team shall continue to explore ways to reduce the use of State funds at the State office, including consideration of co-locating the State office with one of the local programs and contracting for financial services in lieu of a full-time staff. As of May 1, 2003, no State funds shall be used to support the State office."

follows $$

= Senate

34

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H17

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

CHARGES FOR INMATE HEALTH CARE

SECTION #. UNC Health Care shall be reimbursed for medical services rendered to inmates in the custody of the Department of Correction at a rate of no more than the maximum allowable fee schedule established by the Department of Health and Human Services in accordance with Title XIX of the Social Security Act (Medicaid).

House only

35

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H18

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

PRISON CHAPLAIN STUDY

SECTION #. The Department of Correction shall study the feasibility of converting its prison chaplain program into a community-based program emphasizing the use of volunteers and community funding and allowing for contracting for the services of prison chaplains in areas where such volunteers or funding are not available.

The Department shall report the results of this study to the Chairs of the House and Senate Appropriations Subcommittees on Justice and Public Safety by March 1, 2003. The report shall include an analysis of the cost savings to be realized through the implementation of a community-based prison chaplain program, as well as addressing the potential for the securing the services of prison chaplains through a statewide contract.

HOUSE ONLY

36

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CORR-H20

Department of Correction
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

ELIMINATE IMPACT PROGRAM

SECTION #.(a) G.S. 15A-1343(b1)(2a) is repealed.

SECTION #.(b) G.S. 15A-1343.1 is repealed.

HS only

removes statutory references

37

CRIME CONTROL AND PUBLIC SAFETY

In Senate, not in House

- Eliminate Boxing Commission
- Plan of Reorganization for Camp Butner

SENATE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CCPS-H1(S18.2)i

Department of Crime Control and Public Safety
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

TARHEEL CHALLENGE MATCHING FUNDS

SECTION 18.2. The North Carolina National Guard shall identify alternative sources of funding, including local and private funds, to be used to meet the forty percent (40%) match requirement for federal funds.

38

HOUSE

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CCPS-H5

Department of Crime Control and Public Safety
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

EXEMPT STATE HIGHWAY PATROL FROM UMSTEAD ACT

SECTION #. G.S. 66-58(b) is amended by adding a new subdivision to read:

"(22) The North Carolina State Highway Patrol."

39

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

HOUSE

DRAFT
SPECIAL PROVISION

2002-CCPS-H6

Department of Crime Control and Public Safety
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

COMPLY WITH FEDERAL VIOLENCE AGAINST WOMEN ACT

SECTION #.(a) G.S. 143B-480.2 reads as rewritten:

"§ 143B-480.2. Victim assistance.

(a) Eligibility for Assistance. – Sexual assault victims or victims of attempted sexual assault are eligible for assistance under this Program if the sexual assault or the attempted sexual assault is reported to a law enforcement officer within five days of the occurrence of the assault or the attempted sexual assault or if a forensic medical examination is performed within five days of the sexual assault or the attempted sexual assault. The Secretary may waive either five-day requirement for good cause. The term "sexual assault" as used in this section refers to the following crimes: ~~Only victims who have reported the following crimes are eligible for assistance under this Program:~~ first-degree rape as defined in G.S. 14-27.2, second-degree rape as defined in G.S. 14-27.3, first-degree sexual offense as defined in G.S. 14-27.4, second-degree sexual offense as defined in G.S. 14-27.5, or statutory rape as defined in G.S. 14-27.7A. ~~or attempted first-degree or second-degree rape or attempted first-degree or second-degree sexual offense as defined in G.S. 14-27.6.~~

(b) Eligible Expenses. – Assistance is limited to the following expenses incurred by the victim:

(1) Immediate~~immediate~~ and short-term medical ~~expenses,~~ expenses.

(2) Ambulance services from the place of the attack to a place where medical treatment is provided.~~ambulance services,~~

(3) ~~and mental~~ Mental health services provided by a professional licensed or certified by the State to provide such services.~~services, not to exceed one thousand dollars ($1,000) incurred by the victim for the~~

(4) A forensic medical examination. As used in this section, the term "forensic medical examination" means an examination provided to a sexual assault victim eligible for assistance under subsection (a) by medical personnel who gather evidence of a sexual assault in a manner suitable for use in a court of law. The examination should include an examination of physical trauma, a patient interview, and a collection and evaluation of evidence.~~examination, medical procedures to collect evidence,~~

(5) ~~or counseling~~ Counseling treatment ~~which follow~~ following the ~~attack,~~ attack.~~or ambulance services from the place of the attack to a place where medical treatment is provided.~~

(c) Amount of Assistance. – The Program shall pay for the full out-of-pocket cost of the victim's forensic medical examination. The Program shall pay for all other eligible expenses set out in subsection (b) in an amount not to exceed the difference between the full out-of-pocket cost of the forensic medical examination and one thousand dollars ($1,000). If the full out-of-pocket cost for the forensic medical examination costs more than one thousand dollars ($1,000), then the Program shall pay only for the full out-of-pocket cost of the forensic medical examination. Assistance not to exceed fifty dollars ($50.00) shall be provided to victims to replace clothing that was held for evidence tests.

~~(b)~~(d) Payment Directly to Provider. – With the exception of assistance authorized under subsection ~~(c)~~(f) of this section, assistance for expenses authorized under this section is to be paid directly to any hospital, ambulance service, attending physicians, or mental health professionals providing counseling, upon the filing of proper forms. Payment for the full out-of-pocket cost of the forensic medical examination shall be paid to the provider no later than 90 days after receiving the required written notification of the victim's expense.

~~(c) Assistance shall not be awarded unless the rape, attempted rape, sexual offense, or attempted sexual offense was reported to a law enforcement officer within 72 hours after its occurrence or the Secretary finds there was good cause for the failure to report within that time.~~

~~(d)~~(e) Judicial Review. – Upon an adverse determination by the Secretary on a claim for medical expenses, a victim is entitled to judicial review of that decision. The person seeking review shall file a petition

in the Superior Court of Wake County.

~~(c)~~(f) Examinations by Licensed Registered Nurse. – If the forensic medical examination is conducted by a licensed registered nurse who has successfully completed a program approved under G.S. 90-171.38(b), payment for the full out-of-pocket cost of the forensic medical examination may be made directly to the licensed registered nurse in~~In~~ lieu of any payment which may otherwise have been made under subsection ~~(b),~~(d). Payment for the full out-of-pocket costs of a forensic medical examination under this subsection shall be paid no later than 90 days after receiving the required written notification of the victim's expense.~~assistance for expenses for services authorized under this section that are provided for the purpose of collecting evidence from victims of crimes identified in G.S. 90-171.38(b) may be paid directly to any licensed registered nurse who has successfully completed a program approved under G.S. 90-171.38(b).~~ The Secretary shall adopt rules to facilitate the payments authorized under this subsection and to encourage, whenever practical, the use of licensed registered nurses trained under G.S. 90-171.38(b) to conduct medical examinations and procedures."

SECTION #.(b) The Department of Crime Control and Public Safety may use funds available to the Department in order to implement the provisions of this section.

SECTION #.(c) This section becomes effective October 1, 2002.

41

Amendment Handout #2
Aug 1 modification
motion / Hall
carried

House Subcommittee on Justice and Public Safety

Judicial - Indigent Defense

GENERAL FUND

	FY 02-03
Total Budget Approved 2001 Session	**$68,867,771**

Budget Changes

21	**Reduce Public Defender Staff** Two Assistant Public Defender positions are eliminated in District #12 effective July 1, 2002, leaving 12 positions. This office ranks lowest in cases per attorney.	($148,454) -2.00	R
22	**Transfer of Sentencing Services Program** The Sentencing Services program is transferred from the Administrative Office of the Courts to the Office of Indigent Defense Services. Of the 26 state positions currently authorized, only 3 positions may be assigned to administrative duties not directly related to the production of sentencing plans. Funding for the program is reduced by 33% to reflect a narrower focus for the program and more efficient administration. The Office of Indigent Defense Services may use a combination of state employees and contractual arrangements with local governments or non profit organizations to provide sentencing services in as many districts as possible.	$3,543,357 26.00	R
23	**Expansion of Mecklenburg Public Defender Program** The Office of Indigent Defense Services is authorized to create up to 10 attorney positions and up to 5 other (legal assistant, investigator) positions in the Mecklenburg County Public Defender office, effective October 1, 2002. These positions will be funded out of existing funding for indigent defense. This expansion is projected to save $143,015 in 2002-3.	$0 $0 15.00	R NR
24	**Increased Funding for Assigned Counsel** The budget for costs of assigned counsel for indigent defendants is increased by $675,000.	$675,000	R
25	**Budget Receipts from Appointment Fee** A new appointment fee will be instituted October 1, 2002 with the receipts to be budgeted to the office of indigent defense services.	($675,000)	R

	FY 02-03	
26 Establish Public Defender Office in Forsyth County	$0	R
The Office of Indigent Defense Services is authorized to use up to $1,225,000 in existing funding to create a public defender office in Forsyth County, effective September 1, 2002. Funds will be used to create a Public Defender position, 13 additional attorney positions, 3 paralegal, 3 investigator and 1 administrative assistant position. The OIDS projects to save at least $72,000 during 2002-3 by establishing a public defender office and thereby reducing the use of assigned counsel in Forsyth County.	$0 21.00	NR
Budget Changes	**$3,394,903**	**R**
	$0	**NR**
Total Position Changes	60.00	
Revised Total Budget	**$72,262,674**	

Handout #4
aug 1, 02

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-CCPS-H4B

Department of Crime Control and Public Safety
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

FUNDING ALE OPERATIONS

SECTION #.(a) G.S. 18B-805(b) reads as rewritten:

"(b) Primary Distribution. – Before making any other distribution, a local board shall first pay the following from its gross receipts:

(1) The board shall pay the expenses, including salaries, of operating the local ABC system.

(2) Each month the local board shall pay to the Department of Revenue the taxes due the Department. In addition to the taxes levied under Chapter 105 of the General Statutes, the local board shall pay to the Department one-half of both the mixed beverages surcharge required by G.S. 18B-804(b)(8) and the guest room cabinet surcharge required by G.S. 18B-804(b)(9).

(3) Each month the local board shall pay to the Department of Health and Human Services five percent (5%) of both the mixed beverages surcharge required by G.S. 18B-804(b)(8) and the guest room cabinet surcharge required by G.S. 18B-804(b)(9). The Department of Health and Human Services shall spend those funds for the treatment of alcoholism or substance abuse, or for research or education on alcohol or substance abuse.

(4) Each month the local board shall pay to the county commissioners of the county where the charge is collected the proceeds from the bottle charge required by G.S. 18B-804(b)(6), to be spent by the county commissioners for the purposes stated in subsection (h) of this section.

(5) By September 30, December 31, March 31, and June 30 of each year the local board shall pay to the Department of Crime Control and Public Safety an amount determined by the Commission to support the ALE Division. The Commission shall calculate the amount owed by each local board based on the board's proportionate share of gross receipts in comparison to total statewide gross receipts for the most recent fiscal year for which figures are available and apply that percentage to the anticipated cost of operating the Division. The Commission shall certify the amount owed by each local board to that board within 60 days of each quarterly payment date."

SECTION #.(b) Notwithstanding the provisions of subsection (a) of this section, the distributions made pursuant to G.S. 18B-805(e) during the 2002-2003 fiscal

year shall be equal to or exceed the amounts distributed pursuant to that subsection during the 2001-2002 fiscal year.

SECTION #.(c) This section expires July 1, 2003.

Handout # 3

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2001

DRAFT
SPECIAL PROVISION

2002-DJJDP-H4A(S16.4)

Department of Juvenile Justice and Delinquency Prevention
Appropriations Subcommittee on Justice and Public Safety

Requested by: Representatives Culpepper, Haire

FUNDING FOR ECKERD WILDERNESS CAMP

SECTION 16.4. For each youth admitted to the Eckerd Wilderness Camp program from an area mental health authority or a local education agency, the referring authority or agency shall pay the costs associated with the support and treatment of that youth in the program. The Department of Juvenile Justice and Delinquency Prevention shall continue to administer the contract for services with the Eckerd Wilderness Camp program and local education agencies and local mental health authorities shall reimburse the Department at the rates of forty dollars ($40.00) per day for basic camp slots and sixty dollars ($60.00) per day for modular camp slots.