2015-2016

HOUSE APPROPRIATIONS – JUSTICE & PUBLIC SAFETY

MINUTES

House Appropriations Committee on Justice and Public Safety

2015 Long Session

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HOUSE APPROPRIATIONS, JUSTICE AND PUBLIC SAFETY

Rev. 1.30.2015

MEMBER	ASSISTANT	PHONE	OFFICE	SEAT
Rep. Jamie Boles, Chair	Kerry Guice, Clerk	3-5903	528	25
Rep. Leo Daughtry, Chair	Jan Copeland	3-5605	2207	2
Rep. John Faircloth, Chair	Becky Bauerband	3-5877	613	39
Rep. Pat Hurley, Chair	Debbie Holder	3-5865	532	10
Rep. Darren Jackson, Vice-Chair	Angela McMillan	3-5974	1013	34
Rep. Allen McNeill, Vice-Chair	Laura Sullivan	5-4946	418C	56
Rep. Sarah Stevens, Vice-Chair	Lisa Brown	5-1883	635	13
Rep. Charles Graham	Linda Laton	5-0875	1309	84
Rep. George Graham	Beverly Baker	3-5995	1321	91
Rep. Ralph Johnson	Mildred Alston	3-5902	1317	116
Rep. Brad Salmon	Katie Stanley	5-3026	1319	107
Rep. Michael Speciale	Hazel Speciale	3-5853	1008	52
Rep. Rena Turner	Barb Gaiser	3-5661	602	68

HOUSE COMMITTEE ON APPROPRIATIONS JUSTICE AND PUBLIC SAFETY
2015 SESSION

Clerks: Kerry Guice, Becky Bauerband, Debbie Holder



Rep. Jamie Boles, Chairman



Rep. Leo Daughtry, Chairman



Rep. John Faircloth, Chairman



Rep. Pat Hurley, Chairman



Rep. Darrin Jackson, Vice-Chairman



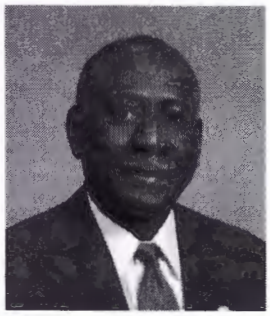
Rep. Allen McNeill, Vice-Chairman



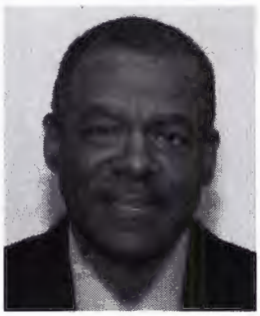
Rep. Sarah Stevens, Vice-Chairman



Rep. Charles Graham



Rep. George Graham



Rep. Ralph Johnson



Rep. Brad Salmon



Rep. Michael Speciale



Rep. Rena Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
Rep. Jamie Boles, Co-Chair	X	X		X	X	X		X	X	X	X	X	X	X	X
Rep. Leo Daughtry, Co-Chair	X	X		X	X	X	X	X	X		X		X	X	X
Rep. John Faircloth, Co-Chair	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Rep. Pat Hurley, Co-Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Darren Jackson, Vice Chair		X	X	X	X	X	X	X		X				X	
Rep. Allen McNeill, Vice Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Sarah Stevens, Vice Chair	X	X		X	X	X	X	X	X	X	X		X	X	
Rep. Charles Graham			X	X		X		X	X		X	X	X	X	X
Rep. George Graham	X	X	X	X	X	X		X	X	X	X	X	X	X	X
Rep. Ralph Johnson		X	X	X	X	X	X	X	X	X	X	X	X	X	
Rep. Brad Salmon	X	X		X	X	X	X			X		X	X	X	
Rep. Michael Speciale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Rena Turner	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sen. Stan Bingham, Co-Chair	X	X	X	X	X		X	X	X	X					
Sen. Buck Newton, Co-Chair	X	X			X	X		X		X					
Sen. Shirley Randleman, Co-Chair	X	X	X	X	X	X	X	X	X	X					
Sen. Tom Apodaca, Vice-Chair															
Sen. Valerie Foushee	X	X		X	X	X	X	X	X	X					
Sen. Fletcher Hartsell, Jr.		X							X						
Sen. Jeff Jackson		X	X	X	X	X	X	X	X	X					
Sen. Michael Lee	X	X	X		X	X	X	X							

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	5.14.2015 a	5.14.2015 p		6.30.2015	7.1.2015										
Rep. Jamie Boles, Co-Chair	X			X	X										
Rep. Leo Daughtry, Co-Chair	X	X			X										
Rep. John Faircloth, Co-Chair	X	X		X	X										
Rep. Pat Hurley, Co-Chair	X	X		X											
Rep. Darren Jackson, Vice Chair	X	X													
Rep. Allen McNeill, Vice Chair	X	X		X											
Rep. Sarah Stevens, Vice Chair	X	X													
Rep. Charles Graham	X	X													
Rep. George Graham	X	X		X	X										
Rep. Ralph Johnson	X	X		X	X										
Rep. Brad Salmon	X	X		X	X										
Rep. Michael Speciale	X	X		X	X										
Rep. Rena Turner	X	X		X	X										
Sen. Stan Bingham, Co-Chair															
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair															
Sen. Tom Apodaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson															
Sen. Michael Lee															

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
William Childs, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lisa Fox, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Kristine Leggett, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X		X	X
John Poteat, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Becky Bauerband, Clerk	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Kerry Guice, Clerk	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Debbie Holder, Clerk	X		X		X	X	X	X	X	X	X		X	X	X
Jeb Kelly, Clerk	X	X	X	X	X	X	X	X	X	X					
Maria Kinnaird, Clerk	X	X		X	X		X	X							
Carol Wilson, Clerk	X	X	X	X	X	X		X	X	X					
Jason Soper, Speaker's Office		X													
Stephen Ogden, Senate Office	X	X		X		X	X	X	X	X					

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	5.14.2015 a	5.14.2015 p		6.30.2015	7.1.2015										
William Childs, Fiscal Research	X	X		X	X										
Lisa Fox, Fiscal Research	X	X		X	X										
Kristine Leggett, Fiscal Research	X	X		X	X										
John Poteat, Fiscal Research	X	X		X	X										
Becky Bauerband, Clerk	X	X		X	X										
Kerry Guice, Clerk	X	X		X	X										
Debbie Holder, Clerk	X	X		X	X										
Jeb Kelly, Clerk															
Maria Kinnaird, Clerk															
Carol Wilson, Clerk															
Jason Soper, Speaker's Office				X											
Stephen Ogden, Senate Office	X	X		X											

Glossary of Frequently Used Fiscal Terms

A-D FELONIES: The most serious and violent felonies. These felony classes automatically result in an active prison sentence. They typically involve crimes against people.

ACTIVE SENTENCE: An active prison sentence requires that the offender be incarcerated, either in the prison system if a felon or in a county jail if a misdemeanant.

APPROPRIATION: An enactment by the General Assembly authorizing the withdrawal of money from the State treasury. Article V, Section 7 of the NC Constitution states that "no funds shall be drawn from the State treasury but in consequence of appropriations made by law". An enactment by the General Assembly that authorizes, specifies, or otherwise provides that funds may be used for a particular purpose is not an appropriation.

AUTHORIZED BUDGET: The certified budget with changes authorized by the Director of the Budget through authority granted in G.S. 143C-6-4 or other statutes.

BASE BUDGET: That part of the recommended State budget that provides the baseline for the next biennium. The base budget for each State agency shall be the authorized budget for that agency with adjustments only for the following:

a. Annualization of programs and positions.
b. Reductions to adjust for items funded with nonrecurring funds during the prior fiscal biennium.
c. Increases to adjust for nonrecurring reductions during the prior fiscal biennium.
d. Adjustments for federal payroll tax changes.
e. Rate increases in accordance with the terms of existing leases of real property.
f. Adjustments to receipt projections, made in accordance with G.S. 143C-3-5(b)(2)c.
g. Reconciliation of intragovernmental and intergovermental transfers.

BOILERPLATE: Budget language that is typically repeated year after year without alteration in the budget bill. For example, seized-asset expenditure reporting requirements are boilerplate.

CARRY-FORWARDS: Funds appropriated but unspent in the first fiscal year of a biennium which by authorized budget revision are brought forward for expenditure in the second fiscal year of the same biennium.

CERTIFIED BUDGET: The budget as enacted by the General Assembly including adjustments made for (i) distributions to State agencies from statewide reserves appropriated by the General Assembly, (ii) distributions of reserves appropriated to a specific agency by the General Assembly, and (iii) organizational or budget changes mandated by the General Assembly.

COMMUNITY PUNISHMENT: One of two types of "non-active" sentences that may be imposed by the courts. The Justice Reinvestment Act re-defined "community punishment" as any punishment that does not include an active sentence, assignment to a drug treatment court, or

special probation. JRA essentially eliminated the distinction between community and intermediate punishment, so that community sentences may include any one of the probation conditions set out in G.S. 15A-1343(a1). As under the prior law, community punishment can include either supervised or unsupervised probation.

CONFINEMENT IN RESPONSE TO VIOLATION (CRV): A new sanction created by JRA. An offender who repeatedly violates the terms of their probation may be subjected to a 90-day CRV term rather than having their probation revoked entirely.

E-I FELONIES: Less serious crimes that can result in an active or suspended sentence, depending upon the crime and the prior record level of offender. These are typically crimes against property.

ENTERPRISE FUNDS: Accounts for any activity for which a fee is charged to external users for goods or services. Activities are required to be reported as enterprise funds if any one of the following criteria is met. Each of these criteria should be applied in the context of the activity's principal revenue sources.

a. The activity is financed with debt that is secured solely by a pledge of the net revenues from fees and charges of the activity.
b. Laws or regulations require that the activity's costs of providing services, including capital costs, be recovered with fees and charges rather than with taxes or similar revenues.
c. The pricing policies of the activity establish fees and charges designed to recover its costs, including capital costs.

EXPANSION BUDGET: The recommendations to increase funding for existing programs, to establish new programs, to provide for salary increases, and to provide for increases in enrollments, caseloads and institutional populations.

FULL-TIME EQUIVALENT (FTE): The figure arrived at by converting an unduplicated head-count of full-time and part-time program participants to an equivalent full-time count. For example one forty-hour per week employee plus one twenty-hour per week employee equals 1.5 FTE.

GENERAL FUND: A pool of financial resources made up of a beginning credit balance, State tax revenues, and State non-tax revenues. These funds are appropriated for both the operation of State agencies and construction and renovation of State facilities.

HABITUAL FELON: A habitual felon is an offender with at least three prior felony convictions (each conviction having occurred before he or she committed the next offense) who has currently been convicted of a felony offense and who has been found by a jury to be a habitual felon. Habitual felons are sentenced four classes higher (up to Class C) than other offenders would be for the same crime.

INCARCERATION NOTE: An estimate of the cost of a bill that increases or creates new criminal penalties. G.S. 120-36.7(d) requires an incarceration note be prepared on every bill, resolution, or amendment introduced in the General Assembly "proposing any change in the law that could cause a net increase in the length of time for which persons are incarcerated or the number of persons incarcerated, whether by increasing penalties for violating existing laws, by criminalizing behavior, or by any other means." Incarceration Notes generally take two weeks to complete.

INTERMEDIATE PUNISHMENT: The second type of non-active sentences that may be imposed by the courts. The Justice Reinvestment Act changed the definition of an intermediate punishment so that the court is no longer required to impose any particular conditions to define the sentence as intermediate. The same conditions may be placed on an offender under either community or intermediate punishment, depending on the risk-needs level of the offender. The only mandatory component of an intermediate sentence as redefined by JRA is that the offender is placed on supervised probation.

JUSTICE REINVESTMENT ACT (JRA): A law passed in 2011 that made significant changes to corrections and sentencing laws in North Carolina. JRA expanded the requirement for post-release supervision to include all felons, increased the authority delegated to probation officers, limited the authority of judges to revoke probation, created a new early release program called Advanced Supervised Release, and modified the habitual felon law. The law applies to crimes committed after December 1, 2011.

JUVENILE CRIME PREVENTION COUNCIL (JCPC): Each JCPC Council is comprised of members appointed by the county commissioners of each county. Councils provide county-specific planning and oversight of community based programs, substance abuse treatment, and gang prevention strategies. There are 99 councils (Orange and Chatham have a joint council).

LAPSED SALARY FUNDS: Lapsed salary funds are surpluses that accrue because a position may be temporarily vacant due to delays in hiring, resignation, termination, or retirement. Lapsed salary surpluses are nonrecurring funds that accumulate only while a position vacancy exists. They may not be used to support recurring expenses.

MANAGEMENT FLEXIBILITY RESERVE: A reduction to an agency's operating budget that does not specify the fund codes or line items from which the reduction is to be taken, but instead requires the agency to determine where reductions should be made.

MISDEMEANANTS: 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. Misdemeanants serve active sentences in county jails.

NEGATIVE RESERVE: See Management Flexibility Reserve.

NONRECURRING: Term used to denote one-time revenues (windfalls, reversions) or one-time expenditures (grant-in-aid, capital).

POST-RELEASE SUPERVISION (PRS): Mandatory supervision of previously incarcerated individuals by probation officers in the community. All B-1 through E felons are required to serve twelve months of PRS. F through I felons must serve nine months of PRS.

RECIDIVISM: For our Subcommittee's purposes, we define recidivism as rearrests.

RECURRING: Term used to denote revenues or expenditures that will be continuing, such as sales and personal income taxes, or salaries, fringe benefits, and utilities.

REVERSIONS: Unspent appropriations returned to the General Fund or Highway Fund (as applicable) at the end of each fiscal year.

SALARY RESERVE: Unobligated or surplus funds generated by a position that is filled at a salary less than the budgeted salary authorized by the General Assembly. These funds are recurring.

SENTENCING COMMISSION: The North Carolina Sentencing and Policy Advisory Commission. The 28-member commission makes recommendations to the General Assembly for the modification of sentencing laws and policies, and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals.

SPECIAL PROVISIONS: Language contained in the appropriations bill pertaining to State fiscal matters, the management, evaluation, and oversight of State government programs or policy, and the expenditure of appropriations contained in the Bill.

SPECIAL FUNDS: Accounts for the proceeds of specific revenue sources, other than trusts for individuals, private organizations, or other governments or for major capital projects, that are legally restricted to expenditure for specified purposes.

STATE AID FOR NONSTATE ENTITIES: Funds appropriated by the General Assembly to nongovernmental entities for a variety of purposes. Funds may or may not carry restrictions on expenditures.

STATEWIDE MISDEMEANANT CONFINEMENT FUND: A special fund that receives revenue from designated court fees. The fund is used to pay counties for housing misdemeanants longer than 90 days. It is managed by the NC Sheriffs' Association.

STRUCTURED SENTENCING: The method of sentencing and punishing criminals in North Carolina. Sentencing policies should be rational, transparent, and consistent. The system 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.

SWORN POSITION: A law enforcement position which, by law, has general power of arrest and requires the successful completion of the Basic Law Enforcement Training curriculum

offered by the State and an independent oath of office providing for the execution of the laws of the State. Sworn positions receive a higher retirement contribution than regular State employees.

TREATMENT FOR EFFECTIVE COMMUNITY SUPERVISION (TECS): Program within the Division of Adult Correction, Community Corrections Section that provides community treatment services through fee-for-service contracts with local providers.

TRUST FUNDS: Accounts consisting of resources received and held by the State as trusted to be expended or invested in accordance with the conditions of the trust. In other words, Trust Funds are accounts where the State acts as a trustee. The State can only execute the terms of the trust; it cannot change the purpose for which the trust was created. Trust funds are classified as to what assets, if any, may be paid out of the fund. The three classifications are (1) expendable, (2) non-expendable, or (3) expendable as to income but unexpendable as to principal.

Joint Appropriations Subcommittee on Justice and Public Safety
Acronyms

ACIS	Automated Criminal/Infractions System
ALE	Alcohol Law Enforcement
AOC	Administrative Office of the Courts
CCIS	Criminal Court Information System
CJIN	Criminal Justice Information Network
CJLEADS	Criminal Justice Law Enforcement Automated Data Services
CRV	Commitment in Response to Violation
DA	District Attorney
DACJJ	Division of Adult Correction and Juvenile Justice
DOJ	Department of Justice
DPS	Department of Public Safety
EM	Emergency Management
GAL	Guardian ad Litem
IDS	Indigent Defense Services
JCPC	Juvenile Crime Prevention Council
JRA	Justice Reinvestment Act
LEO	Law Enforcement Officer
NCJC	North Carolina Judicial Center
NCNG	North Carolina National Guard
NCSC	National Center for State Courts
OIDS	Office of Indigent Defense Services
PAC	Private Assigned Counsel
PD	Public Defender
SBI	State Bureau of Investigation
SCP	State Capitol Police
SHP	State Highway Patrol
TECS	Treatment for Effective Community Supervision
YDC	Youth Development Center

House Committee on Appropriations, Justice and Public Safety
Tuesday, February 10, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on February 10, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, Faircloth, G. Graham, Hurley, McNeill, Salmon, Speciale, Stevens, R. Turner and Senators Bingham, Newton, Randleman, Foushee and Lee attended.

Representative James L. Boles, Jr., Chair, presided and called the meeting to order at 8:33 a.m. Chairman Boles introduced the Pages who were present as well as the Sergeant at Arms. He then introduced all of the Co-Chairs of the Committee as well as committee members. He also introduced the committee clerks and staff members.

Chairman Boles recognized Kristine Leggett, NCGA Fiscal Staff member, to give a Justice and Public Safety Overview to the committee. (See Attachment 1 for a copy of said presentation) Time was allowed for questions and comments from committee members during the presentation.

At the conclusion of Ms. Leggett's presentation, Chairman Boles allowed for the introduction of JPS agency staff members who were in attendance at the meeting

The meeting adjourned at 9:19 a.m.

James L Boles Jr.
Representative James L. Boles, Jr., Chair
Presiding

Kerry Guice
Kerry Guice, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Tuesday, February 10, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:05 PM on Thursday, February 05, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

February 10, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Stan Bingham	Representative Jamie Boles, Presiding
	Senator Buck Newton	Representative Leo Daughtry
	Senator Shirley Randleman	Representative John Faircloth
		Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

Welcome and Introductions

III. PRESENTATIONS

JPS Overview
Kristine Leggett, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meeting: Wednesday, February 11, 2015, 8:30 a.m.

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon,
Rep. Speciale, Rep. Turner

Senate Appropriations Subcommittee on JPS
Sen. Bingham (Chair)
Sen. Newton (Chair)
Sen. Randleman (Chair)
Sen. Apodaca (Vice Chair),
Sen. Foushee, Sen. Hartsell, Sen. Jackson,
Sen. Lee

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
Rep. Jamie Boles, Co-Chair	X	X		X	X	X		X	X	X	X	X	X	X	X
Rep. Leo Daughtry, Co-Chair	X	X		X	X	X	X	X	X		X		X	X	X
Rep. John Faircloth, Co-Chair	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Rep. Pat Hurley, Co-Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Darren Jackson, Vice Chair		X	X	X	X	X	X	X		X				X	
Rep. Allen McNeill, Vice Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Sarah Stevens, Vice Chair	X	X		X	X	X	X	X	X	X	X		X	X	
Rep. Charles Graham			X	X		X		X	X		X	X	X	X	X
Rep. George Graham	X	X	X	X	X	X		X	X	X	X	X	X	X	X
Rep. Ralph Johnson		X	X	X	X	X	X	X	X	X	X	X	X	X	
Rep. Brad Salmon	X	X		X	X	X	X			X		X	X	X	
Rep. Michael Speciale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Rena Turner	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sen. Stan Bingham, Co-Chair	X	X	X	X	X		X	X	X	X					
Sen. Buck Newton, Co-Chair	X	X			X	X		X		X					
Sen. Shirley Randleman, Co-Chair	X	X	X	X	X	X	X	X	X	X					
Sen. Tom Apodaca, Vice-Chair															
Sen. Valerie Foushee	X	X		X	X	X	X	X	X	X					
Sen. Fletcher Hartsell, Jr.		X							X						
Sen. Jeff Jackson		X	X	X	X	X	X	X	X	X					
Sen. Michael Lee	X	X	X		X	X	X	X							

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
William Childs, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lisa Fox, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Kristine Leggett, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X		X	X
John Poteat, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Becky Bauerband, Clerk	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Kerry Guice, Clerk	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Debbie Holder, Clerk	X		X		X	X	X	X	X	X	X		X	X	X
Jeb Kelly, Clerk	X	X	X	X	X	X	X	X	X	X					
Maria Kinnaird, Clerk	X	X		X	X		X	X							
Carol Wilson, Clerk	X	X	X	X	X	X		X	X	X					
Jason Soper, Speaker's Office		X													
Stephen Ogden, Senate Office	X	X		X		X	X	X	X	X					

Joint Appropriations Subcommittee on
Justice and Public Safety

JPS Overview







February 10, 2015

FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Attachment 1

Outline

- Fiscal Research
- Fiscal Notes/Fiscal Memos
- Confidentiality
- Budget Terms
- The JPS Budget
- Next Steps



Fiscal Research Division

- Nonpartisan, professional staff serving all 170 members
- 32 analysts divided into 8 teams
- Primary responsibilities during Session:
  - **Staff Appropriations subcommittees**
  - **Respond to member requests**
  - **Write fiscal notes, fiscal memos, and incarceration notes**

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"My spreadsheet says we must lighten by 152 pounds."

Fiscal Research Division

Fiscal Notes

- Five-year analysis of all estimated fiscal effects of a bill on expenditures or revenue of the State.
- Prepared upon request of bill sponsor or other member.
- Request and information about note remain confidential until note becomes public.



Fiscal Memo

- Same analysis as a Fiscal Note
- Usually prepared for draft bills or PCS
- Remains confidential after completion

Incarceration Note

- Required for proposed changes that may impact incarceration rates in State facilities.
- Two-week completion time

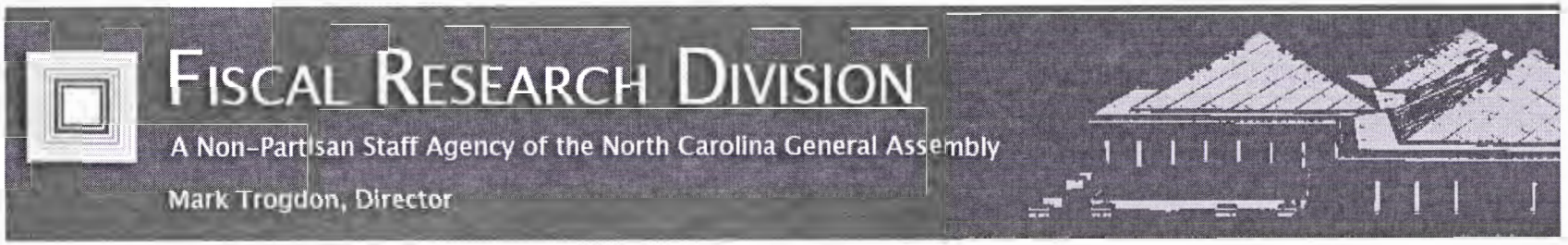
Fiscal or incarceration note requests should be e-mailed to:

@Fiscal Note Requests

Include:

- **Requestor's name**
- **Bill number (or draft number for a memo or PCS)**
- **Short title**

Fiscal Research Division



FRD website:

http://www.ncleg.net/FiscalResearch/

- Annotated Committee Reports
- Fiscal Briefs
- Revenue Forecasts
- Staff listing

Confidentiality

- **ALL requests made to fiscal staff are confidential**
- **Requests to agencies by fiscal staff are NOT confidential unless directly related to a fiscal note**



Budgeting Terms: Appropriation

Appropriation

An enactment by the General Assembly authorizing the withdrawal of money from the State treasury.
State Budget Act – Chapter 143C-1-1(d)(1)

"No money shall be drawn from the State treasury but in consequence of appropriations made by law."
NC Constitution, Art. V, Section 7

Budget Terms: Base Budget



- Previous year's authorized budget
- Backs out nonrecurring reductions or increases
- May also include adjustments for:
  - Annualization of programs
  - Federal payroll tax changes
  - Contracted lease rate increases
  - Receipt projections
  - Reconciliation of intra- and intergovernmental transfers

Budgeting Terms: Budget Types

Certified Budget: The budget as enacted by the General Assembly, plus any funds appropriated to reserves to be allocated to agencies.

Ex.: The 2012 Budget appropriates $10,000 for Agency Y to buy 10 computers.

Certified budget = $10,000.

Authorized Budget: The certified budget updated to reflect line-item reallocations approved by the Office of State Budget and Management (OSBM).

Ex.: Agency Y needs 11 computers. They want to take some money from the furniture budget to pay for it.

Authorized budget = $11,000.



Actual Budget: The budget as it was implemented.

Ex.: The Division of State Purchase and Contract got the State a great deal on computers. The final cost for Agency Y's 11 computers is $5,500.

Actual budget = $5,500.

Budgeting Terms: Funds

General Fund: The main source of operating funds for the State. Comprised of the beginning credit balance, State tax revenue, and State non-tax revenue.

Special Fund: Fund to which revenues are deposited that are designated for a specific purpose and remain in the account until expended for that purpose.

Example: Seized and Forfeited Assets Funds

Enterprise Fund: Fund for any activity for which a fee is charged to external users for goods or services.

Example: Correction Enterprise Fund



Budgeting Terms: Accounts



Personal Services: Services rendered by permanent and temporary employees and related fringe benefits.

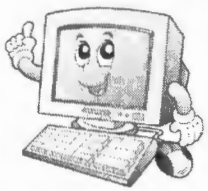


Purchased Services: Services provided by external firms, agencies, or divisions within the same organization. Includes contracts, IT and travel costs.



Supplies: Supplies or materials expected to be consumed within the normal course of operating and which are generally recurring in nature.

Budgeting Terms: Accounts



Property, Plant and Equipment: Payments for acquiring property, constructing additions to buildings, and purchasing equipment, furniture, and machinery that is not consumable or expendable and has an expected life of longer than one year.

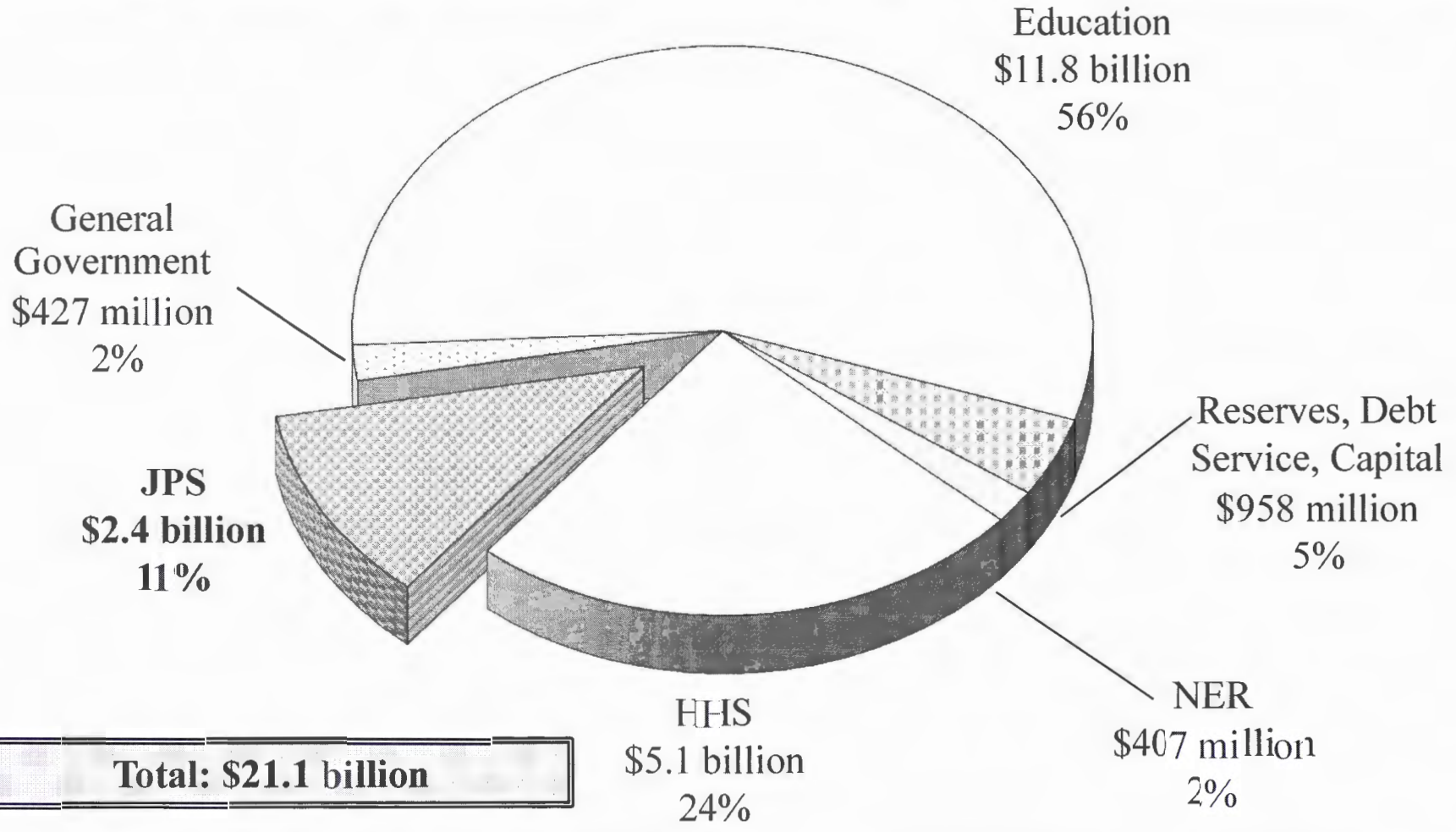
LexisNexis™

Other Expenses and Adjustments: Miscellaneous operational costs such as legal or permit costs, pension payments, or subscriptions.



Aid and Public Assistance: Funds to direct recipients, providers or other agencies for designated programs, assistance or special projects.

General Fund Appropriations
FY 2014-15



What is JPS?

Four agencies fall under the JPS umbrella:

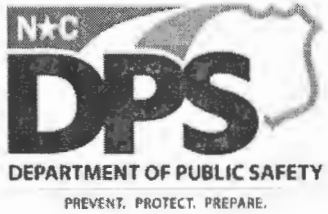
- Administrative Office of the Courts (AOC)
- Office of Indigent Defense Services (OIDS)
- Department of Public Safety (DPS)
- Department of Justice (DOJ)



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS



OFFICE OF INDIGENT DEFENSE SERVICES

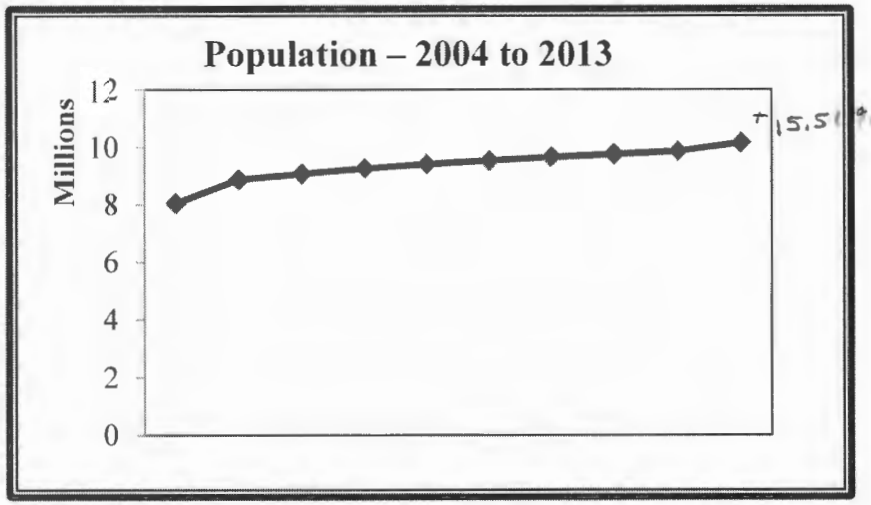




JPS Budget Drivers

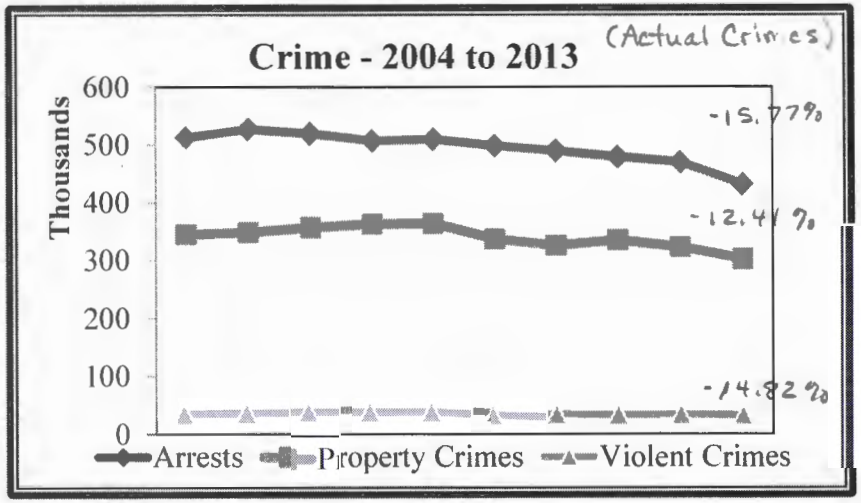
Population

- Courts
- Highway Patrol
- Consumer Protection
- Standards Commissions



Crime

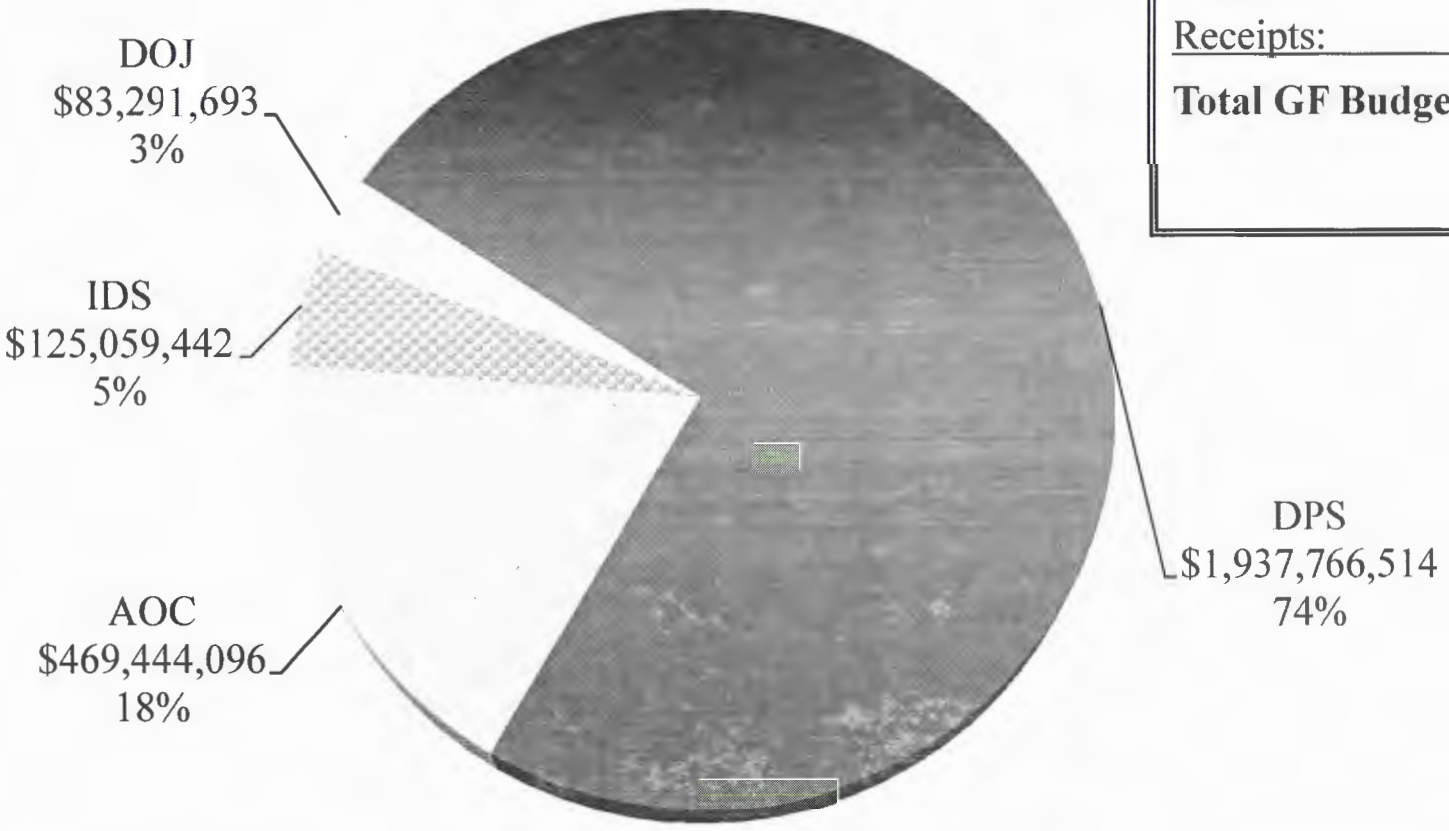
- Courts
- Law Enforcement
- Prisons



Source: NC Data Center (LINC)

JPS General Fund Budget by Agency
FY 2014-15

Appropriation:	$2.4 billion
Receipts:	$235 million
Total GF Budget:	**$2.6 billion**



Source: NCAS, December 31, 2014 Authorized Budget

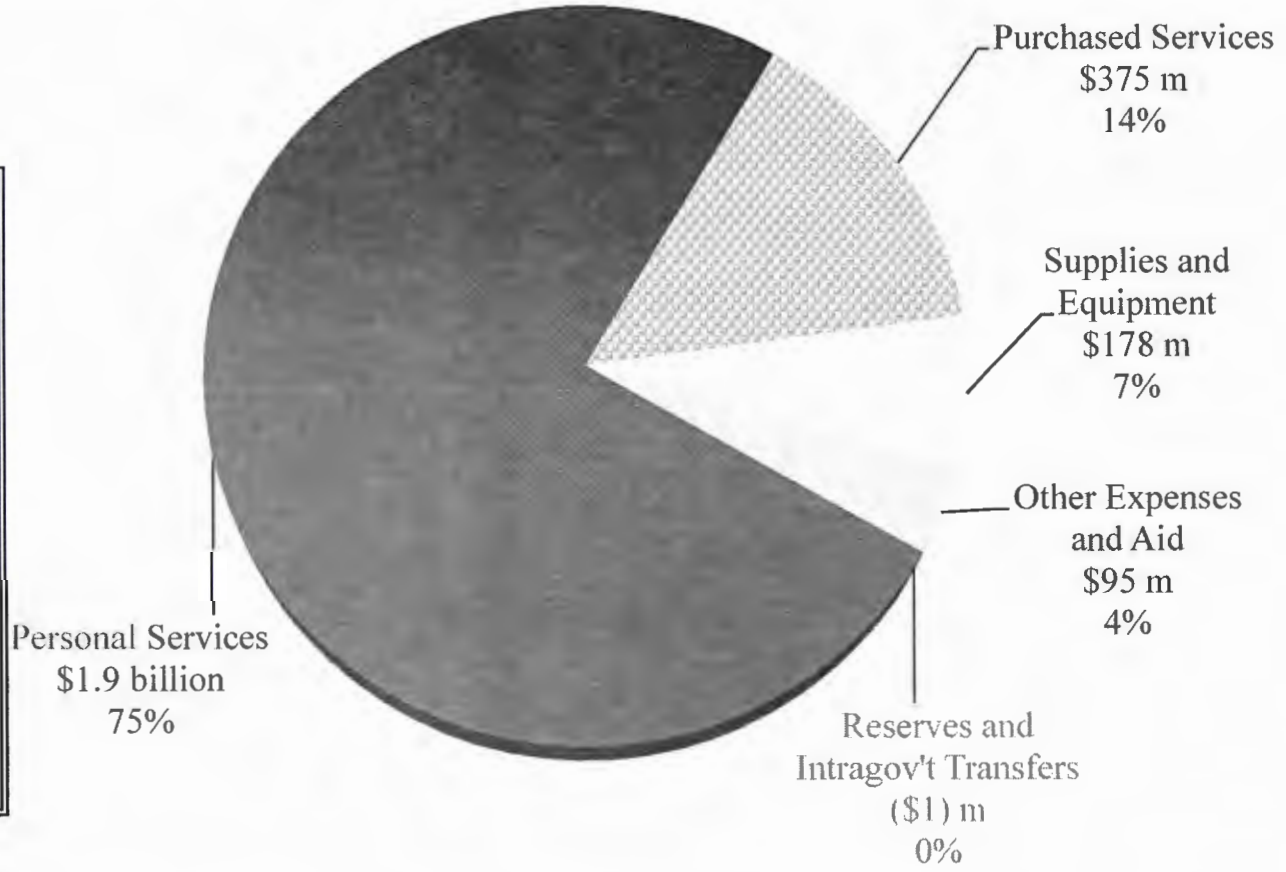
JPS General Fund Budget by Account
FY 2014-15

Total General Fund Budget:

$2.6 billion

Total Full-Time Equivalent (FTE) Employees:

31,793.5



Source: FTE - OSBM BD307, August 28, 2014; Budget – NCAS, December 31, 2014 Authorized Budgets.

Administrative Office of the Courts (AOC)

Administrative arm of the court system

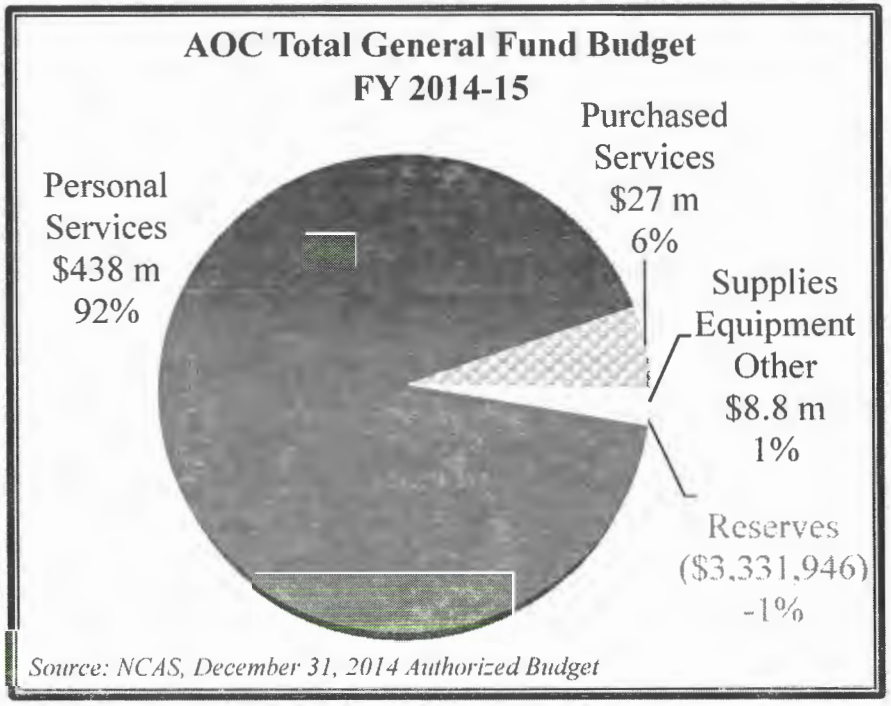
Mark Martin, Chief Justice
John Smith, Director of AOC

Includes:

- Supreme Court and Court of Appeals
- Superior courts
- District courts
- District Attorneys
- Magistrates
- Clerks

Total General Fund Budget: **$469 million**

Total FTE Employees: **5,831.3**



Indigent Defense Services (IDS)

Provides defense attorneys for indigent defendants

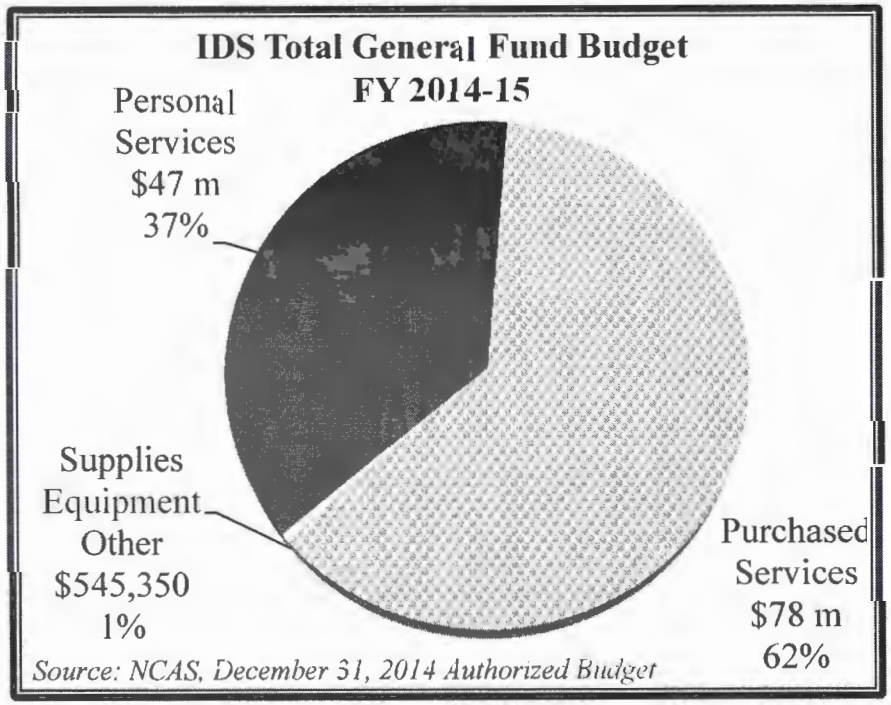
Thomas Maher, Director of IDS

Includes:

- Public Defender offices
- Private Assigned Counsel Fund

Total General Fund Budget: **$125 million**

Total FTE Employees: **503.9**



Department of Justice (DOJ)

Provides legal services for the State, assists local law enforcement agencies, and oversees law enforcement standards and training

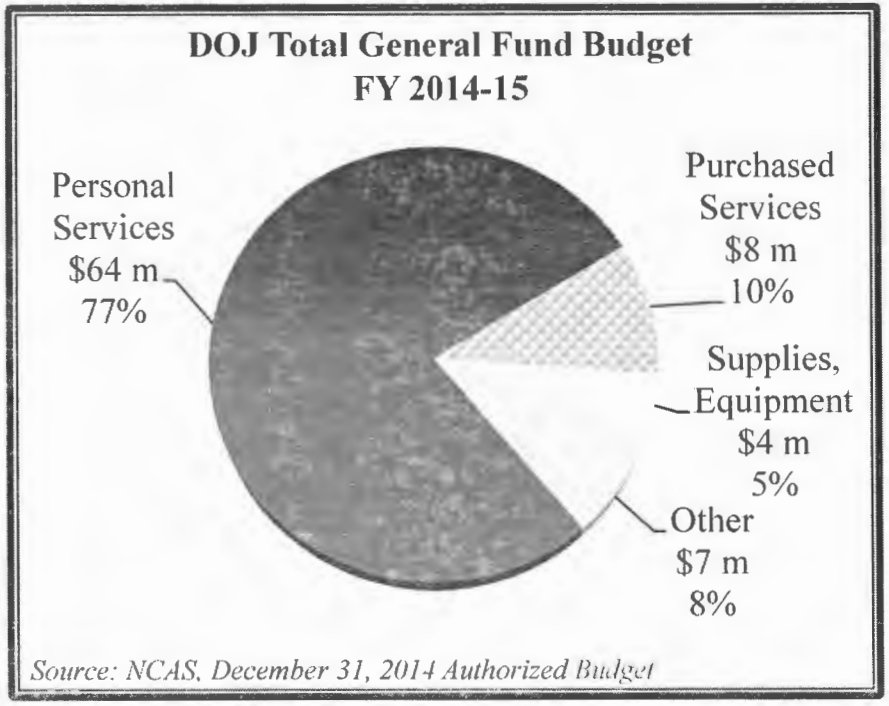
Roy Cooper, Attorney General

Includes:

- Legal services
- Consumer Protection
- Criminal Justice Training and Standards
- NC State Crime Lab

Total General Fund Budget: **$83 million**

Total FTE Employees: **834.4**



Department of Public Safety (DPS)

Houses the former Departments of Crime Control and Public Safety, Juvenile Justice and Delinquency Prevention, and Correction

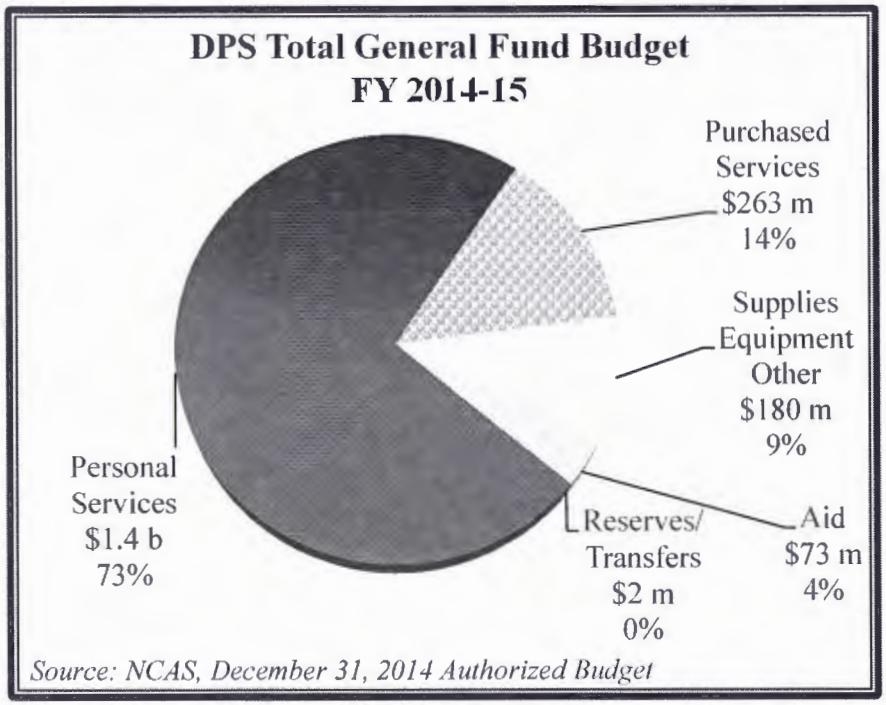
Frank Perry, Secretary

Includes:

- Prisons
- Community Corrections
- Juvenile Justice
- Highway Patrol
- State Capitol Police
- State Bureau of Investigation
- Alcohol Law Enforcement
- Emergency Management
- National Guard
- Victims Services

Total General Fund Budget: **$1.9 billion**

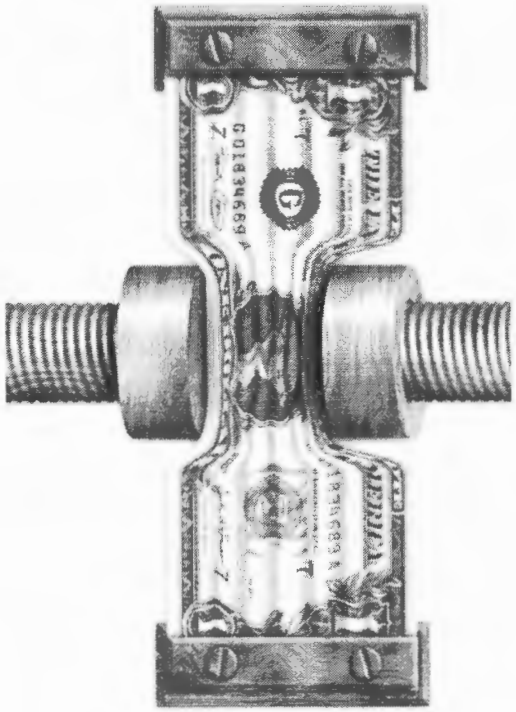
Total FTE Employees: **24,624.0**



Recent Legislative Actions

Appropriations Act of 2013

- Reduced the total JPS budget by $46.5 million
- Eliminated 115 vacant and 810 filled positions
- Reduced administrative costs across all six agencies
- Closed 7 facilities
- Created 175 new probation and parole positions
- Created 19 new Crime Lab positions for toxicology



Modify 2013 Appropriations Act (2014 Budget)

- Increased the total JPS budget by 1.1%
- Eliminated 92 vacant and 323 filled positions
- Closed 2 prisons
- Created 2 confinement in response to violation (CRV) facilities
- Transferred the SBI and the ABC Commission to DPS
- Funded a new Western Crime Lab in Edneyville

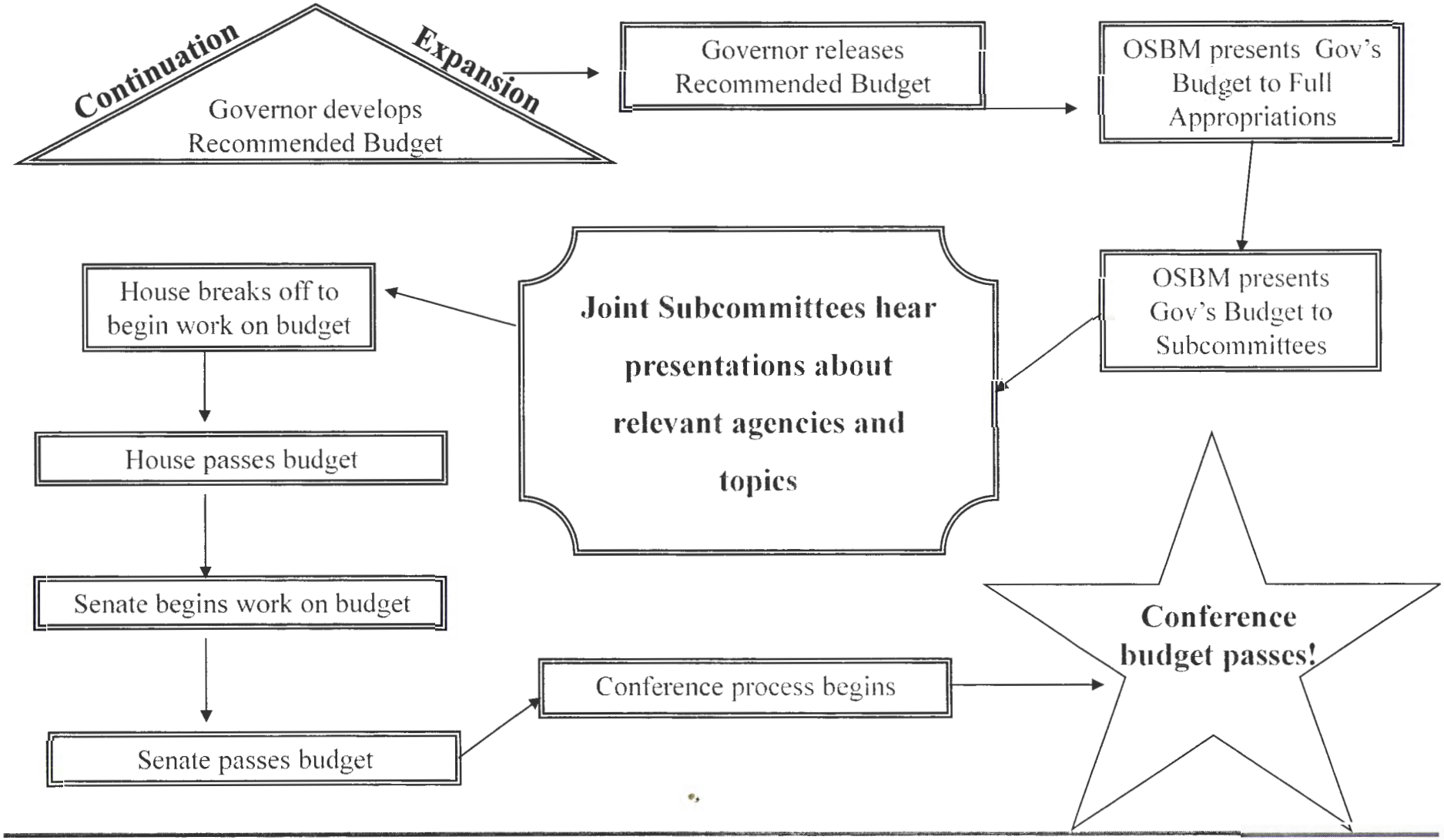
Next Steps

- Budget Process
- Full Chair Guidance
- Upcoming Meetings
- Subcommittee Website:



http://www.ncleg.net/gascripts/documentsites/browsedocsite.asp?nid=124

The Budget Process



Full Chair Guidance

- Evaluate agencies by looking at their programs and services:
  - Are the programs mandated?
  - Are they appropriately funded?
  - Are there ways to manage growth?
- Consider long-term issues



Refer to the Full Chairs:

- **Salary issues**
- **Capital expenditures**

Upcoming Meetings

This week:

- Wednesday – Structured Sentencing

Next week:

- Tuesday – Administrative Office of the Courts (AOC) – Overview
- Wednesday – AOC – Workload and Personnel
- Thursday – AOC – Administration and Technology



Remaining presentations:

- IDS
- DOJ
- DPS Adult Correction and Juvenile Justice
- DPS Law Enforcement
- Governor's Budget

Subcommittee Website

Joint Appropriations Subcommittee on Justice and Public Safety website is linked off either the House or Senate subcommittee websites.



- Agendas
- All committee handouts
- Follow-up information
- Meeting audio
- Mandated Agency Reports

http://www.ncleg.net/gascripts/documentsites/browsedocsite.asp?nid=124

Contact Information

Fiscal Research Division
(919) 733-4910

Kristine Leggett - Kristine.Leggett@ncleg.net
DOJ and DPS – Administration, Law Enforcement, and National Guard

John Poteat – John.Poteat@ncleg.net
DPS – Prisons and Correction Enterprises

William Childs – William.Childs@ncleg.net
AOC and IDS

Lisa Fox – Lisa.Fox@ncleg.net
DPS – Community Corrections and Juvenile Justice

Committee Sergeants at Arms

NAME OF COMMITTEE JSCMTE JUST & PUBL SFTY

DATE: 10 FEB Room: LOB 415

House Sgt-At Arms:

1. Name: BARRY MOORE
2. Name: BH Powell
3. Name: DAVID LINTHICUM
4. Name:
5. Name:

Senate Sgt-At Arms:

1. Name: MATT URBEN
2. Name: Giles JeffREYS
3. Name:
4. Name:
5. Name:

PAGES

Tuesday, February 10	Room	Time
APPROPRIATIONS, JUSTICE AND PUBLIC SAFETY (JOINT)	415	8:30 am

Name	County	
Sara Lane Cochrane	Forsyth	Edward Hanes, Jr.
Tunisia Harris	Wake	Rodney W. Moore

VISITOR REGISTRATION SHEET

J SUBCMTE on JUSTICE & PUBLIC SAFETY

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Barbara Moore	Conf of Clerks of Sup Ct
JAN Kennedy	Clerk of Sup Ct.
Jarret Burr	NC DPS
Rodney Beckom	NC ALE
Tom Murry	NC AOC
John W Smith	NC AOC
Chris Agner	DOJ
JOE JOHN	STATE CRIME LAB
Thomas Maher	IDS
Eddie Caldwell	NC Sheriffs' Assn.
Elisa Wolpe	IDS

VISITOR REGISTRATION SHEET

Name of Committee | Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Andy Brandon	DPS
Joe Pratt	DPS
W. Wells Hall	DPS
William Lassiter	DPS
Darlene Langston	DPS

VISITOR REGISTRATION SHEET

Name of Committee _____ Date _____

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Suzanne Beasley	SEANC
Tonya Horton	TJS
NELS ROSELAND	NC DOJ
Mildred Spearman	NCAOC
Billy Crayton	NCDPS / SHP
BILL GRECH	DPS/ SHP
Mark Brewington	NCSBI
Janie P. Sutton	NCSBI
Ken Pike	NC ALE
Ken Crouch	NCBA
William D Totman	NWC

House Committee on Appropriations, Justice and Public Safety
Tuesday, February 24, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on February 24, 2015 in Room 415 of the Legislative Office Building. Representatives Faircloth, C. Graham, G. Graham, Hurley, Jackson, R. Johnson, McNeill, Speciale, and R. Turner, and Senator's Bingham, Randleman, Jackson, and Lee attended.

Representative John Faircloth, Chair, presided. He called the meeting to order at 8:40 AM. Chairman Faircloth introduced the Sergeant at Arms staff and pages present for the meeting.

Chairman Faircloth introduced William Childs, Fiscal Research Division, to give an overview of the Administrative Office of the Courts. A copy is attached as Exhibit "A". After the presentation, Chairman Faircloth opened the floor for discussion.

The meeting adjourned at 9:22 AM.

Representative John Faircloth, Chair
Presiding

Rebecca Bauerband, Committee Clerk

Becky Bauerband (Rep. John Faircloth)

From: Becky Bauerband (Rep. John Faircloth)
Sent: Thursday, February 19, 2015 11:33 AM
To: Becky Bauerband (Rep. John Faircloth)
Subject: <NCGA> House Appropriations, Justice and Public Safety Committee Meeting Notice for Tuesday, February 24, 2015 at 8:30 AM (Joint)
Attachments: Add Meeting to Calendar_LINC_.ics

NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet **JOINTLY** as follows:

DAY & DATE: Tuesday, February 24, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Representative Faircloth, Chair**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:32 AM on Thursday, February 19, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Rebecca Bauerband (Committee Assistant)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

February 24, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Stan Bingham	Representative Jamie Boles
	Senator Buck Newton	Representative Leo Daughtry
	Senator Shirley Randleman	Representative John Faircloth, Presiding
		Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Overview of the Administrative Office of the Courts
William Childs, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Wednesday, February 25, 2015

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon,
Rep. Speciale, Rep. Turner

Senate Appropriations Subcommittee on JPS
Sen. Bingham (Chair)
Sen. Newton (Chair)
Sen. Randleman (Chair)
Sen. Apodaca (Vice Chair),
Sen. Foushee, Sen. Hartsell, Sen. Jackson,
Sen. Lee

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	2/24/15														
Rep. Jamie Boles, Co-Chair															
Rep. Leo Daughtry, Co-Chair															
Rep. John Faircloth, Co-Chair	✓														
Rep. Pat Hurley, Co-Chair	✓														
Rep. Darren Jackson, Vice Chair	✓														
Rep. Allen McNeill, Vice Chair	✓														
Rep. Sarah Stevens, Vice Chair															
Rep. Charles Graham	✓														
Rep. George Graham	✓														
Rep. Ralph Johnson	✓														
Rep. Brad Salmon															
Rep. Michael Speciale	✓														
Rep. Rena Turner	✓														
Sen. Stan Bingham, Co-Chair	✓														
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair	✓														
Sen. Tom Apocaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson	✓														
Sen. Michael Lee	✓														

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES															
William Childs, Fiscal Research	✓														
Lisa Fox, Fiscal Research	✓														
Kristine Leggett, Fiscal Research	✓														
John Poteat, Fiscal Research	✓														
Becky Bauerband, Clerk	✓														
Kerry Guice, Clerk	✓														
Debbie Holder, Clerk	✓														
Jeb Kelly, Clerk	✓														
Maria Kinnaird, Clerk															
Carol Wilson, Clerk	✓														
Jason Soper, Speaker's Office															
Stephen Ogden, Senate Office															

(A)

The Administrative Office of the Courts: Overview

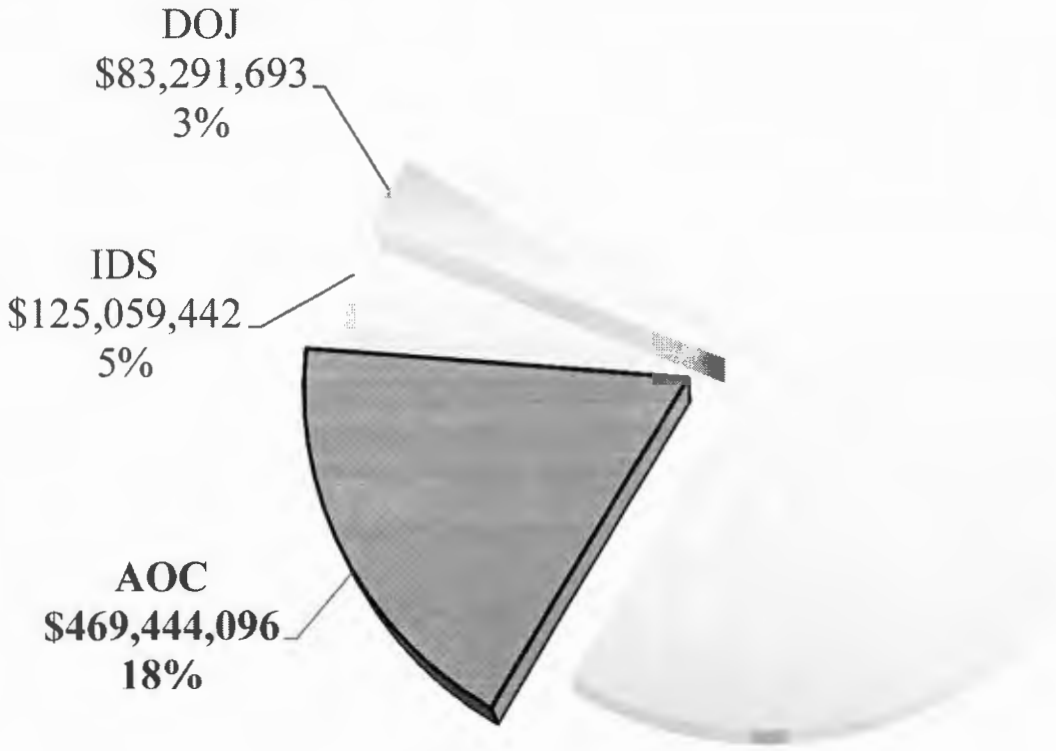


William Childs
Fiscal Research Division

FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

JPS General Fund Budget by Agency
FY 2014-15

Appropriation:	$2.4 billion
Receipts:	$235 million
Total GF Budget:	**$2.6 billion**



Source: NCAS, December 31, 2014 Authorized Budget

Administrative Office of the Courts (AOC)

Administrative arm of the court system

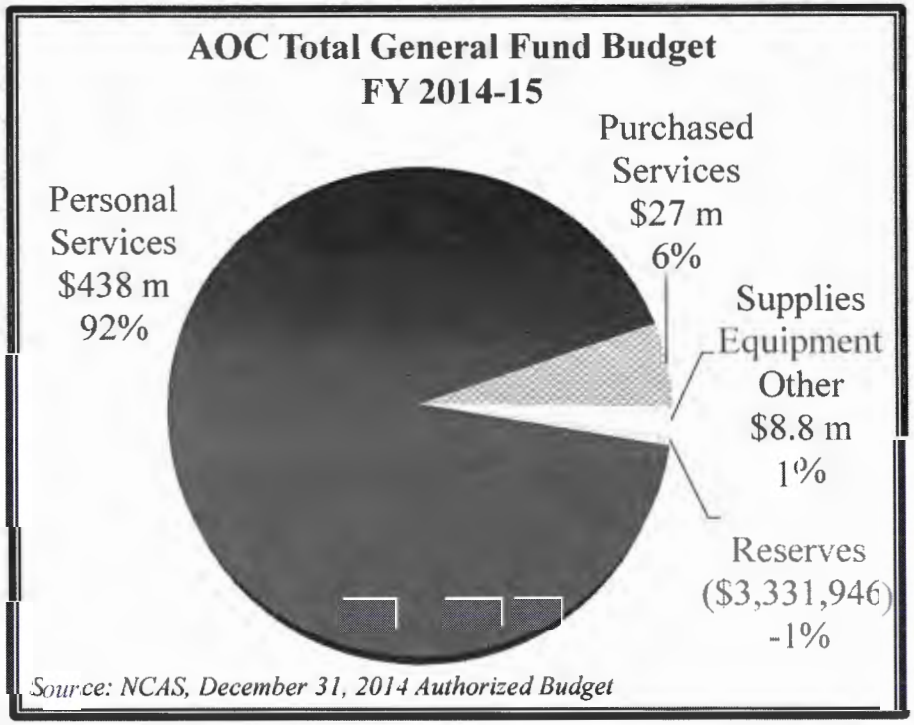
Mark Martin, Chief Justice
John Smith, Director of AOC

Includes:

- Supreme Court and Court of Appeals
- Superior courts
- District courts
- District Attorneys
- Magistrates
- Clerks
- **533 Elected Officials**

Total General Fund Budget: **$469 million**

Total FTE Employees: **5,831.3**



The North Carolina General Court of Justice, pre-unification



- Dates to State constitution of 1776
- Supreme Court created in 1805
- Circuit courts (now superior courts) grew from six to 30 districts between 1868 and 1955

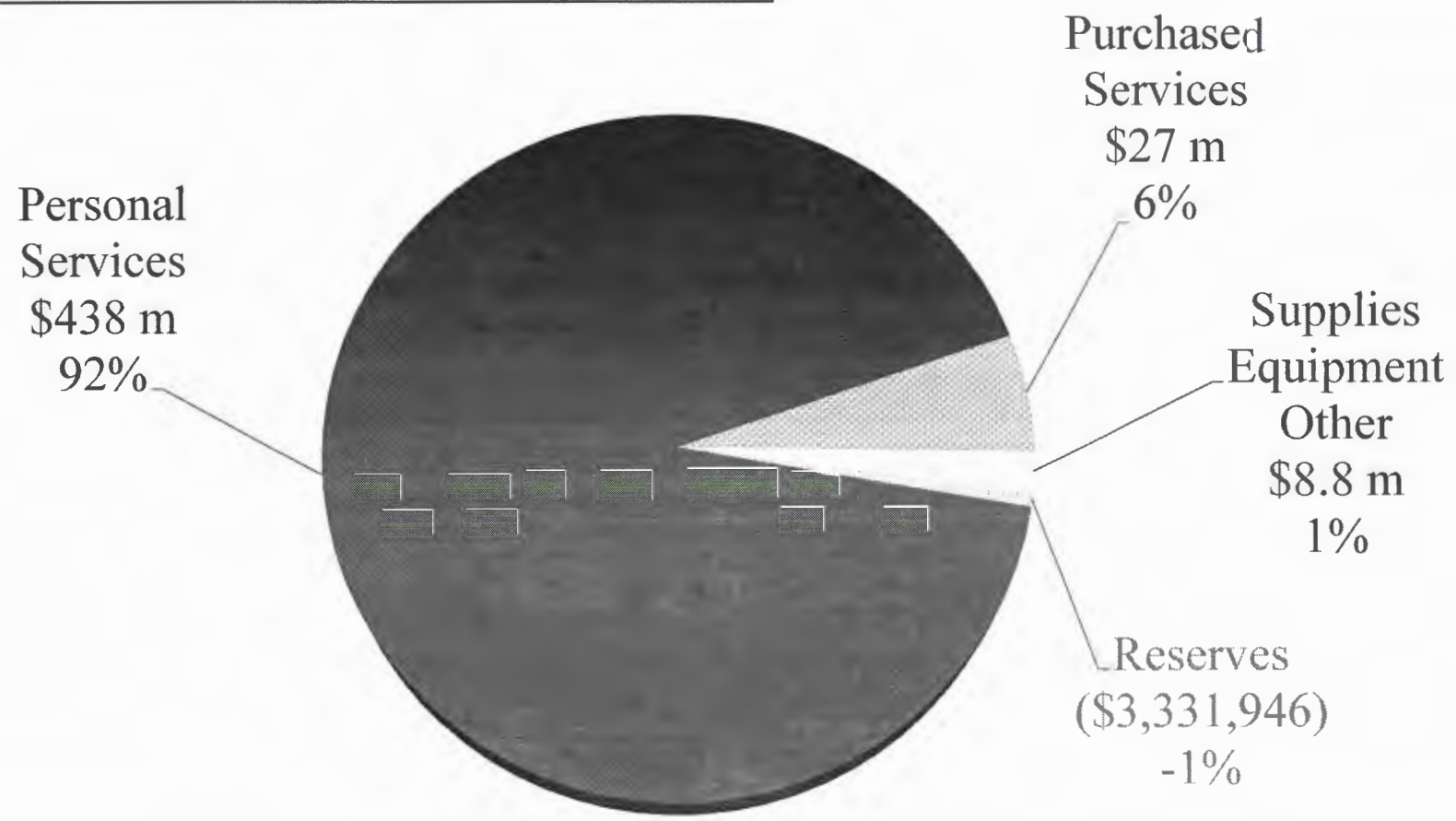
The North Carolina General Court of Justice, unified



- Established by legislation in 1966
- 30 districts originally: superior, district, prosecutorial concurrent
- State administers court personnel and operational budget
- Local governments provide courthouse
- 25 other states & territories have a unified court system

AOC General Fund Budget By Account FY 2014-15

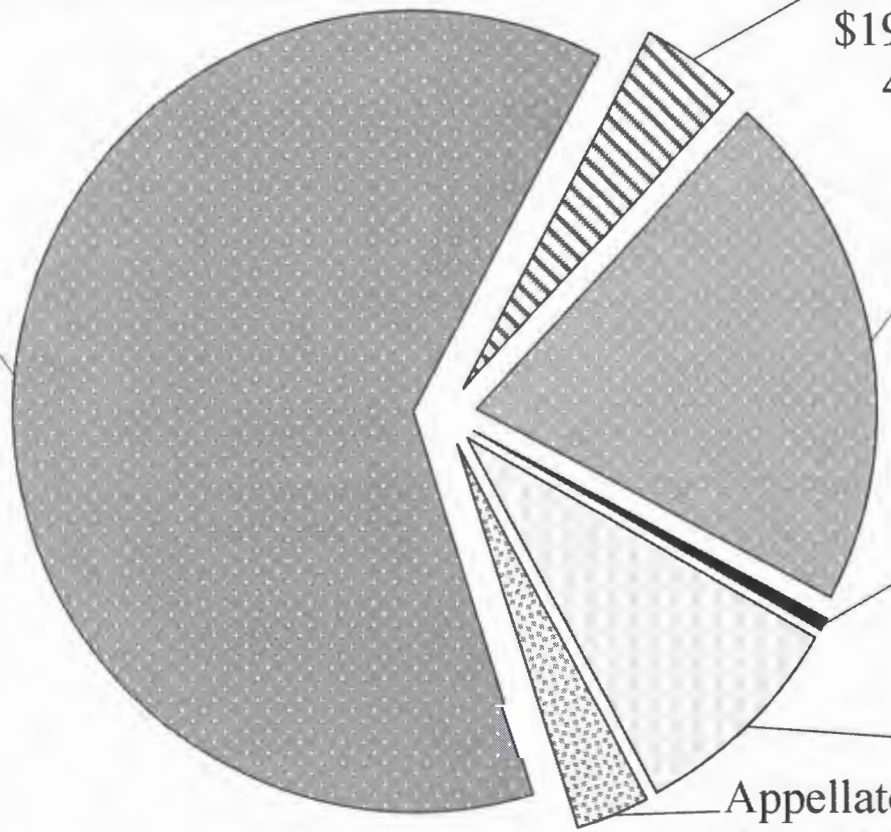
Total General Fund Budget: **$469 million**



Source: NCAS, Authorized Budget, December 31, 2014

AOC Budget By Program FY 2014-15

Total General Fund Budget: **$469 million**



Trial Court
$293.0 M
62%

District Court
District Court Judges
Judicial Staff

Superior Court
Superior Court Judges
Judicial Staff

Clerks of Superior Court
Clerk Staff

Magistrates

Specialty Programs
$19.4 M
4%

District Attorney
$98.7 M
21%

Independent Commissions
$2.4 M
1%

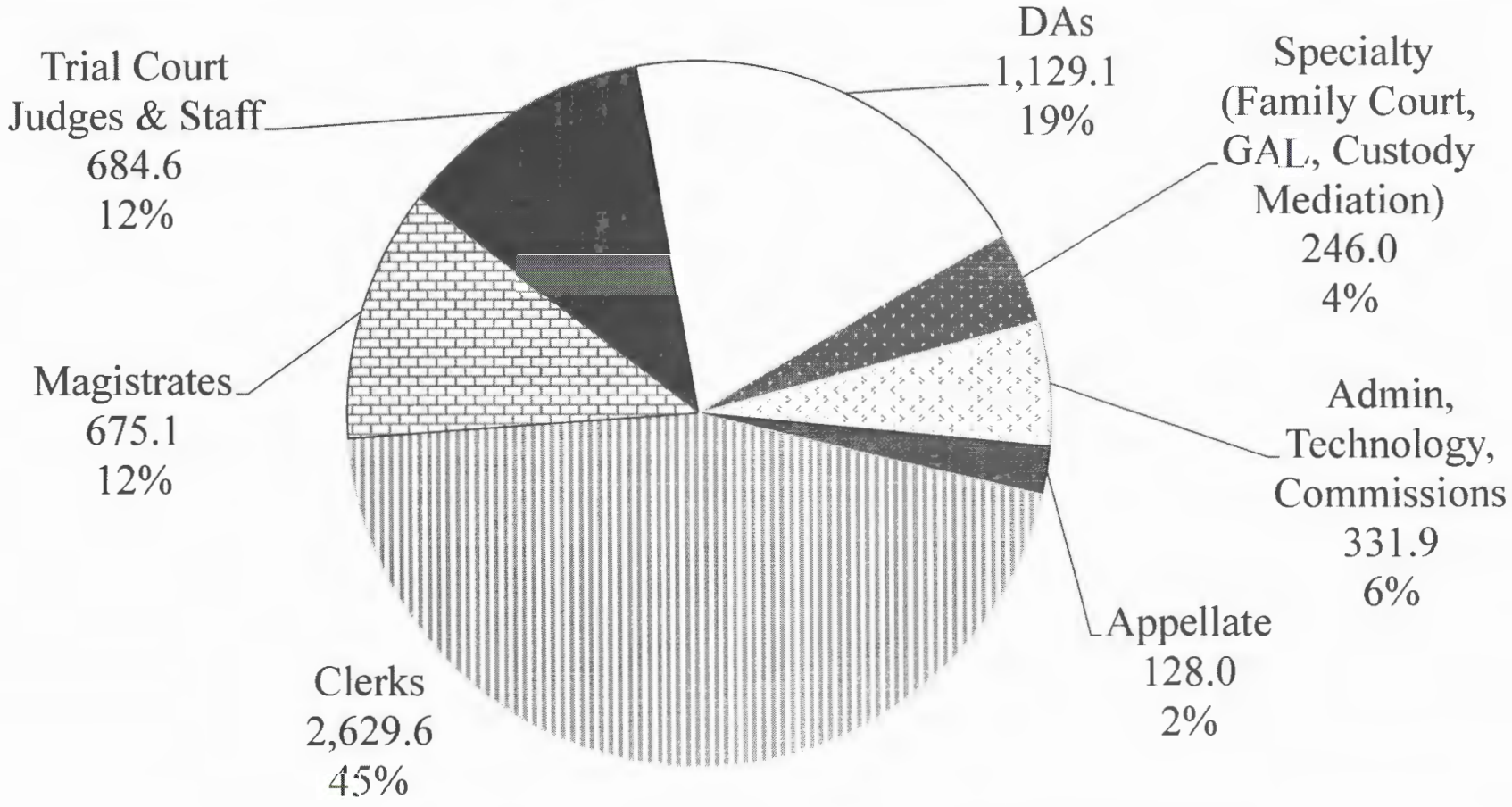
Administration
$42.2 M
9%

Appellate
$13.8 M
3%

Source: Authorized Budget, December 31, 2014

AOC Personnel FY 2014-15

Total General Fund FTE: **5,824.3**



Source: BEACON, December 31, 2014

Recent Legislative Actions: 2013-15

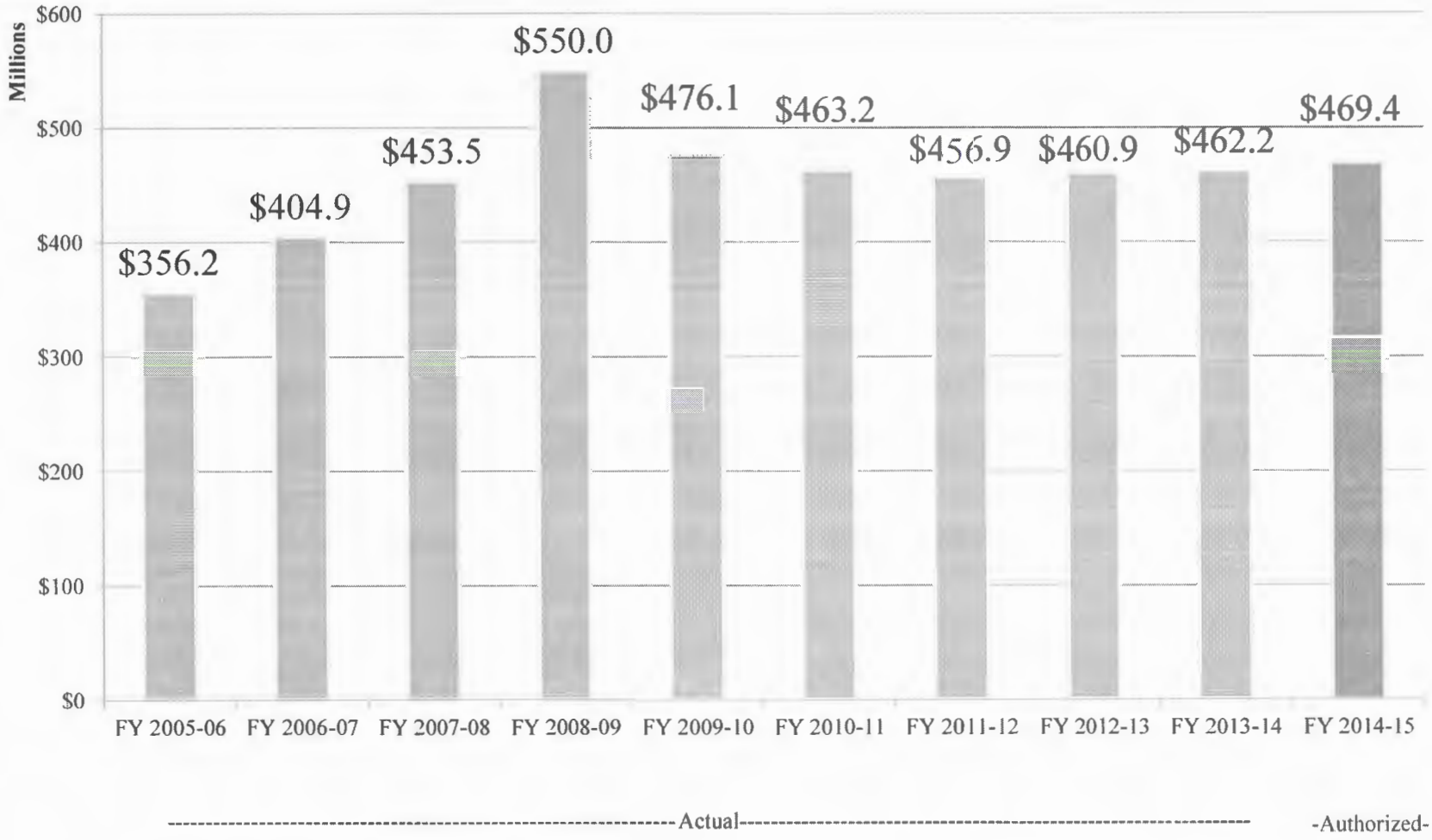
2013

• Administrative Budget Reduction:	($4.0 million)
• Additional Magistrate Funding:	$1.0 million
• Funds for Interpreters, Witnesses, and Juries:	$1.0 million
• Local Hospital Toxicology:	$0.5 million NR
TOTAL:	**($2.0 million)**

2014

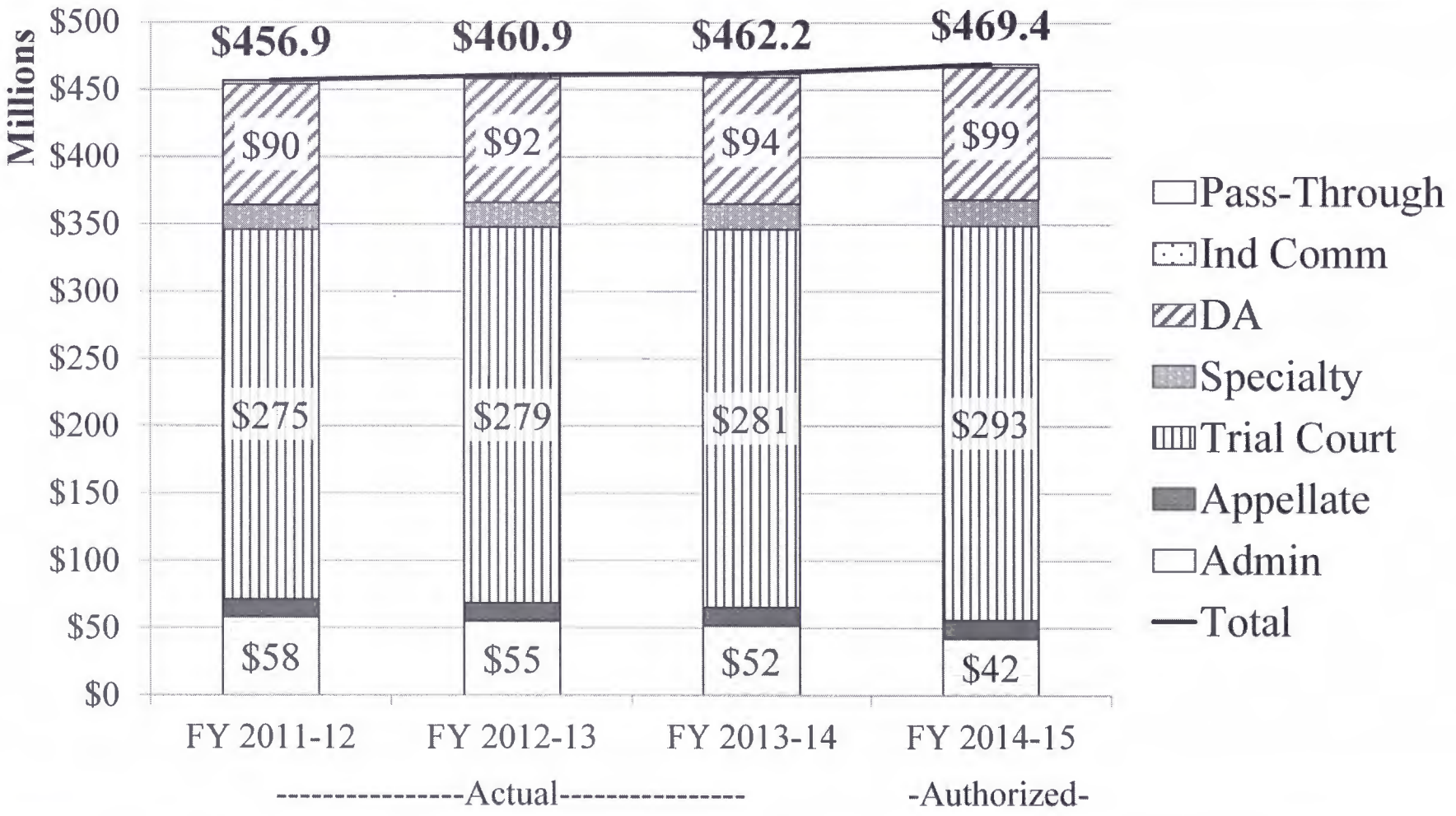
• Salary & Benefits Reserve:	$11.6 million
– Includes restoration of Clerk and Magistrate Pay Plans	
• Admin Reduction:	($2.9 million)
• Technology Services:	($500,000)
• Access to Civil Justice Pass-through:	($671,250)
TOTAL:	**$7.5 million**

AOC GF Budget, FY 2005-06 to FY 2014-15



Source: NCAS, FY 2005-06 to FY 2014-15

AOC GF Budget, FY 2011-12 to FY 2014-15

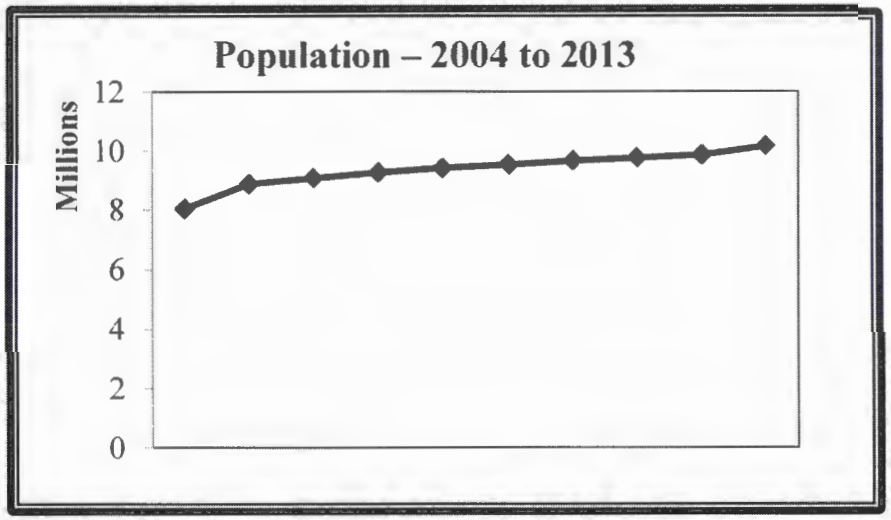


Source: NCAS, FY 2011-12 to FY 2014-15

JPS Budget Drivers

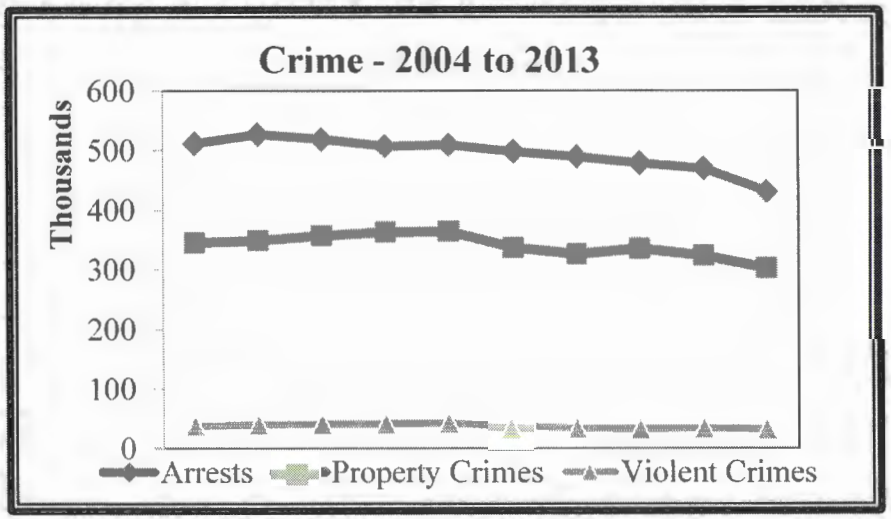
Population

- Courts
- Highway Patrol
- Consumer Protection
- Standards Commissions



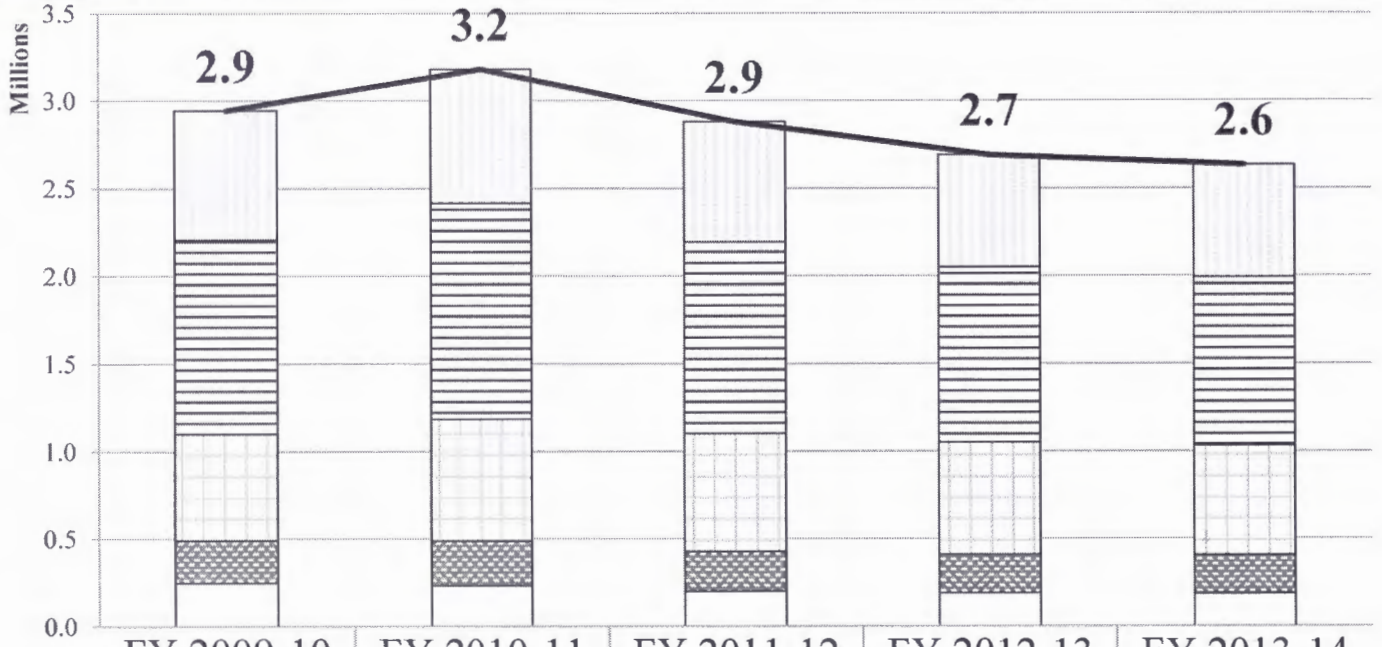
Crime

- Courts
- Law Enforcement
- Prisons



Source: NC Data Center (LINC)

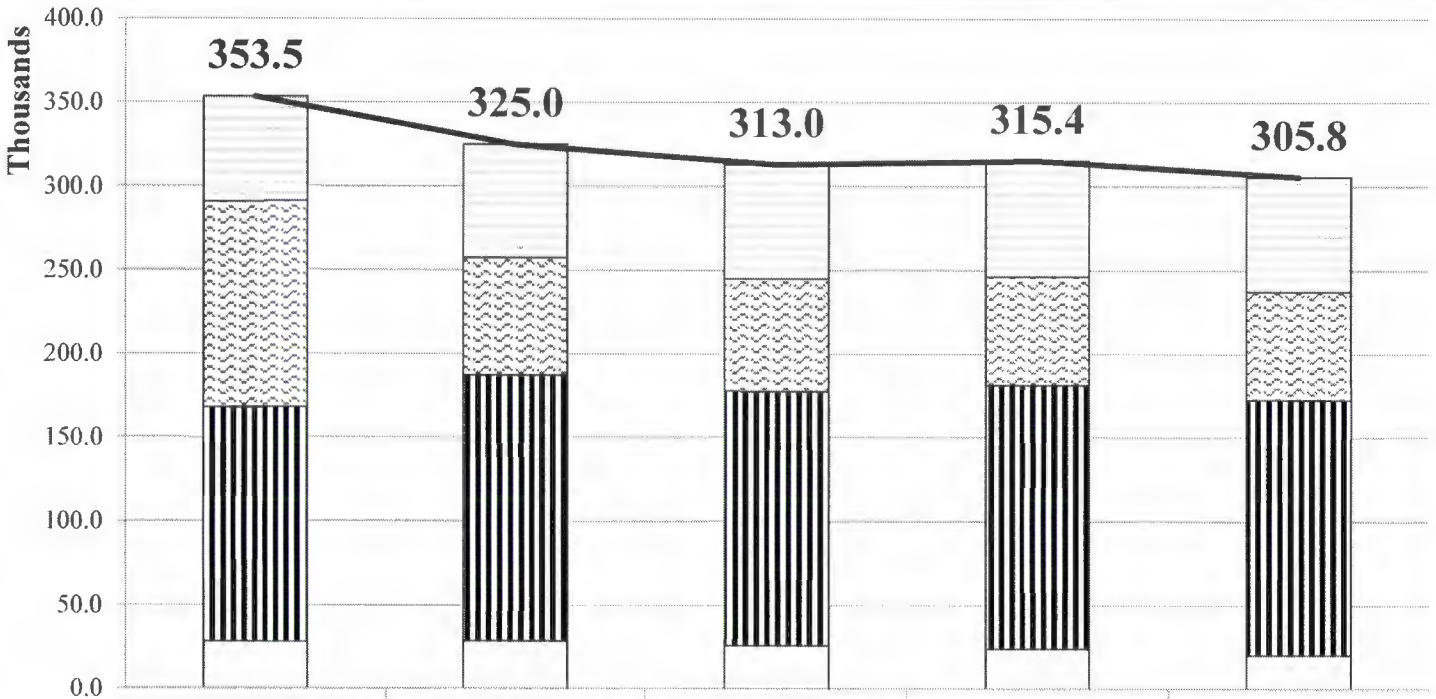
District Court Dispositions



	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Infractions	738,932	764,634	686,838	641,055	642,758
Criminal, traffic	1,103,732	1,228,944	1,090,226	997,446	960,320
Criminal, non-traffic	611,598	699,715	676,491	643,591	627,212
Small Claims	242,128	252,874	227,925	219,970	219,502
Civil	247,048	233,034	198,437	188,237	183,863
Total Dispositions	2,943,438	3,179,201	2,879,917	2,690,299	2,633,655

Source: AOC

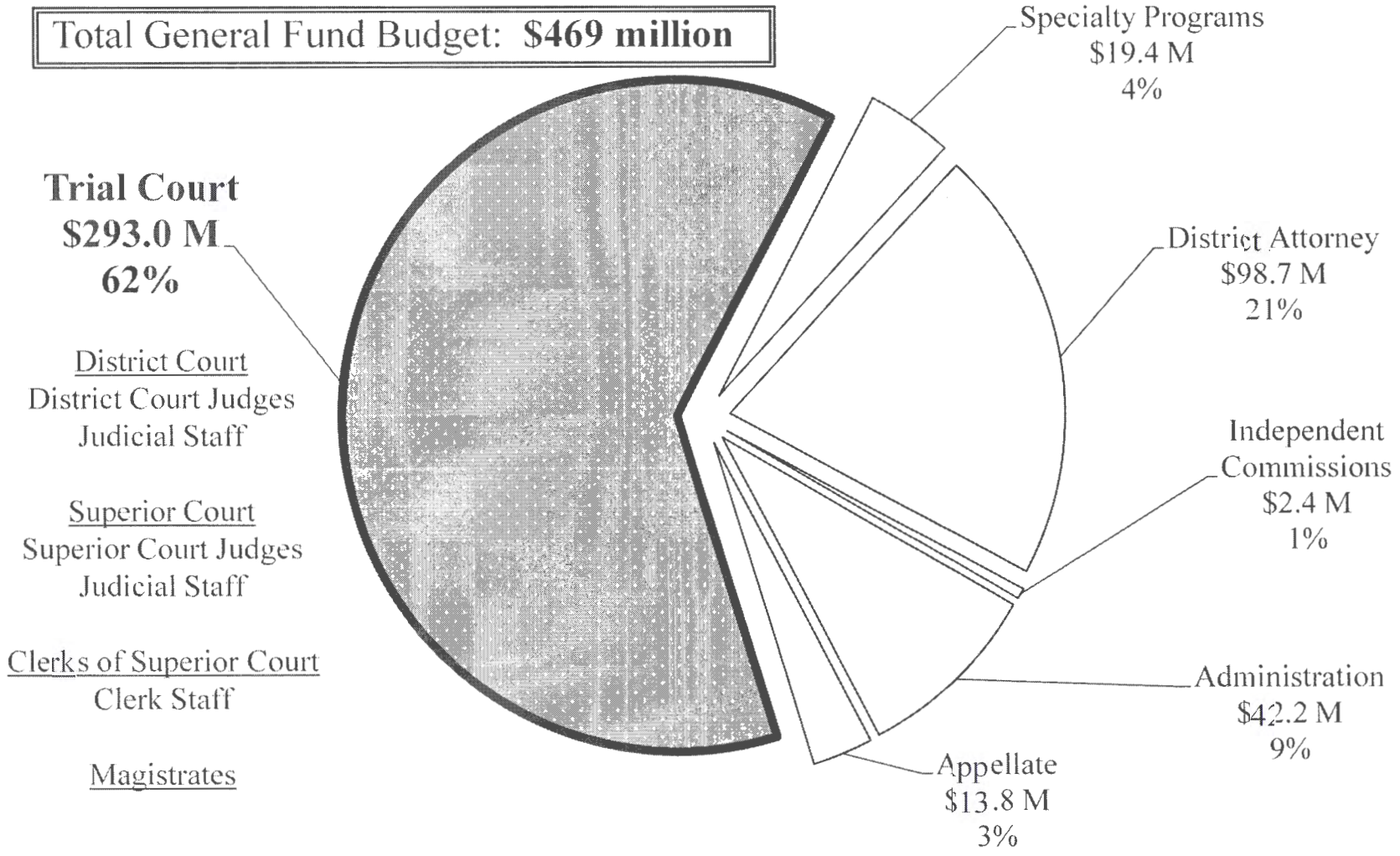
Superior Court Dispositions



	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Estates	62,530	67,636	68,149	69,088	68,426
Special Proceedings	123,219	70,305	67,462	65,239	65,024
All Criminal	139,410	158,337	151,498	157,100	151,892
Civil	28,305	28,725	25,939	24,002	20,424
Total	353,464	325,003	313,048	315,429	305,766

Source: AOC

AOC Budget By Program FY 2014-15



Source: Authorized Budget, December 31, 2014

County-Level Court Personnel



Clerks of Superior Court

- Administrative, clerical, and recordkeeping functions of trial courts
- Clerk is Judge of Probate
- Original Jurisdiction: Probate and Estates, Special Proceedings (Condemnation, Adoptions, Partitions, Foreclosures, etc.), may accept guilty pleas or admissions of responsibility and enter judgments in certain cases
- Collection and disbursement of court costs (fees, fines, forfeitures, restitution)

Clerks of Superior Court: 100 FTE
Assistant Clerks (Division Chiefs): 613 FTE
Deputy Clerks: 1,912.6 FTE
Office Staff: 2 FTE
Conference of Clerks: 2 FTE
TOTAL: 2,629.6 FTE

NC CONFERENCE OF CLERKS of Superior Court
SERVING CLERKS. UNIFYING EFFORTS. IMPROVING JUSTICE.

Source: BEACON, December 31, 2014

Magistrates

Original Jurisdiction:

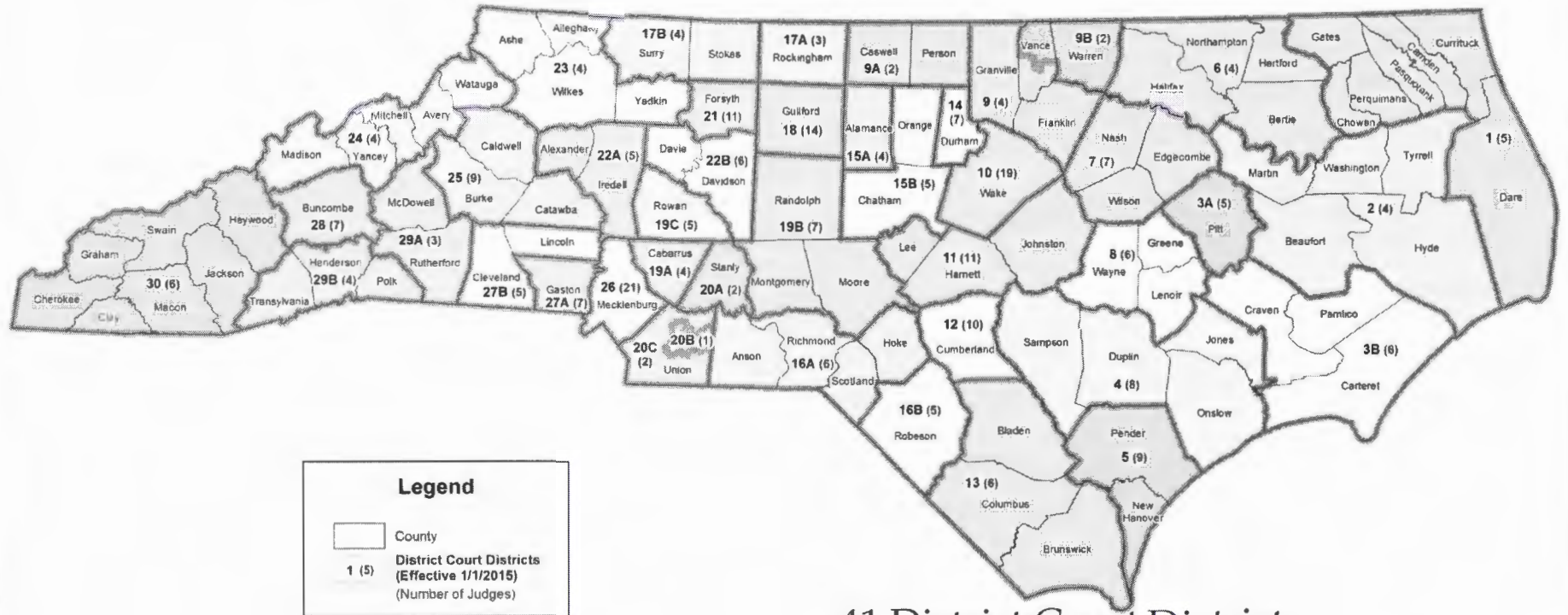
- Issue Warrants
- Set Bail
- Accept Guilty Pleas for Minor Misdemeanors and Infractions
- May accept waivers for worthless check cases
- Small Claims ($10,000 or less)
- Landlord Eviction Cases
- Suits for recovery of personal property and mechanics' liens

675.1 FTE

- Minimum of 3 magistrates per county

Source: BEACON, December 31, 2014

District Court Districts (Effective 1/1/2015)



Not depicted here is one at-large judgeship in Union County, designated as district 20D.

Map based on G.S. 7A-133.

Printed by the NC General Assembly October 03, 2014.

District Court

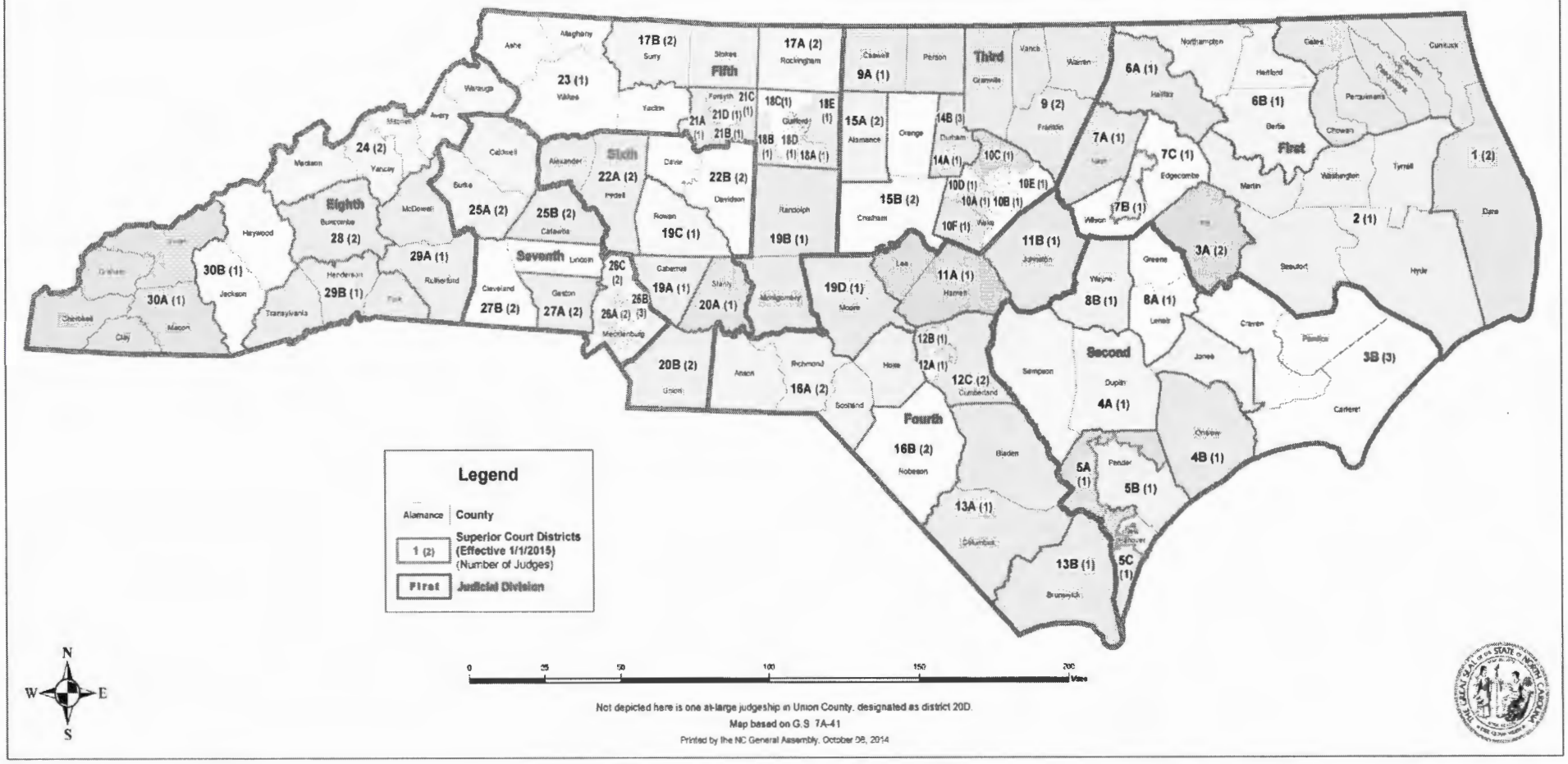
- Original Jurisdiction:
  - Misdemeanor cases,
  - Probable cause hearings,
  - Guilty/no contest pleas in certain felony cases
  - Civil cases $25,000 or less
  - Juvenile Proceedings
  - Domestic Relations
  - Mental Health Hospital Commitments

District Court Judges: 270 FTE
District Court Judicial Staff: 84.8

TOTAL: 354.8 FTE

Source: BEACON, December 31, 2014

Superior Court Districts and Judicial Divisions (Effective 1/1/2015)



Not depicted here is one at-large judgeship in Union County, designated as district 20D.

Map based on G.S. 7A-41

Printed by the NC General Assembly, October 06, 2014

8 Superior Court Divisions
50 Superior Court Districts
112 Superior Court Judges

Superior Court

- Original Jurisdiction:
  - All Felony Cases
    - Jury Trials
  - Civil Cases $25,000 or more
  - Decisions of most administrative agencies

Elected Superior Court Judges: 97 FTE
Special Superior Court Judges: 15 FTE (includes Business Court Judges)
Superior Court Judicial Staff: 222.9

TOTAL: 334.9 FTE

Source: BEACON, December 31, 2014

Special Superior Court Judges

- 12 special judges serve across the State in courts with additional judicial need as determined by the Chief Justice
- 3 special judges are Business Court Judges
- By the end of 2017, 13 special judges with 5 BC judges
- Nominated by the Governor for five-year terms
- Confirmed by the General Assembly starting this year

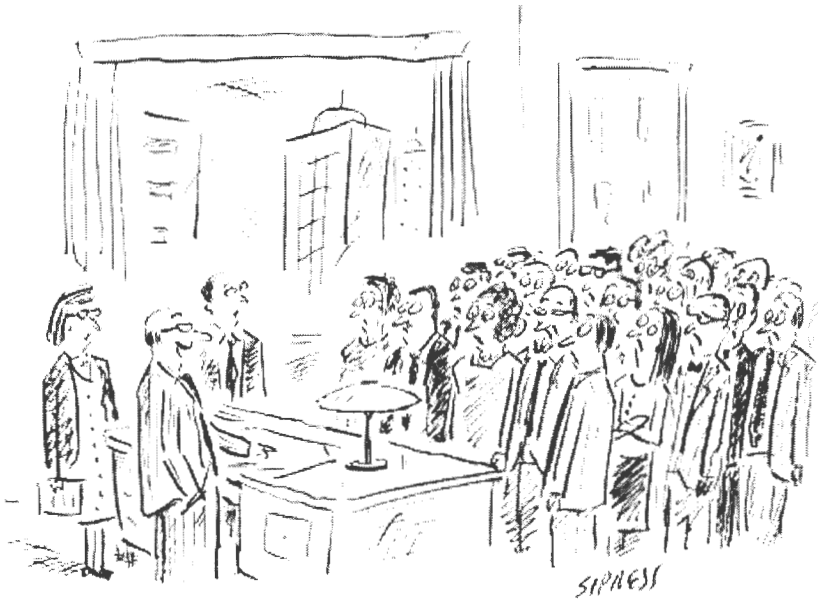


"Since it's your first offense, I'll just throw a magazine at you."

Business Court

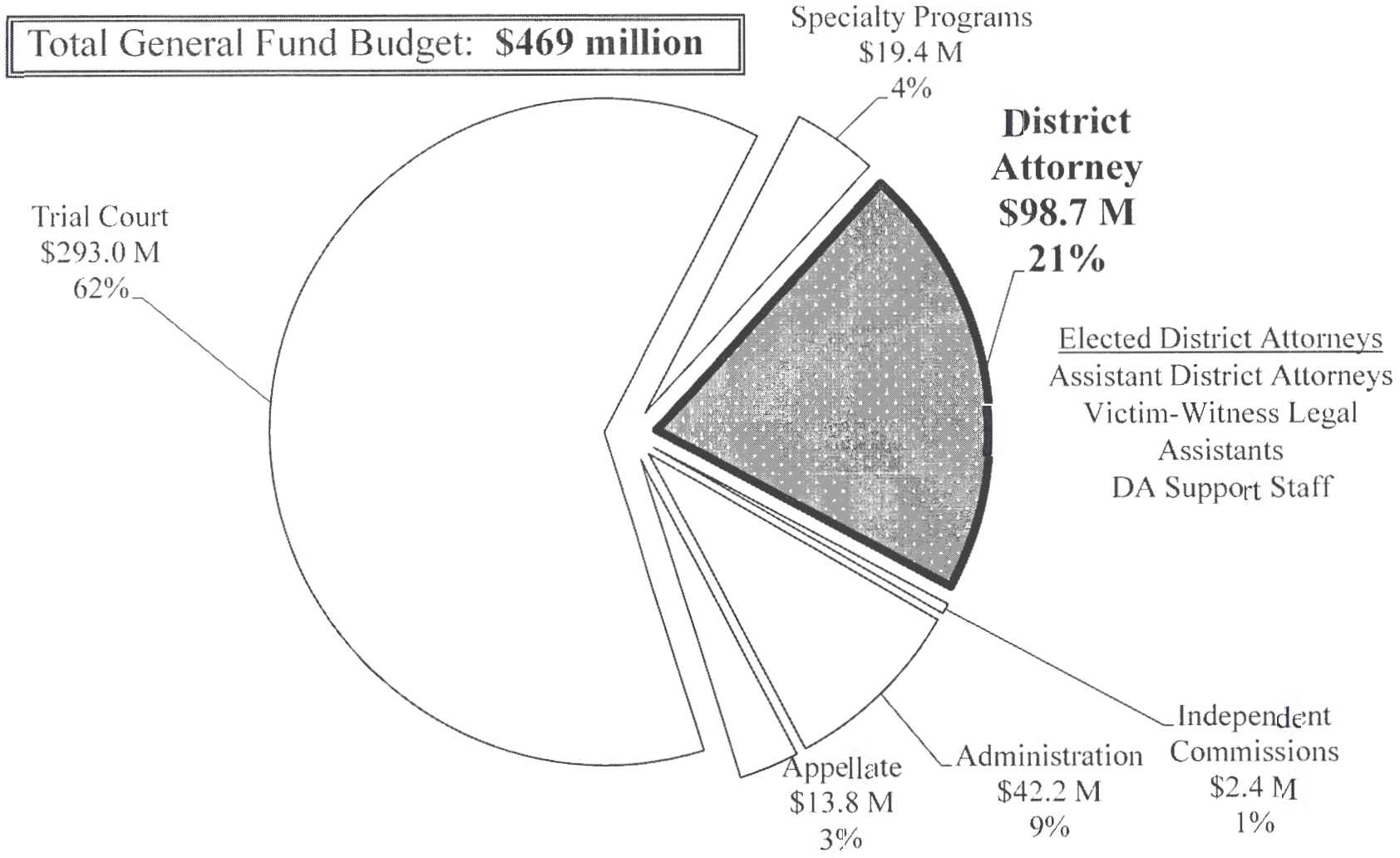
- Special venue of civil Superior Court
- Complex and significant issues of corporate and commercial law assigned to a special judge

- 3 Business Courts in NC:
- Wake, Guilford, Mecklenburg
- 233 pending cases in 2013
- 18 on appeal
- 32 inactive or stayed
- 147 cases closed in 2012
- 134 new cases assigned



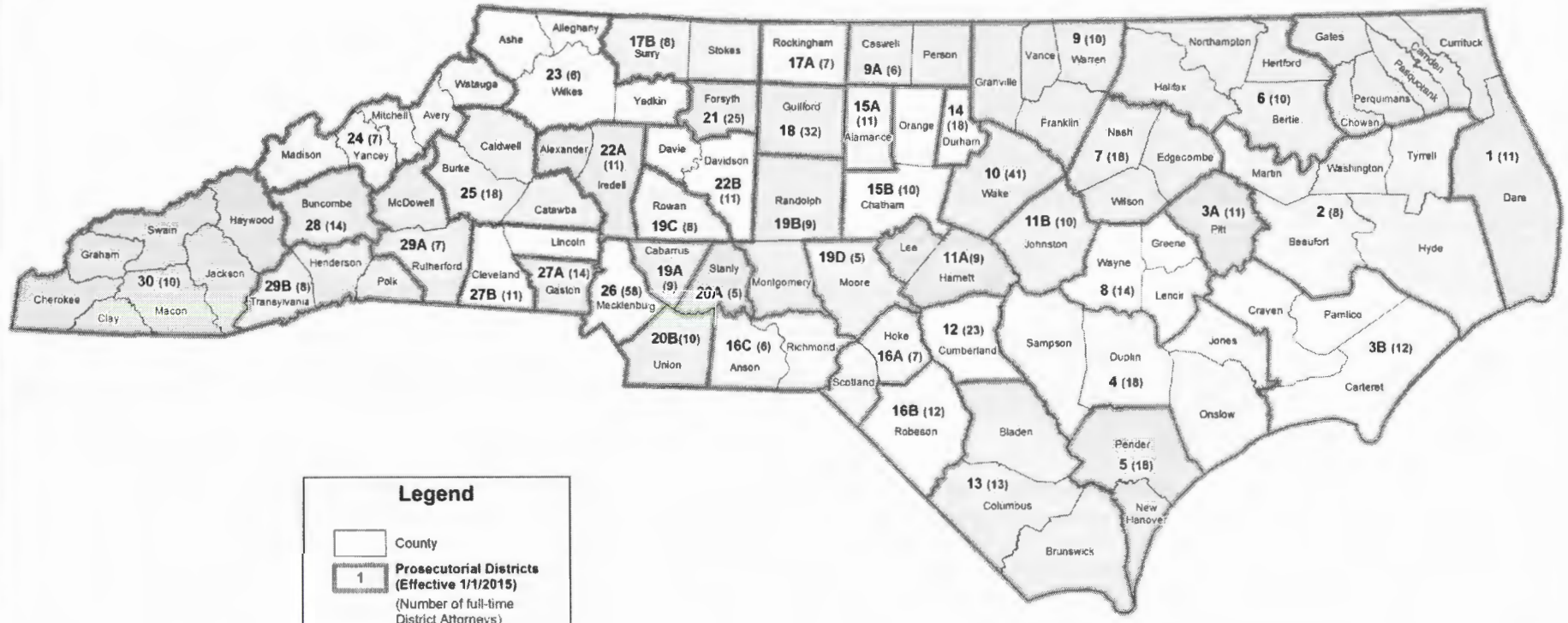
"We're still the same great company we've always been, only we've ceased to exist."

AOC Budget By Program FY 2014-15



Source: Authorized Budget, December 31, 2014

Prosecutorial Districts (Effective 1/1/2015)



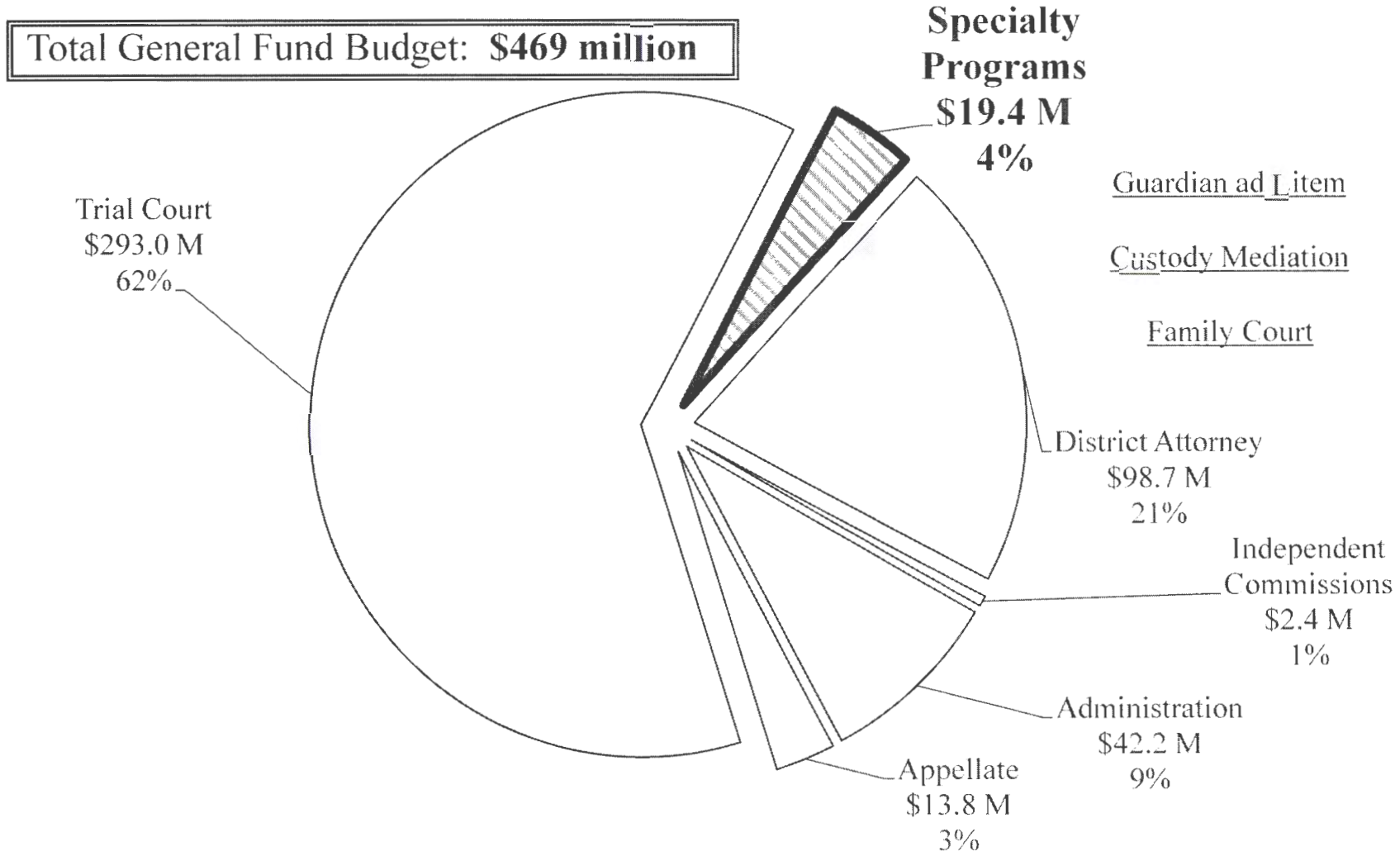
District Attorneys

- DAs are the elected representatives of the state in all criminal and some juvenile matters
- Prosecute all criminal cases filed in Superior and District Courts
- Advise local law enforcement
- Prepare the criminal trial docket ("calendaring")
- At least 4 full-time assistant district attorneys per district

District Attorneys: 44 FTEs
ADAs: 596 FTEs
Victim-Witness Legal Assistants: 386.5 FTEs
Investigators: 40.6 FTEs
DA Support Staff: 59 FTEs
Conference of DAs: 3 FTEs
TOTAL: **1,129.1 FTEs**

Source: BEACON, December 31, 2014

AOC Budget By Program FY 2014-15



Source: Authorized Budget, December 31, 2014

Guardian ad Litem Program

- When petition alleging abuse or neglect of a juvenile is filed, judge appoints to advocates for the child in court:
  - Guardian ad Litem volunteer
  - Paid or pro bono attorney

- GAL advocates are supervised, supported, and trained by program staff (145.1 FTE):
  - 3 regional administrators
  - 137 field staff positions
  - 8 administrative staff positions
    - one is grant-funded



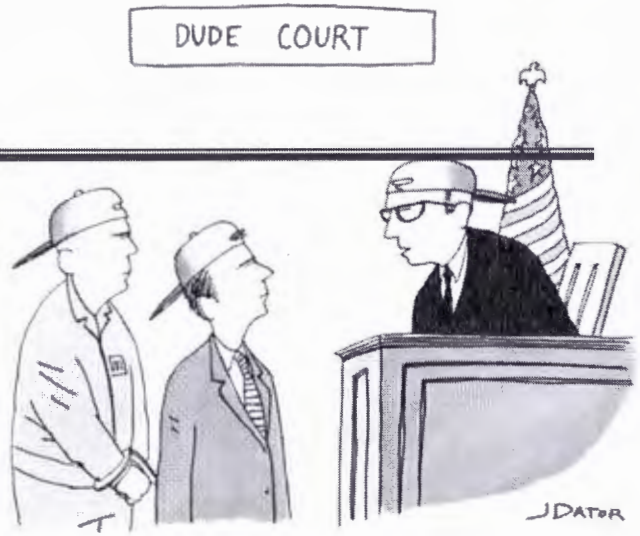
Custody Mediation

- Provides neutral, non-adversarial court-ordered mediation services in cases involving custody and/or visitation of minor children parenting agreements.

- In FY 2012-13:
  - 18,830 people attended orientation
  - 11,307 mediation sessions held
  - 10,489 child custody cases mediated
  - 5,105 parenting agreements drafted

- 46.6 FTE:
  - 38.6 FTE custody mediators
  - 8 FTE support staff

Family Court



"Does your client wish to plead 'sweet' or 'lame'?"

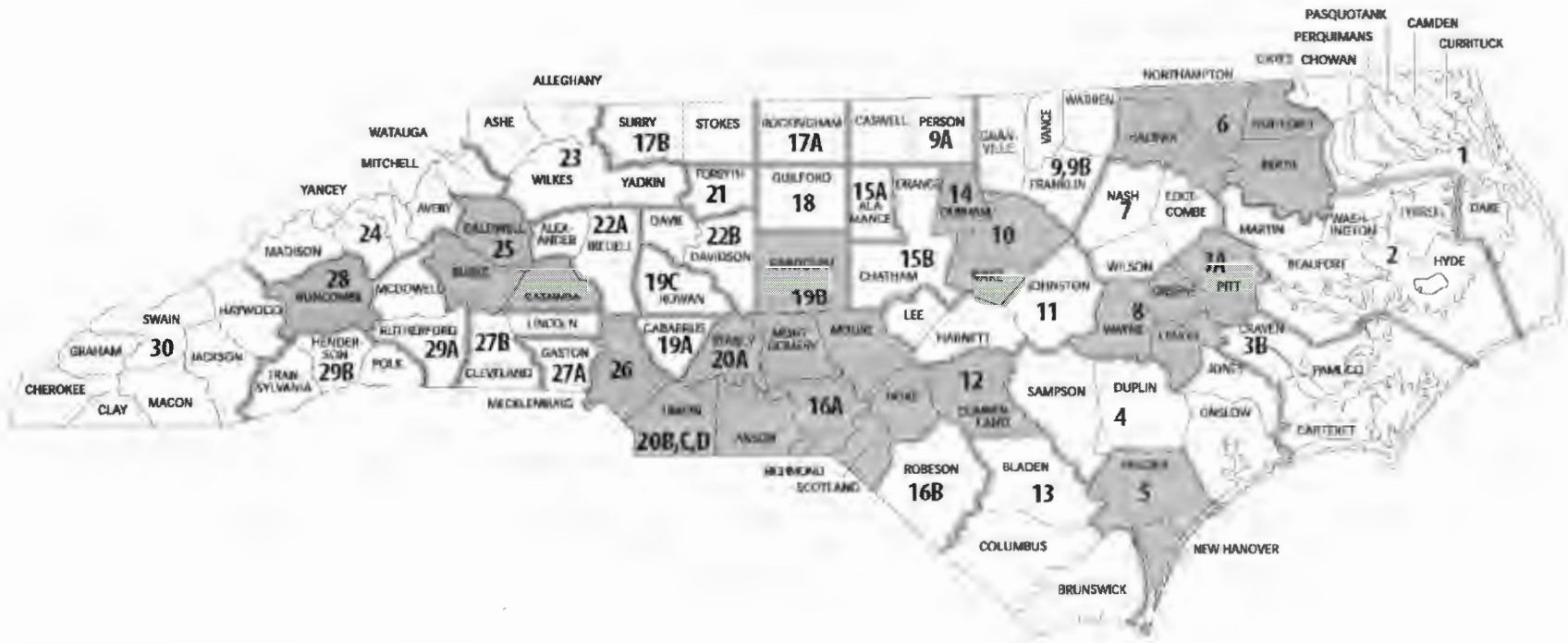
- Consolidate all of a family's legal issues before a single District Court judge or team of judges

- Cases involving:
  - juvenile delinquency
  - abuse, neglect and dependency allegations
  - termination of parental rights
  - domestic violence
  - child custody and visitation rights
  - divorce and related financial issues

- 13 of 42 districts
- Cost: $2.9 M for 45.2 FTE
- Statewide Expansion: $9.6 M for 110 FTE

North Carolina Family Court Districts

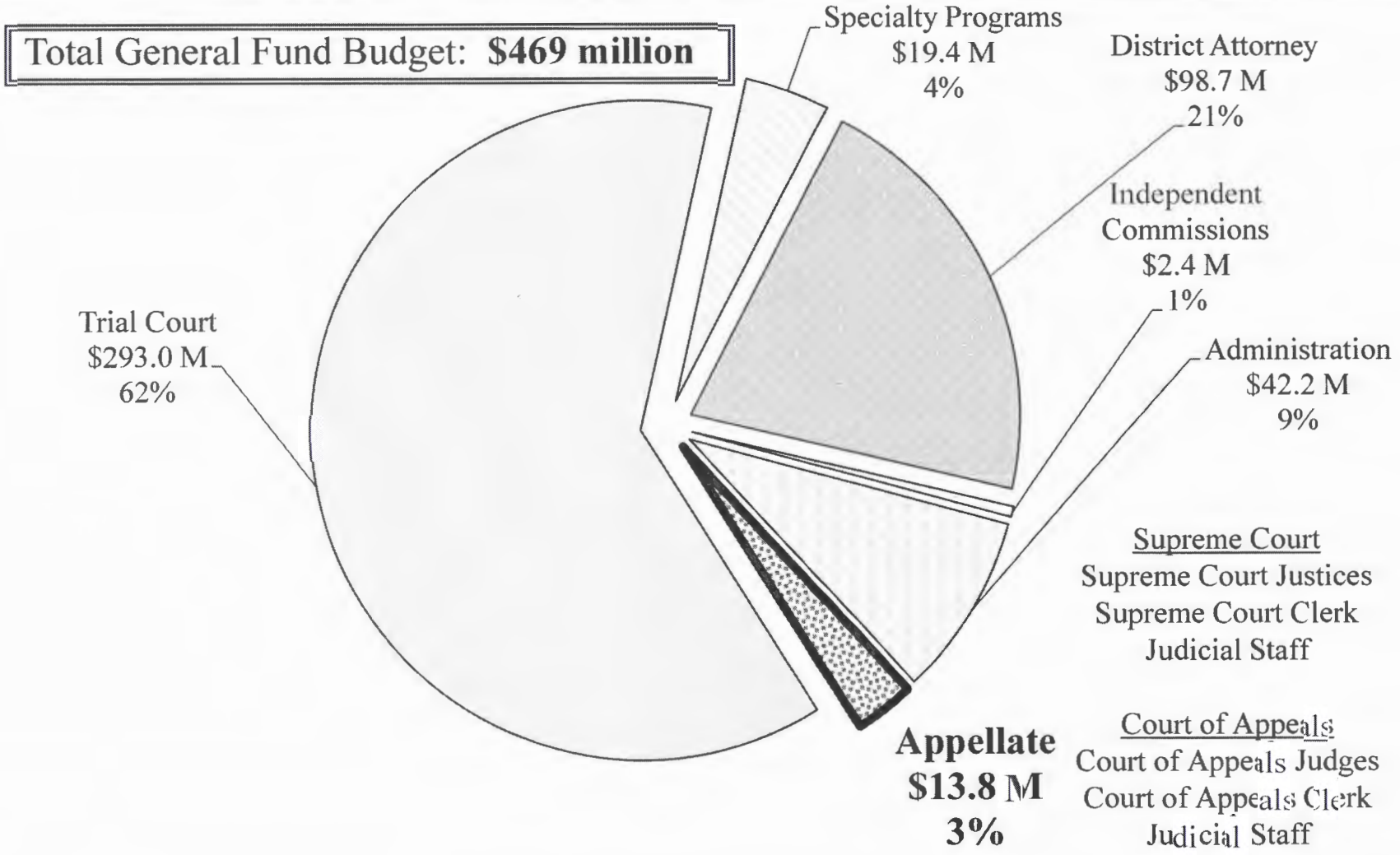
Effective January 1, 2015



Note: Districts 9 and 9B, and districts 20B, 20C, and 20D are districts for electoral purposes only. They are combined for administrative purposes.

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School of Government
The University of North Carolina at Chapel Hill

AOC Budget By Program FY 2014-15



Source: Authorized Budget, December 31, 2014

Court of Appeals



- Civil and Juvenile Appeals from District Courts
- Appeals in non first-degree capital murder criminal cases from Superior Court
- State agency decisions

Court of Appeals

- Chief Judge Linda McGee
- 14 Judges of the Court of Appeals
- 30 Research Assistants
- 15 Executive Assistants
- 10 in Court of Appeals Clerk's Office
- 13 Staff Attorneys
- **Total: 83 FTE**



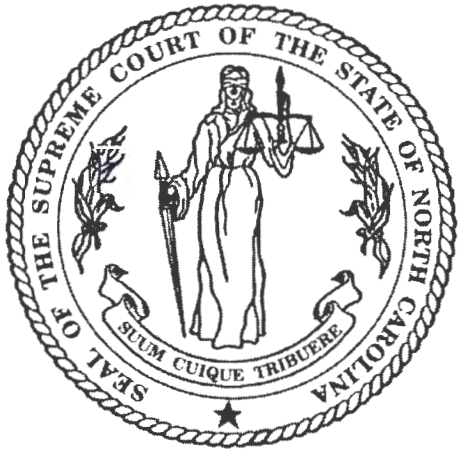
Source: BEACON, December 31, 2014

Supreme Court



- Constitutional questions
- Cases in which the Court of Appeals has had dissent
- Cases of significant public interest
- Cases involving legal principles of major significance
- Appeals in first-degree capital murder cases in which the defendant has been sentenced to death
- Appeals or final orders in Utilities Commission general rate cases
- Redistricting cases

Supreme Court

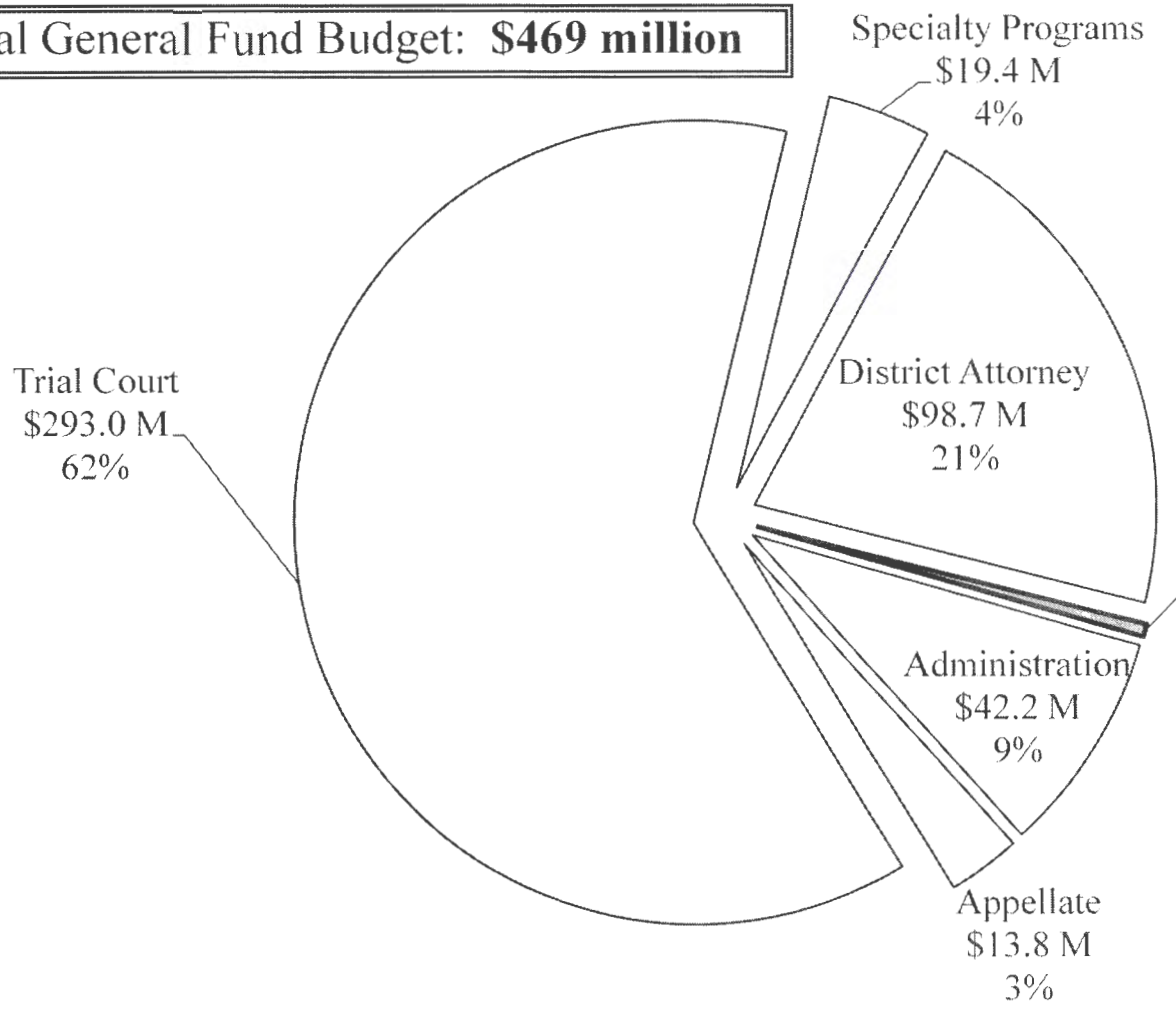


- Chief Justice Mark Martin
- 6 Associate Justices
- 14 Research Assistants
- 8 Executive Assistants
- 4 in Supreme Court Clerk's Office
- 12 Other Staff (Reporters, Library, Other Staff)
- **Total: 45 FTE**

Source: BEACON, December 31, 2014

AOC Budget By Program FY 2014-15

Total General Fund Budget: **$469 million**



Independent Commissions
$2.4 M
1%

Dispute Resolution Commission

Innocence Inquiry Commission

Judicial Standards Commission

Sentencing and Policy Advisory Commission

Source: Authorized Budget, December 31, 2014

Independent Commissions

Dispute Resolution Commission: 2.5 FTE

- certifies and regulates private mediators who serve NC courts

Innocence Inquiry Commission: 8 FTE

- reviews, investigates, and hears post-conviction innocence claims if new evidence of innocence has come to light

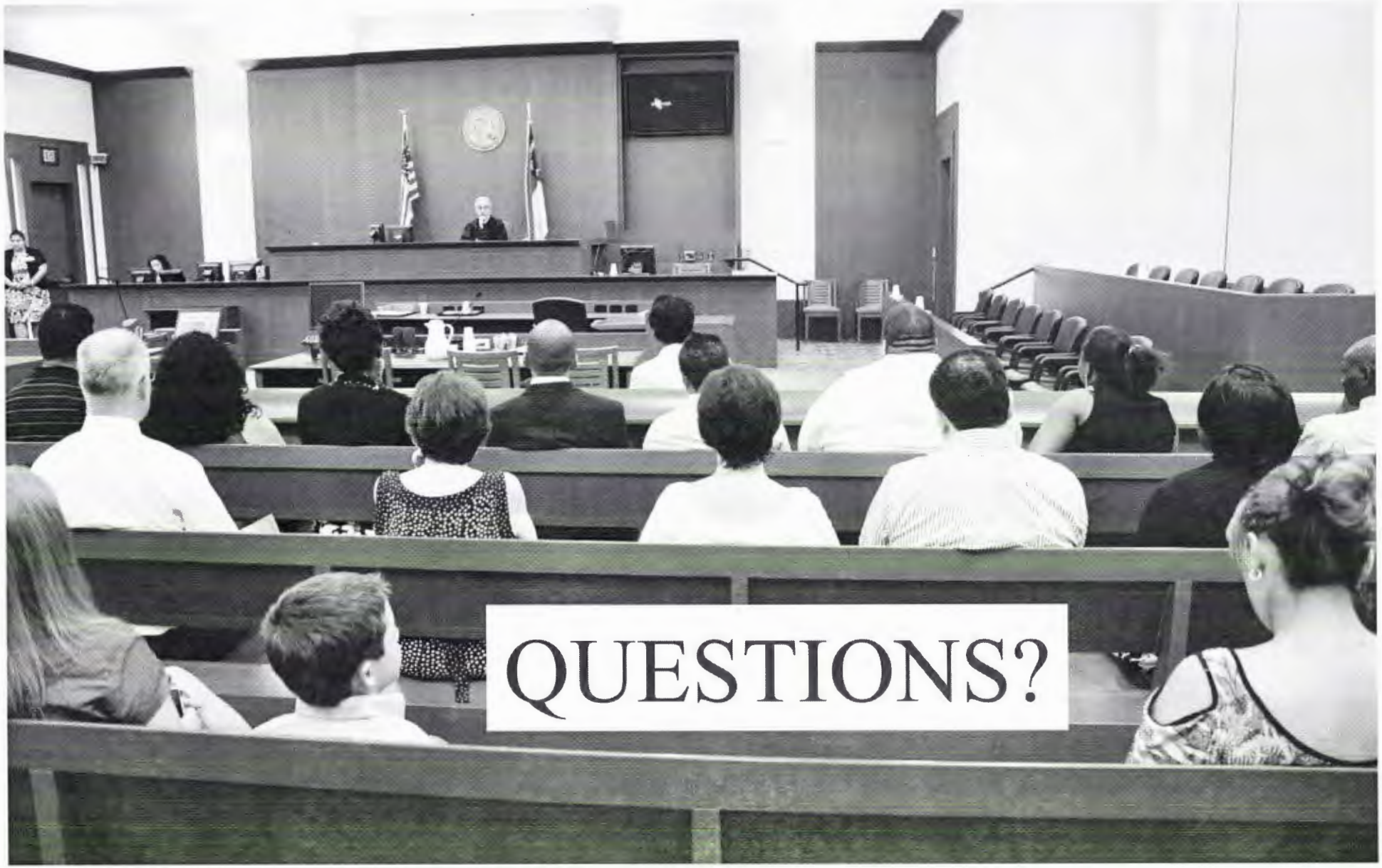
Judicial Standards Commission: 5 FTE

- considers complaints against state district, superior, and appellate court judges and justices and, where appropriate, makes recommendations for discipline

Sentencing and Policy Advisory Commission: 10 FTE

- makes recommendations to the NCGA for modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals

Source: BEACON, March 15, 2014


QUESTIONS?

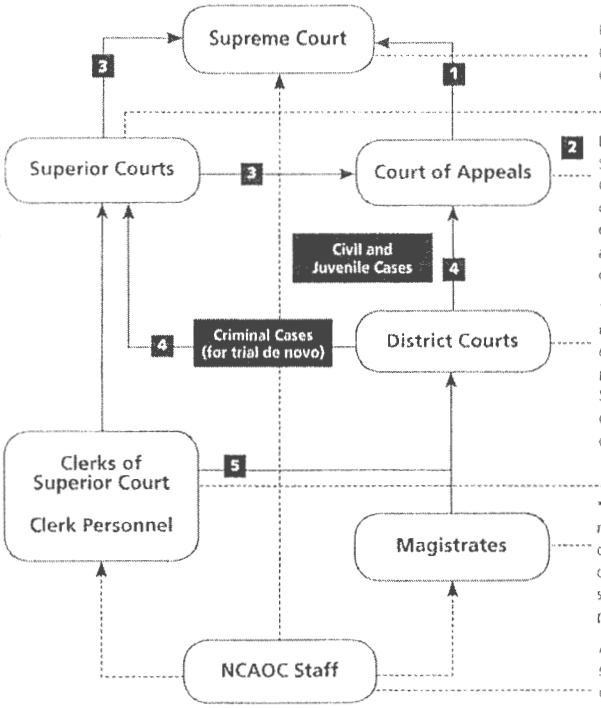
The Administrative Office of the Courts
Overview
Supplemental Materials

William Childs
Fiscal Research Division
February 24, 2015



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

COURT ORGANIZATIONAL STRUCTURE AND ROUTES OF APPEAL



Recommendations from Judicial Standards Commission, final orders of Utilities Commission in general rate cases.

Original jurisdiction: all felony cases; civil cases in excess of $10,000*; decisions of most administrative agencies.

Decisions of Industrial Commission, State Bar, Property Tax Commission, Commissioner of Insurance, Department of Health and Human Services, Secretary of Environment and Natural Resources, and the Utilities Commission (in cases other than general rate cases).

Original jurisdiction: misdemeanor cases not assigned to magistrates; probable cause hearings; accept guilty/no contest pleas in certain felony cases, civil cases $10,000 or less; juvenile proceedings; domestic relations; mental health hospital commitments.

Original jurisdiction: probate and estates, special proceedings (condemnations, adoptions, partitions, foreclosures, etc.); in certain cases, may accept guilty pleas or admissions of responsibility and enter judgment.

*Original jurisdiction: accept certain misdemeanor guilty pleas and admission of responsibility to infractions; worthless check misdemeanors $2,000 or less; small claims $5,000 or less; valuation of property in certain estate cases.

Administrative Office of the Courts serves the Judicial Branch through these divisions: Budget Management, Court Programs, Court Services, Financial Services, Guardian ad Litem, Human Resources, Legal and Legislative Services, Organizational Development, Purchasing, Research and Planning, Technology.

*Jurisdictional amounts were changed by the General Assembly for the upcoming year.

1 Appeals from the Court of Appeals to the Supreme Court are by right in certain cases involving constitutional questions, and cases in which there has been dissent in the Court of Appeals. In its discretion, the Supreme Court may review Court of Appeals decisions in cases of significant public interest or cases involving legal principles of major significance, and in cases in which the decision of the Court of Appeals appears to be in conflict with a decision of the Supreme Court.

2 Appeals from these agencies go directly to the Court of Appeals.

3 As a matter of right, appeals go directly to the Supreme Court in first degree capital murder cases in which the defendant has been sentenced to death, in Utilities Commission general rate cases, and in redistricting cases. In all other cases appeal as of right is to the Court of Appeals. In its discretion, the Supreme Court may hear appeals directly from the trial courts in cases of significant public interest, in cases involving legal principles of major significance, where delay would cause substantial harm, or when the Court of Appeals docket is unusually full.

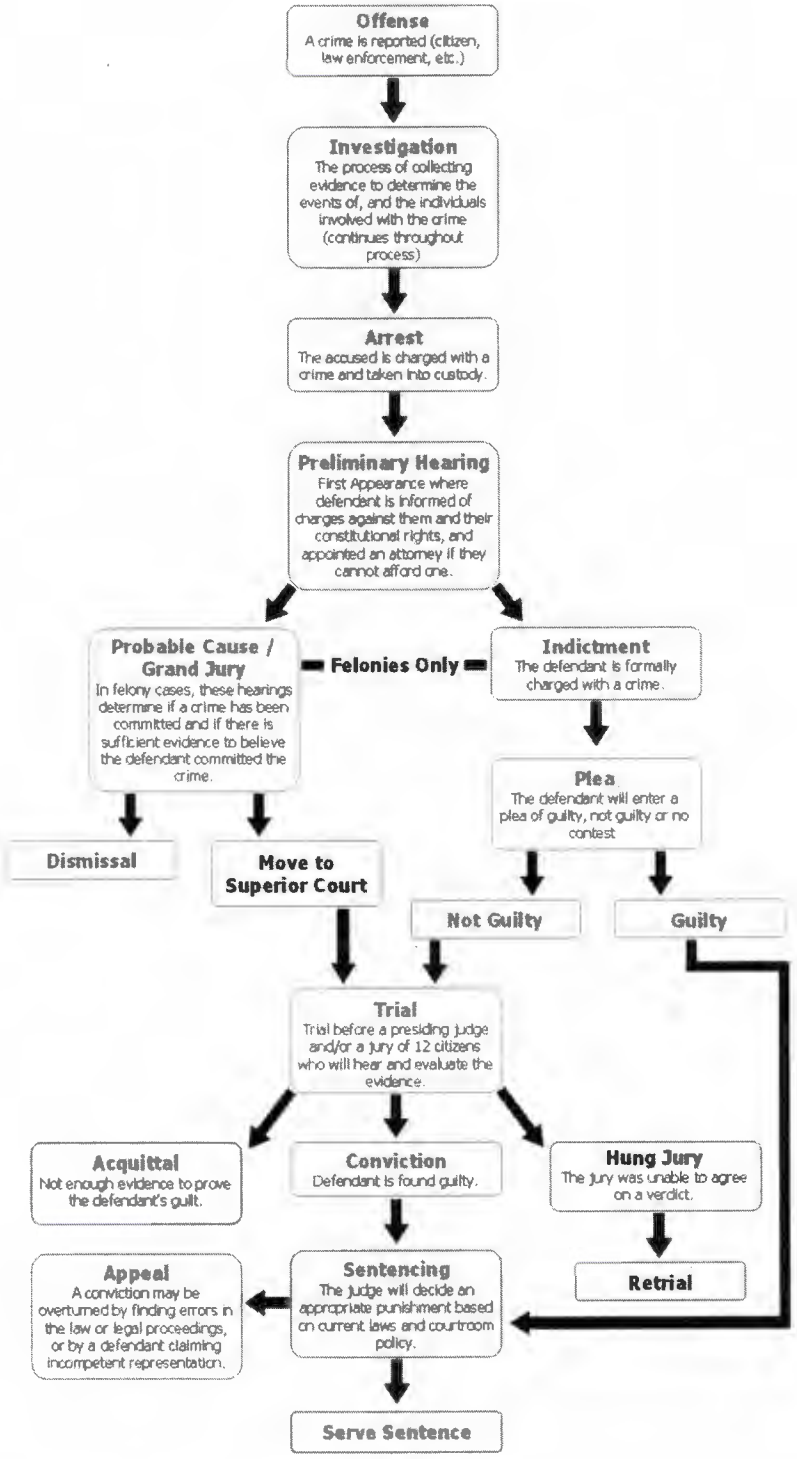
4 Criminal cases proceed to the superior court for trial de novo. Civil and juvenile cases proceed to the Court of Appeals.

5 Most appeals from judicial proceedings before the clerk are to the superior court. A few matters, such as adoptions, are appealed to the district court.

*The district and superior courts have concurrent original jurisdiction in civil actions (G.S. 7A-240). Currently, the district court division is the proper division for the trial of civil actions in which the amount in controversy is $10,000 or less; and the superior court division for matters of $10,000 or greater (G.S. 7A-243). Due to an amendment, from August 1, 2013, through June 30, 2015, either the district court or the superior court is the proper division for the trial of civil actions in which the amount in controversy is between $10,000 and $25,000.

Source: AOC

Criminal Court Process



Source: Conference of District Attorneys

NC Problem Solving Courts
January 2015

Type of Courts	Number of Courts	Number of Counties	Name of Counties	County/City Funding	Grant Funding	No Funding
Family Drug Treatment Court	8	8	Cumberland			8 courts
			Halifax			
			Lenoir			
			Orange			
			Wayne			
			Robeson			
			Buncombe	3 courts		
			Mecklenburg			
Adult Drug Treatment Court	18	14	Catawba			9 courts
			Brunswick(superior)			
			Pitt		Oct 1, 2012-Sept 30, 2015	
			Person	1 court		
			Wake (2)		Aug 1,2013-Jul 31,2016	
			Avery	2 courts		
			Buncombe (superior)			
			Cumberland		July 1, 2014-Dec 31, 2015	
			Durham			
			Guilford (2)			
			Mecklenburg (3) (1superior, 2district)	9 courts		
			New Hanover			
			Orange			
			Watauga			
Youth Drug Treatment Court	4	3	Mecklenburg	3 courts		
			Guilford (2)			
			Forsyth		Oct 1 2012-Sept 30, 2016	
DWI Courts	7	7	New Hanover	1 court		
			Buncombe		Oct 1, 2014-Sept 30, 2015	
			Union	2 courts		
			Brunswick			
			Cumberland		Oct 1, 2014-Sept 30, 2015	
			Mecklenburg (2)	2 courts		
Mental Health Courts	6	5	Orange	6 courts		
			Brunswick			
			Guilford (2)			
			Mecklenburg			
			Forsyth			
Veterans Treatment Courts	2	1	Harnett		Oct 1, 2014-Sept 30, 2015	
		1	Cumberland		Oct 1, 2014-Sept 30, 2015	
Total Drug Treatment Courts	30	25				
All Problem Solving Courts	45	38				

Administrative Office of the Courts 1/2015

SENATE PAGES ATTENDING

COMMITTEE: Joint Approps – Justice & Public Safety

DATE: 2-24, TIME: 8:30, ROOM: 415

Pages: Please print legibly.....*or else!!!!!!!!!!!!!!!!*

Page Name	Hometown	Sponsoring Senator
1 Ashley King	Rocky Mount	Bryant
2		
3		
4		
5		
6		
7		
8		
9		

Do not add additional names below the grid.

Pages: Please present this form to either the Committee Clerk at the meeting or a Sgt. at Arms.

Committee Sergeants at Arms

NAME OF COMMITTEE House Committee on Appropriations; Subcommittee on Justice and Public Safety

DATE: _____ Room: LOB 415

House Sgt-At Arms:

1. Name: Barry Moore
2. Name: BH Powell
3. Name: David Linthicum
4. Name: _____
5. Name: _____

Senate Sgt-At Arms:

1. Name: STEVE WILSON
2. Name: Tim Hamilton
3. Name: _____
4. Name: _____
5. Name: _____

Tuesday, February 24	Room	Time
APPROPRIATIONS, JUSTICE & PUBLIC SAFETY (JOINT)	415	8:30 am

Name	County	Sponsor
Luke Smith	Wake	Paul Stam

VISITOR REGISTRATION SHEET

Joint Committee on Approp. Justice & Public Safety — February 24, 2015

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jen Wilkins	NCAOC
John W Smith	AOC
Kay Howell	AOC
Tom Murry	AOC
J. R. ROWELL	UNION CO. CLERK OF SUP. COURT
Barbara Moore	Conf. of Clerks of Superior Ct
Dean Tolson	Dare Co Clerk of Court
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Andy Brandon	DPS
Mary Irvine	NC Equal Justice Alliance

House Committee on Appropriations, Justice and Public Safety
Wednesday, March 4, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on March 4, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, Faircloth, G. Graham, Hurley, Jackson, R. Johnson, McNeill, Salmon, Speciale, Stevens, R. Turner, Senators Bingham, Foushee, Lee, Jackson, Newton, and Randleman attended.

Representative Pat B. Hurley, Chair, presided and called the meeting to order at 8:35 AM.

Chair Hurley introduced the Pages and Sergeants at Arms.

Chair Hurley introduced William Child, Research Division, for a Power Point Presentation on AOC Technology and Financing the Court System and Court Costs.

Members of the Committee were given opportunity for questions and answers of Mr. Childs.

The next meeting will be Thursday, March 5, 2015.

There being no further business, the meeting adjourned at 9:40 AM.

Pat B. Hurley
Representative Pat B. Hurley, Chair
Presiding

Debbie Holder
Debbie Holder, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet **JOINTLY** as follows:

DAY & DATE: Wednesday, March 4, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Representative Pat Hurley, Chair**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 8:45 AM on Monday, March 02, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Deborah Holder (Committee Assistant)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 4, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Stan Bingham	Representative Jamie Boles
	Senator Buck Newton	Representative Leo Daughtry
	Senator Shirley Randleman	Representative John Faircloth
		Representative Pat Hurley, Presiding

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

AOC Technology
William Childs, Fiscal Research Division

Financing the Court System and Court Costs
William Childs, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Thursday, March 5, 2015

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon,
Rep. Speciale, Rep. Turner

Senate Appropriations Subcommittee on JPS
Sen. Bingham (Chair)
Sen. Newton (Chair)
Sen. Randleman (Chair)
Sen. Apodaca (Vice Chair),
Sen. Foushee, Sen. Hartsell, Sen. Jackson,
Sen. Lee

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
Rep. Jamie Boles, Co-Chair	X	X		X	X	X		X	X	X	X	X	X	X	X
Rep. Leo Daughtry, Co-Chair	X	X		X	X	X	X	X	X		X		X	X	X
Rep. John Faircloth, Co-Chair	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Rep. Pat Hurley, Co-Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Darren Jackson, Vice Chair		X	X	X	X	X	X	X		X				X	
Rep. Allen McNeill, Vice Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Sarah Stevens, Vice Chair	X	X		X	X	X	X	X	X	X	X		X	X	
Rep. Charles Graham			X	X		X		X	X		X	X	X	X	X
Rep. George Graham	X	X	X	X	X	X		X	X	X	X	X	X	X	X
Rep. Ralph Johnson		X	X	X	X	X	X	X	X	X	X	X	X	X	
Rep. Brad Salmon	X	X		X	X	X	X			X		X	X	X	
Rep. Michael Speciale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Rena Turner	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sen. Stan Bingham, Co-Chair	X	X	X	X	X		X	X	X	X					
Sen. Buck Newton, Co-Chair	X	X			X	X		X		X					
Sen. Shirley Randleman, Co-Chair	X	X	X	X	X	X	X	X	X	X					
Sen. Tom Apodaca, Vice-Chair															
Sen. Valerie Foushee	X	X		X	X	X	X	X	X	X					
Sen. Fletcher Hartsell, Jr.		X							X						
Sen. Jeff Jackson		X	X	X	X	X	X	X	X	X					
Sen. Michael Lee	X	X	X		X	X	X	X							

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
William Childs, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lisa Fox, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Kristine Leggett, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X		X	X
John Poteat, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Becky Bauerband, Clerk	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Kerry Guice, Clerk	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Debbie Holder, Clerk	X		X		X	X	X	X	X	X	X		X	X	X
Jeb Kelly, Clerk	X	X	X	X	X	X	X	X	X	X					
Maria Kinnaird, Clerk	X	X		X	X		X	X							
Carol Wilson, Clerk	X	X	X	X	X	X		X	X	X					
Jason Soper, Speaker's Office		X													
Stephen Ogden, Senate Office	X	X		X		X	X	X	X	X					

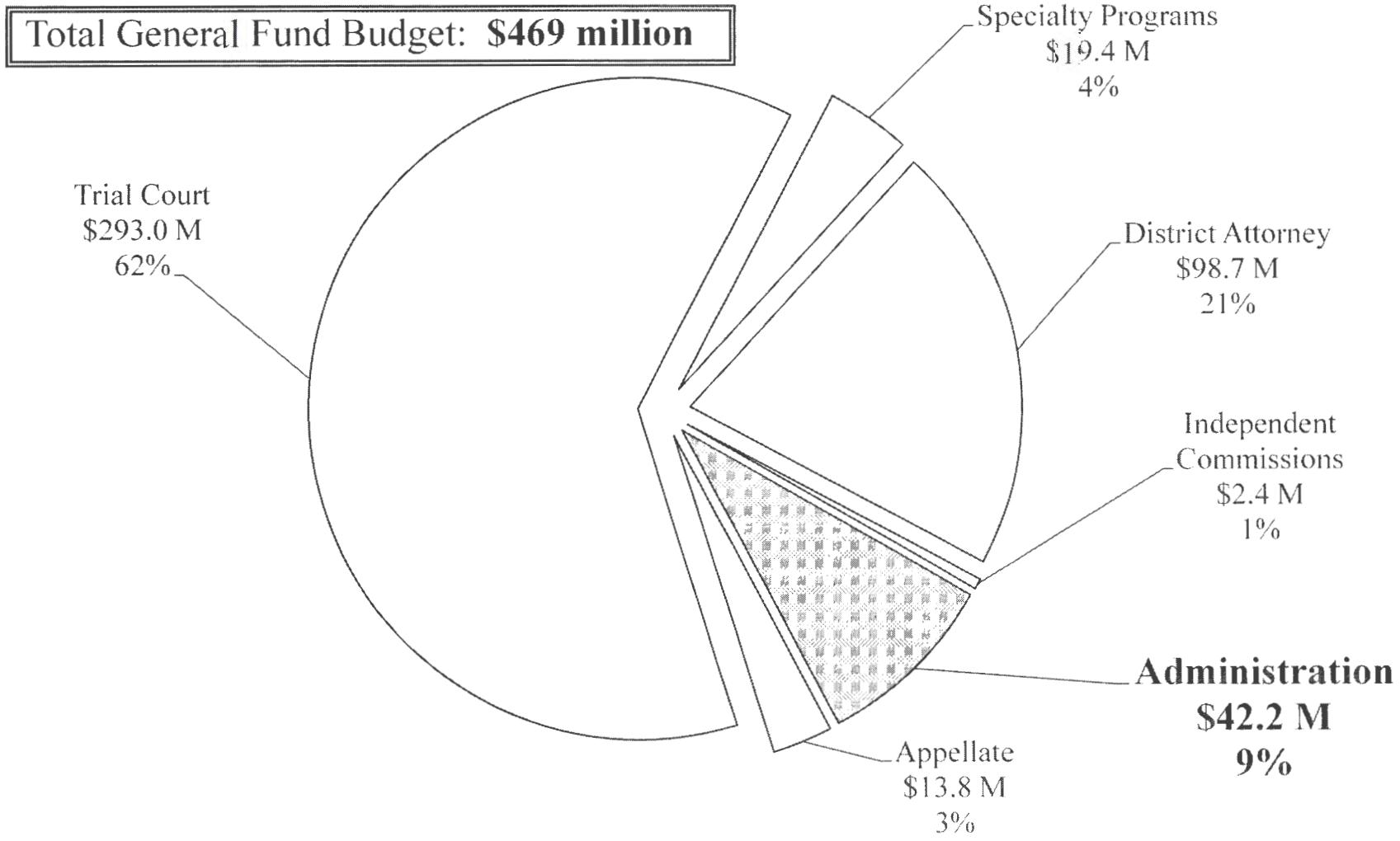
The Administrative Office of the Courts: Technology



William Childs
Fiscal Research Division
March 4, 2015

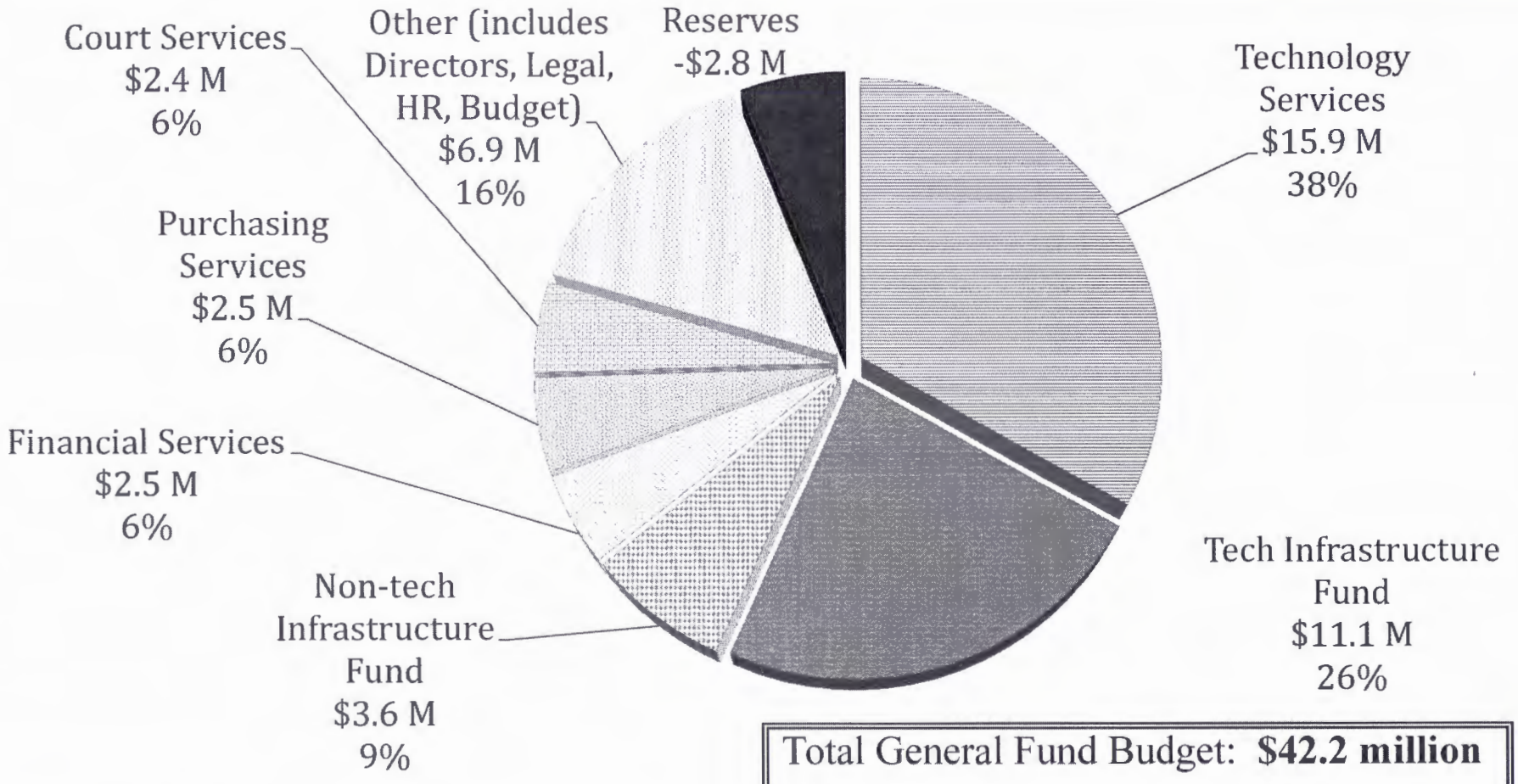
FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

AOC Budget By Program FY 2014-15



Source: Authorized Budget, December 31, 2014

AOC Administration Authorized Budget by Section
FY 2014-15



Total General Fund Budget: **$42.2 million**

Total FTE Employees: **296.9**

Source: Authorized Budget, December 31, 2014

Technology Services

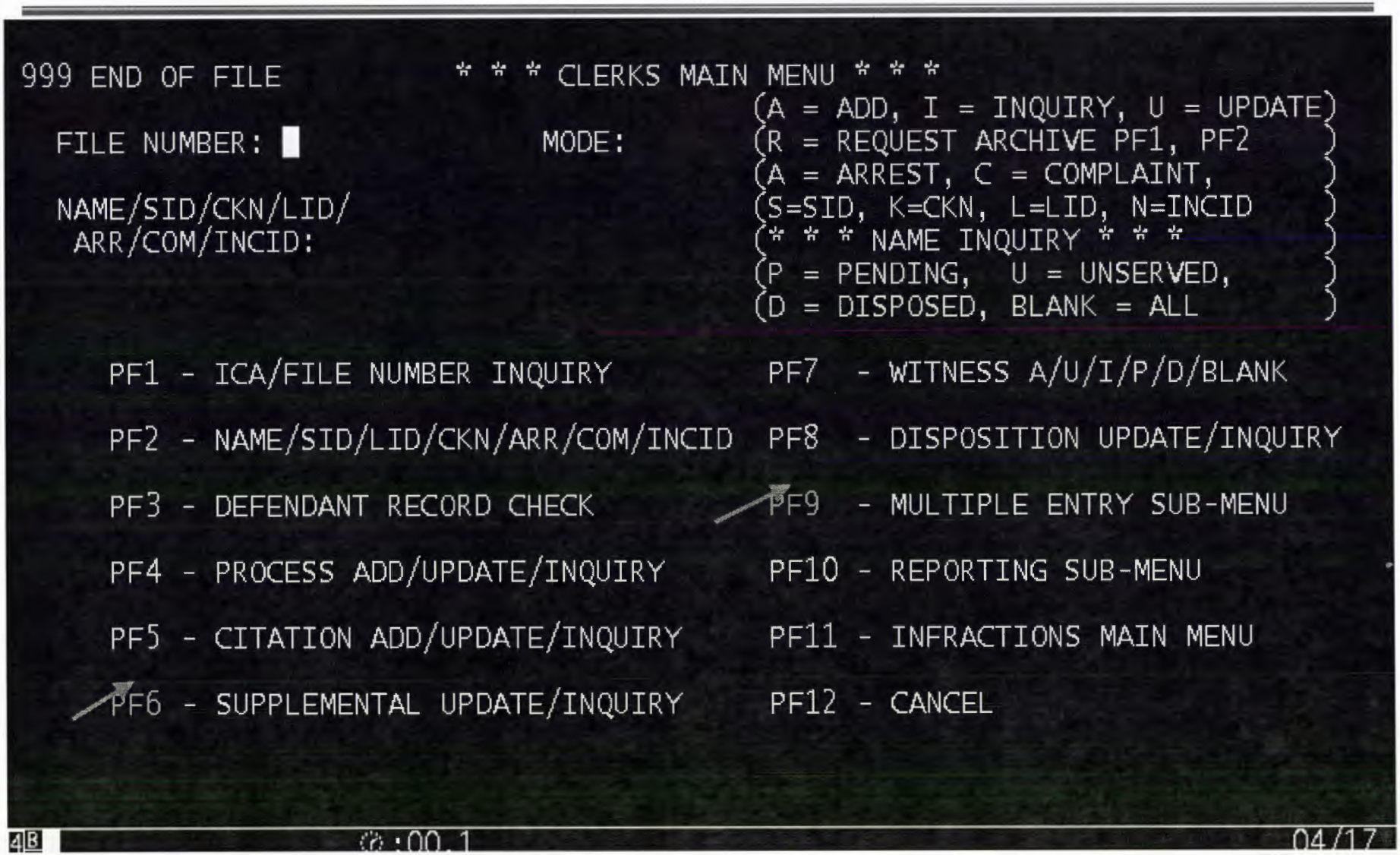
- Responsible for technology needs of entire court system
- 13 separate teams, each with unique responsibilities, grouped into three sections. These sections are:
  - Application Development
    - Develops and manages software (83 FTE)
  - Infrastructure and Operations Support
    - manages and provides support for hardware and other infrastructure, including the Help Desk (61 FTE)
  - Project Management and Quality Assurance
    - planning and management of technology (3 FTE)

- Total FTE: 147
- Total FY 2014-15 GF Budget: $15,931,136

AOC Technology

- Two legacy systems are the backbone of AOC Technology:
  - ACIS (Automated Criminal/Infractions System): legacy database tracking criminal case data
  - FMS (Financial Management Software): legacy system designed to receipt, record, track, and disburse monies related to court proceedings

ACIS-Clerks Main Menu



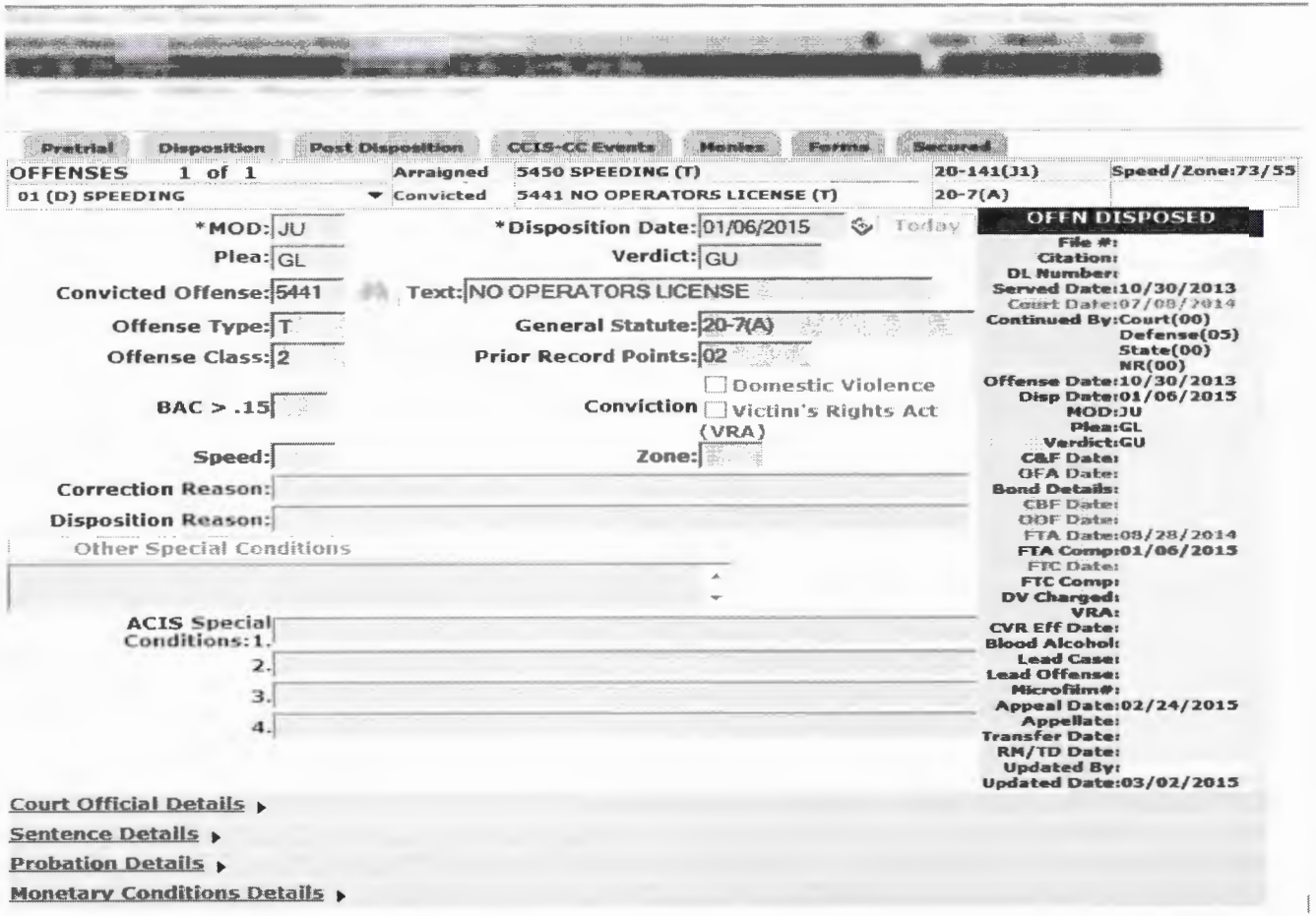
Legacy System Facts

- ACIS:
  - 1.2 million transactions daily
  - 2.2 million filings in FY 2013-14
  - 2.4 million dispositions in FY 2013-14
  - First implemented in 1982 to track infractions
  - Used in 99 counties by 1990 (final county in 1996)
  - CCIS-CC implemented first feature in 2006
  - **AOC has quality-control concerns with the process of entirely replacing ACIS with CCIS**
- FMS:
  - Statewide rollout 1991-95
  - Disbursed more than $740 million in FY 2013-14
  - More than 3 million transactions in FY 2013-14

AOC Technology

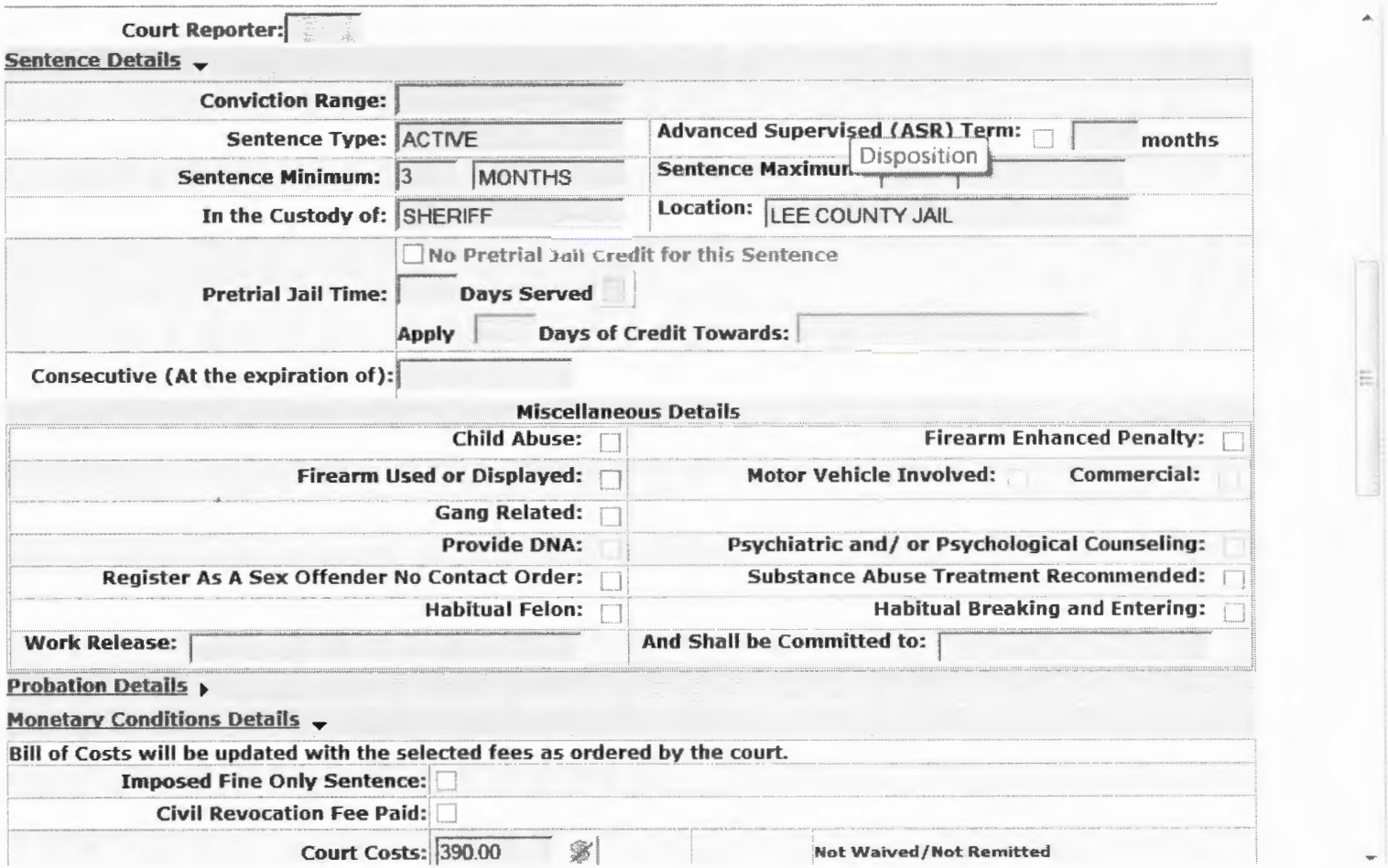
- AOC moving towards more modern system:
  - CCIS (Criminal Court Information System):
    - Web-based system, autofill entry
    - Components for :
      - Clerks (CCIS-CC)
      - DAs (CCIS-DA)
      - Public Defenders (CCIS-PD)
  - e-Courts project:
    - Intended to expand e-filing and ultimately replace court paper

CCIS-CC Screenshot



Source: AOC

CCIS-CC Screenshot



Court Reporter:

Sentence Details

Conviction Range:			
Sentence Type:	ACTIVE	Advanced Supervised (ASR) Term: ☐	months
Sentence Minimum:	3 MONTHS	Sentence Maximum:	Disposition
In the Custody of:	SHERIFF	Location:	LEE COUNTY JAIL
Pretrial Jail Time:	☐ No Pretrial Jail Credit for this Sentence Days Served Apply Days of Credit Towards:		
Consecutive (At the expiration of):			

Miscellaneous Details

Child Abuse:	☐	Firearm Enhanced Penalty:	☐
Firearm Used or Displayed:	☐	Motor Vehicle Involved: ☐	Commercial: ☐
Gang Related:	☐		
Provide DNA:	☐	Psychiatric and/ or Psychological Counseling:	☐
Register As A Sex Offender No Contact Order:	☐	Substance Abuse Treatment Recommended:	☐
Habitual Felon:	☐	Habitual Breaking and Entering:	☐
Work Release:		And Shall be Committed to:	

Probation Details

Monetary Conditions Details

Bill of Costs will be updated with the selected fees as ordered by the court.

Imposed Fine Only Sentence:	☐	
Civil Revocation Fee Paid:	☐	
Court Costs:	390.00	Not Waived/Not Remitted

Source: AOC

CCIS-CC Screenshot

STATE OF NORTH CAROLINA LEE COUNTY

CRIMINAL BILL OF COSTS

File Number:		**In the General Court of Justice:**	DISTRICT
Defendant Name:		**Disposed/Court Date:**	01/06/2015
Defense Attorney:	ATKINSON,SEASON	**Clerk Name:**	

Total:	$390.00	Full Payment		**To Be Paid Date:**	
Surrender License:		**Probation:**		**Assessment:**	

Costs and Fines: CRTC

Category	Receiver	Amount	GL Number
GCJF DISTRICT		$127.05	21210
GCJF DISTRICT-LAA		$2.45	21212
LEOB-RF		$7.50	21700
LE CERT & TRAINING - DISTRICT		$2.00	21705
TELEPHONE FEE DISTRICT		$4.00	24681
MCF FEE		$18.00	24450
CHAPTER 20 VIOLATION FEE DISTRICT		$10.00	21820
SERVICE FEE	STATE HIGHWAY PATROL	$5.00	22500
FACILITIES FEE DISTRICT	LEE COUNTY COURTHOUSE	$12.00	22210
STATE DNA FEE DISTRICT		$2.00	24322
FTA 20DF FEE DISTRICT		$200.00	21211

NOTE: This bill of costs does not reflect amounts you may owe outside the criminal judgment, such as civil revocation fee or an administrative fee owed to another agency

AOC-CR-381-CCIS-CC, New 5/12, © 2012 Administrative Office of the Courts Page 1

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Source: AOC

AOC Criminal Case Technology

- NCAWARE: Statewide warrant repository
  - Real-time web-based system
  - 10.4 million processes tracked in system
  - Launched in 2008 and implemented statewide in 2014
- e-Citation: Statewide electronic citation system
  - Launched 1999 as joint venture with SHP
  - Automatically transmits citation information to ACIS
  - 9.2 million citations processed since launch
  - First of its type in the nation
- DAS: Discovery Automation System
  - Electronic discovery for DAs from local law enforcement
  - Piloted 2008

AOC Criminal Case Technology

- payNCticket: online citation payment
  - Statewide rollout in 2010
  - 28.4 percent of waived offenses paid using payNCticket
- Magistrate Video Project
  - Video communications between magistrate and local law enforcement for criminal matters
  - Piloted 2012
  - Implemented in 39 districts and counties by June 30, 2014

Magistrate Video Project, January 2015



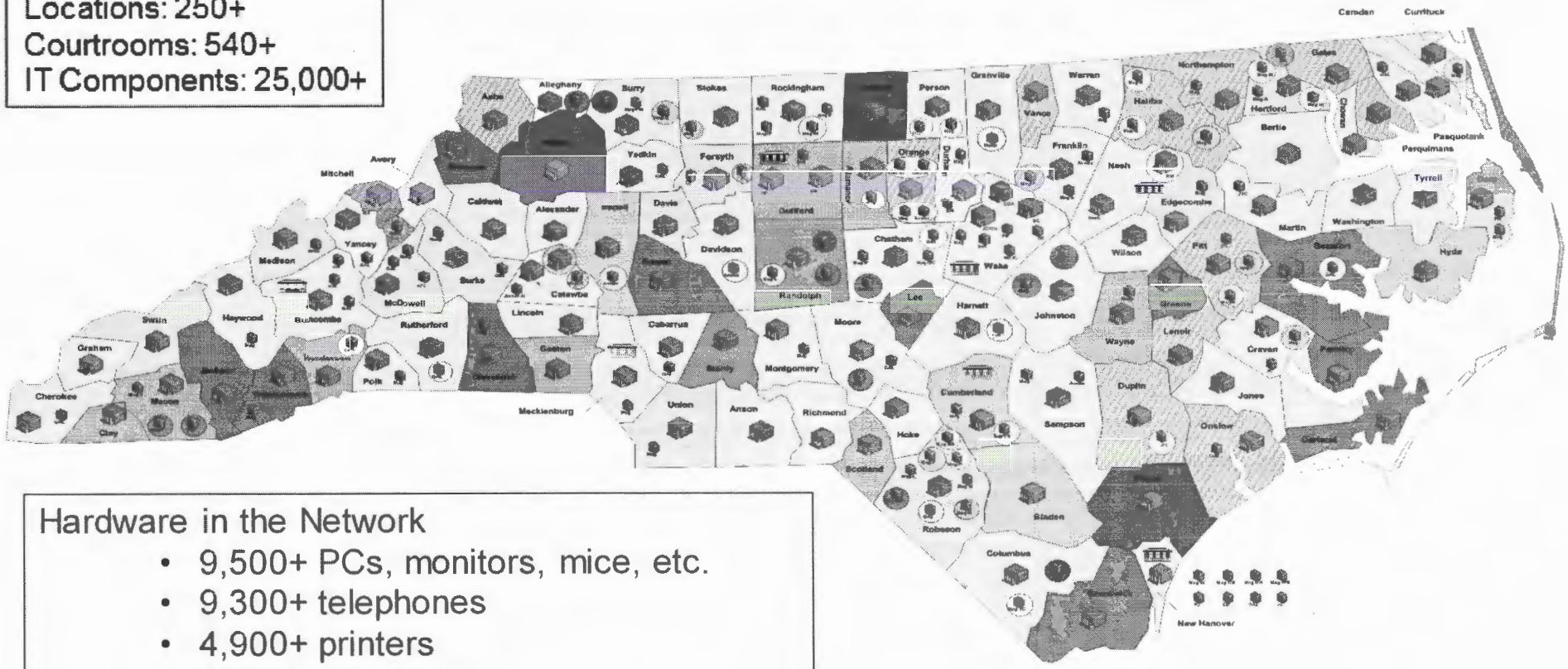
Source: AOC

AOC Technology

- Other technology systems supported by AOC:
  - VCAP (civil case processing system)
  - e-Filing:
    - Piloted 2009 in three counties without much success
    - Alamance County Domestic Violence Pilot in 2013
      - Provides better integration into system
  - CaseWise: civil case calendaring system
  - JWise: juvenile case management system

AOC Technology Facilities

Locations: 250+
Courtrooms: 540+
IT Components: 25,000+



Hardware in the Network

- 9,500+ PCs, monitors, mice, etc.
- 9,300+ telephones
- 4,900+ printers
- 100+ local servers
- 250+ network circuits
- 420+ public access terminals
- Many faxes, routers, switches, copiers, etc.

Source: AOC

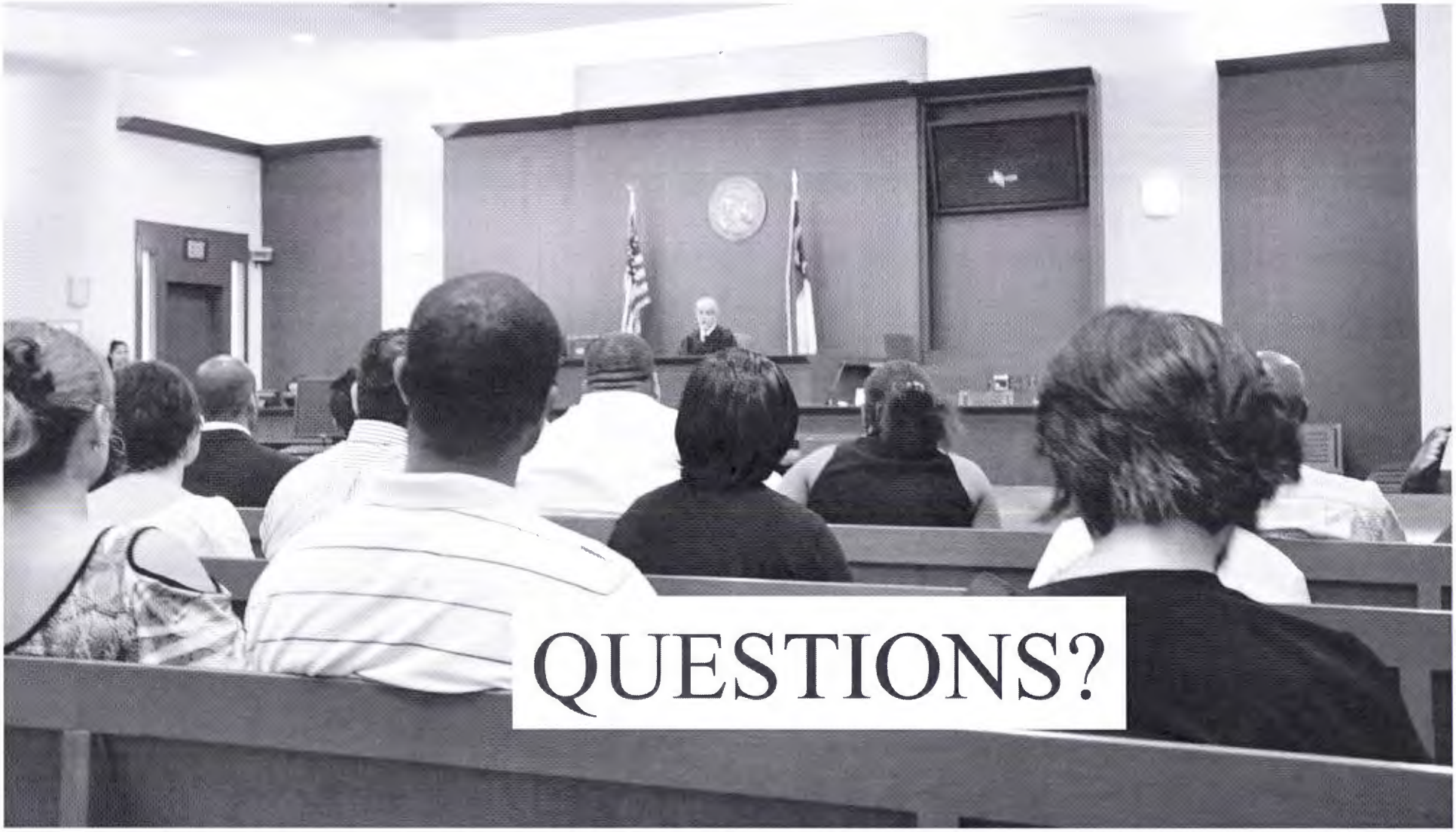
AOC Technology Services Budget History



Source: Authorized Budget, December 31, 2014

Challenges with AOC Technology

- Lack of IT vision during 2000s
  - Many new systems built and integrated with existing systems
  - Legacy systems were not replaced
  - New systems cater to specific users, but no holistic approach
- AOC stagnations visible to the public (ACIS)
- AOC employees dealing with older technology
  - Fine for long-time employees, difficult for new hires
- Expensive to maintain
  - AOC has to find software engineers who can code in legacy mainframe languages


QUESTIONS?

The Administrative Office of the Courts: Financing The Court System and Court Costs

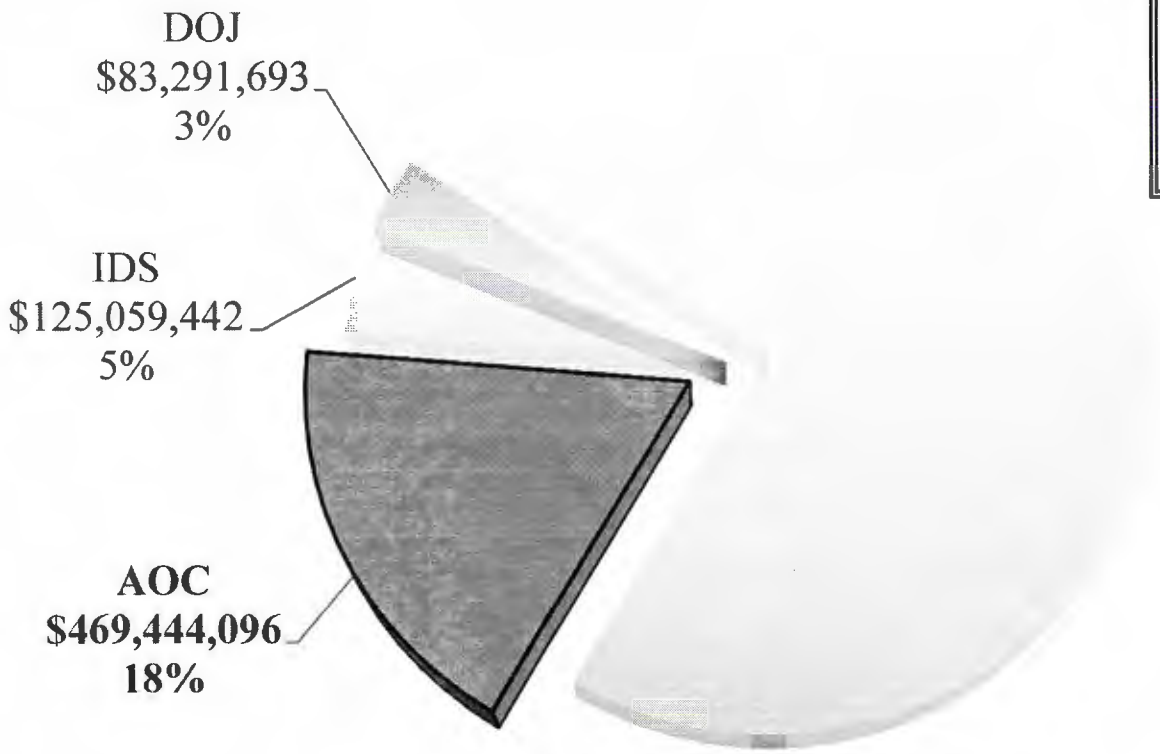


William Childs
Fiscal Research Division
March 4, 2015

FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

JPS General Fund Budget by Agency
FY 2014-15

Appropriation:	$2.4 billion
Receipts:	$235 million
Total GF Budget:	**$2.6 billion**



Source: NCAS, December 31, 2014 Authorized Budget

General Court of Justice Fees

		Criminal		Civil			Special Proceedings and Estates			FY 13-14 Disbursement
		District Court	Superior Court	Magistrates' Court	District Court	Superior Court	Most Proceedings and Estates	Foreclosure	Probate Without Qual. of Personal Rep.	
General Court of Justice Fee	General Fund	$127.05	$152.05	$77.55	$127.55	$177.55	$104.50	$300	$20	$219,567,367
	State Bar Legal Aid Account: Access To Civil Justice	$1.50								Disbursed to Legal Aid of NC, Pisgah Legal Services, and Legal Services of Southern Piedmont via the NC State Bar: $2,842,377
	State Bar Legal Aid Account: Domestic Violence Victim Assistance	$.95								
	Total	**$129.50**	**$154.50**	**$80**	**$130**	**$180**	**$106**	**$300**	**$20**	

Other Court Fees

	Criminal		Civil			Special Proceedings and Estates			
	District Court	Superior Court	Magistrates' Court	District Court	Superior Court	Most Proceedings and Estates	Foreclosure	Probate Without Qual. of Personal Rep.	**FY 13-14 Disbursement**
Facilities Fee	$12	$30	$12	$16	$16	$10	-	$10	Counties: $13,497,336 Municipalities: $288,008
Phone Systems Fee	$4								AOC Court Information Tech Fund: $5,270,393
Service Fee	$5 for each arrest or service of criminal process, including citations and subpoenas		$30 for each item of civil process served by the sheriff						Counties: $7,403,222 Municipalities: $1,643,877

District Court Criminal Court Costs Summary

Type	Total Cost	Amounts	
District Court Infraction	$178.00	129.50 GCJ 12.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	18.00 Misd. Confinement 5.00 Service
District Court Infraction Chapter 20 Offense	$188.00	129.50 GCJ 12.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	18.00 Misd. Confinement 5.00 Service 10.00 Chapter 20
District Court Misdemeanor	$180.00	129.50 GCJ 12.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	18.00 Misd. Confinement 5.00 Service 2.00 DNA
District Court Misdemeanor Chapter 20 Offense	$190.00	129.50 GCJ 12.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	18.00 Misd. Confinement 5.00 Service 2.00 DNA 10.00 Chapter 20

Superior Court Criminal Court Costs Summary

Type	Total Cost	Amounts	
Superior Court without First Appearance in District Court	$205.00	154.50 GCJ 30.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	5.00 Service 2.00 DNA
Superior Court without First Appearance in District Court Chapter 20 Offense	$215.00	154.50 GCJ 30.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	5.00 Service 2.00 DNA 10.00 Chapter 20
Superior Court with First Appearance in District Court	$334.50	154.50 GCJ (Superior) 129.50 GCJ (District) 30.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	5.00 Service 2.00 DNA
Superior Court with First Appearance in District Court Chapter 20 Offense	$344.50	154.50 GCJ (Superior) 129.50 GCJ (District) 30.00 Facilities 4.00 Telephone 7.50 LEO Retirement 2.00 LEO Training	5.00 Service 2.00 DNA 10.00 Chapter 20

Type	Total Cost	Amounts	
Superior Court Infraction Appealed from District Court for Trial De Novo	$368.50	129.50 GCJ (District) 12.00 Facilities (District) 4.00 Telephone (District) 7.50 LEO Retirement 2.00 LEO Training (District) 18.00 Misd. Confinement 5.00 Service	154.50 GCJ (Superior) 30.00 Facilities (Superior) 4.00 Telephone (Superior) 2.00 LEO Training (Superior)
Superior Court Infraction Appealed from District Court for Trial De Novo Chapter 20 Offense	$388.50	129.50 GCJ (District) 12.00 Facilities (District) 4.00 Telephone (District) 7.50 LEO Retirement 2.00 LEO Training (District) 18.00 Misd. Confinement 5.00 Service 10.00 Chapter 20 (District)	154.50 GCJ (Superior) 30.00 Facilities (Superior) 4.00 Telephone (Superior) 2.00 LEO Training (Superior) 10.00 Chapter 20 (Superior)
Superior Court Misdemeanor Appealed from District Court for Trial De Novo	$372.50	129.50 GCJ (District) 12.00 Facilities (District) 4.00 Telephone (District) 7.50 LEO Retirement 2.00 LEO Training (District) 18.00 Misd. Confinement 5.00 Service 2.00 DNA (District)	154.50 GCJ (Superior) 30.00 Facilities (Superior) 4.00 Telephone (Superior) 2.00 LEO Training (Superior) 2.00 DNA (Superior)
Superior Court Misdemeanor Appealed from District Court for Trial De Novo Chapter 20 Offense	$392.50	129.50 GCJ (District) 12.00 Facilities (District) 4.00 Telephone (District) 7.50 LEO Retirement 2.00 LEO Training (District) 18.00 Misd. Confinement 5.00 Service 2.00 DNA (District) 10.00 Chapter 20 (District)	154.50 GCJ (Superior) 30.00 Facilities (Superior) 4.00 Telephone (Superior) 2.00 LEO Training (Superior) 2.00 DNA (Superior) 10.00 Chapter 20 (Superior)

Why Do I Pay Court Costs When I Pay Online?

- All tickets require work on the part of law enforcement, the clerks, and other employees of the courts

- Except for certain specific offenses with unique costs or no costs (e.g., seat belt violations under G.S. 20-135.2A), the General Assembly requires the full payment of court costs when a person is found guilty of a crime or responsible for an infraction (G.S. 7A-304)

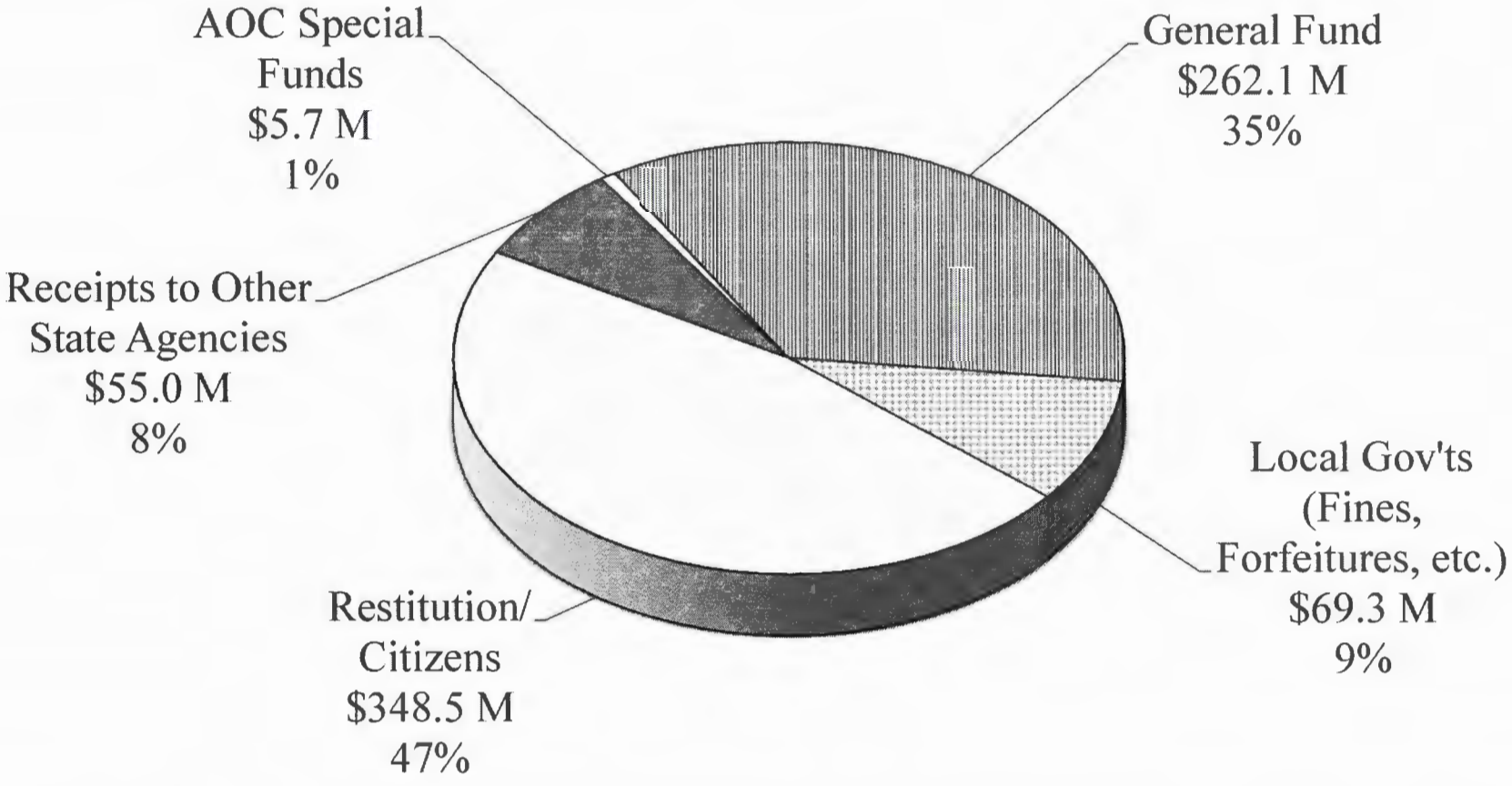
- The General Assembly has made no general exception for any offenses, even those disposed by mail or via payNCticket

Financing the Court System with GF Appropriations

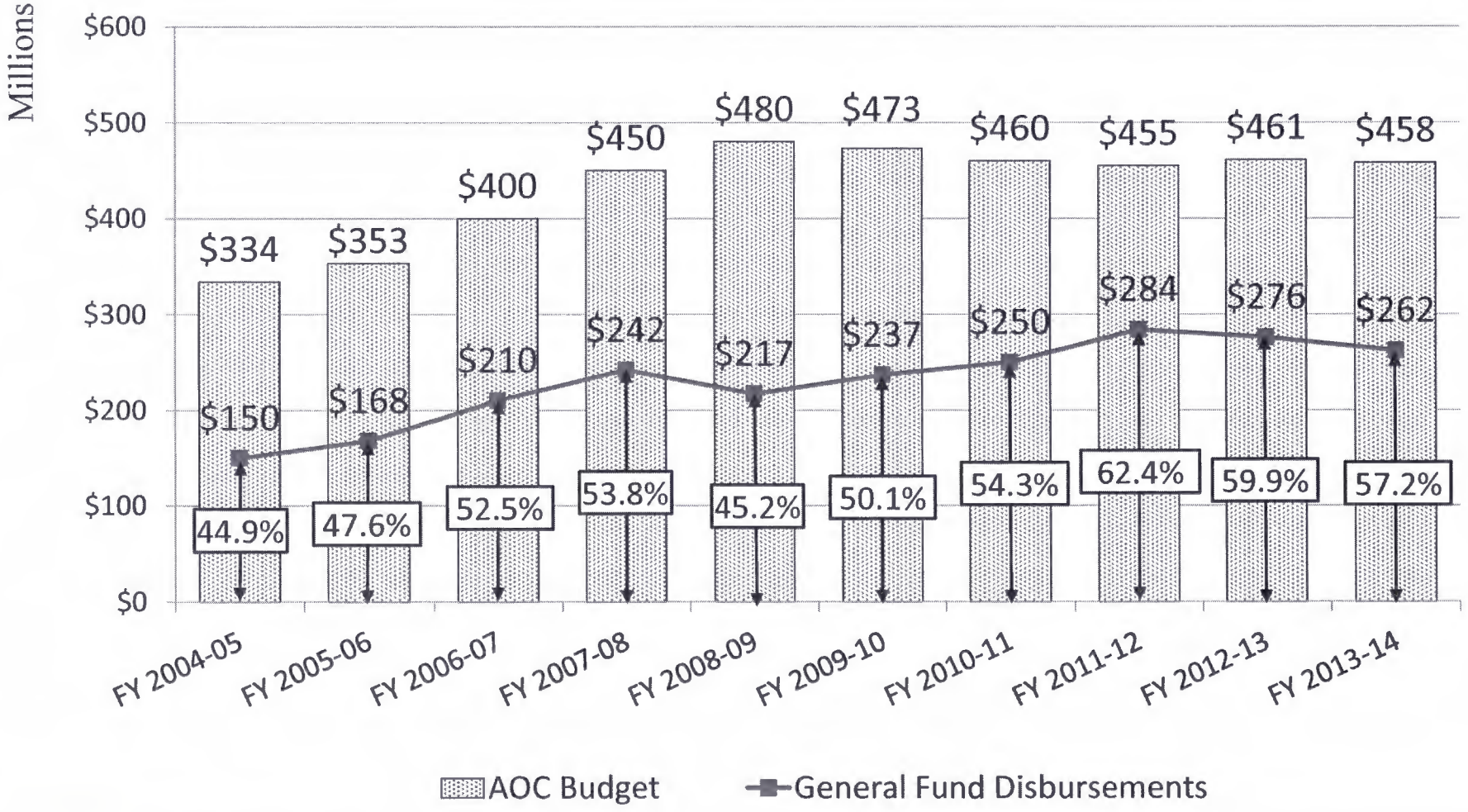
- At unification, NCGA funded the courts from the State's General Fund
- Prevents judicial officials from having a direct benefit from assessing court costs
- AOC continues to be primarily funded through the General Fund
- Appropriations unconnected to AOC court cost collections
- AOC collects three types of funds:
  - **Fees**: State General Fund and other state agencies
  - **Fines and forfeitures**: local governments for support of the school system
  - **Restitution**: citizens who have been victims of crime or successful claimants in civil suits

AOC Receipt Disbursements

Total Disbursements, FY 2013-14: **$741 million**



AOC GF Collections Compared to Appropriations



Court Cost Waivers, FY 2012-13

	Partially Waived	Fully Waived	Partial or Full Waive Local Rule	Total
Statewide	**11,286**	**9,246**	**247**	**20,779**
Cumberland	8,474	125	-	8,599
Mecklenburg	607	1,022	-	1,629
Robeson	497	3,787	-	4,284
Wake	26	224	24	274

Source: AOC

2011 Auditor Report on Court Collections

- Found that court collection rates for certain offenses were:
  - 85.1% for traffic cases
  - 84.3% for cases resulting in unsupervised probation

- AOC responded:
  - Compliance rate for infractions is 99%
  - Those collections included DWI and criminal defendants, some of whom are sent to prison for failure to comply
  - Some of this population among the poorest in the State
  - Due process may delay collections

NCSC 2013 Survey: Percent of State Budget for Courts

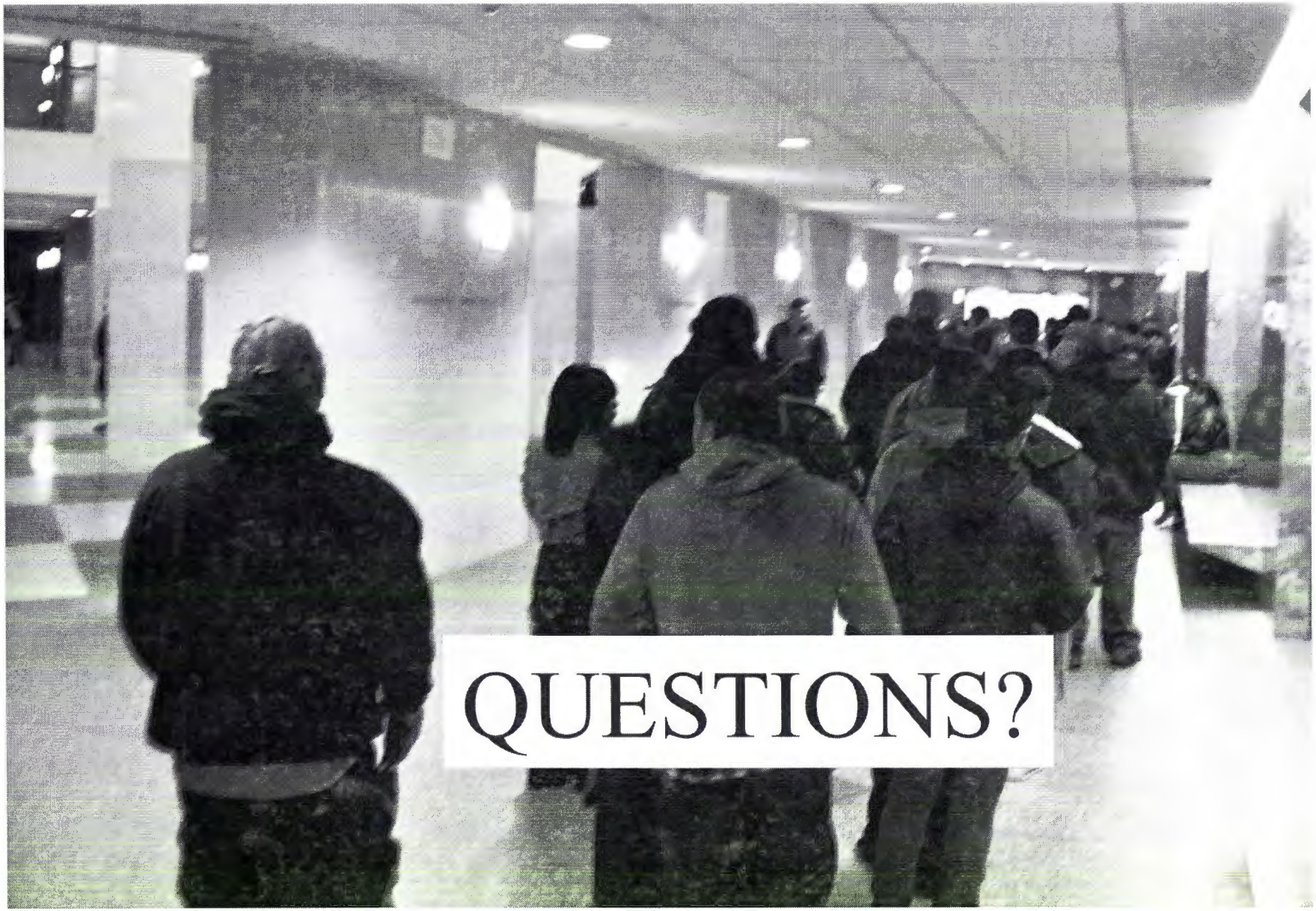
Unified Court System		Non-unified Court System	
California	0.8%	Tennessee	0.4%
Kansas	1.7%	Texas	0.4%
Minnesota	1.7%	Louisiana	0.5%
Massachusetts	1.8%	Washington	0.5%
Maine	1.9%	Florida	0.6%
Alabama	2.0%	South Carolina	0.7%
Nebraska	2.0%	Wisconsin	0.8%
New York	2.0%	Georgia	0.9%
Alaska	2.1%	Indiana	0.9%
Missouri	2.1%	Idaho	1.0%
New Jersey	2.1%	Nevada	1.0%
Utah	2.1%	Arizona	1.3%
North Carolina	**2.2%**	Michigan	1.9%
Virginia	2.2%		
Hawaii	2.3%		
Delaware	2.5%		
New Mexico	2.5%		
Maryland	2.6%		
Oregon	2.7%		
South Dakota	2.7%		
West Virginia	3.0%		
Kentucky	3.4%		
Puerto Rico	3.8%		
New Hampshire	5.0%		

Source: National Center for State Courts

Comparison of Filing Fees in Other States

	Unified	Percent of Total Budget	Civil Filing Fees			Criminal Filing Fees	
			Small Claims or Magistrate	District	Superior/ Circuit	District/ Municipal	Superior/ Circuit
Alabama	Yes	2.0%	$35-109	$198	$197-297	$111	$131
New Jersey	Yes	2.1%	$15-30	-	$200	varies	varies
Utah	Yes	2.1%	$60-185	$75-360	-	-	-
Alaska	Yes	2.1%	-	$90	$150	-	-
Virginia	Yes	2.2%	varies	varies	$82-342	$76-91	varies
North Carolina	**Yes**	**2.2%**	**$96**	**$150**	**$200**	**$180**	**$205**
Hawaii	Yes	2.3%	-	$145	$300	-	$240
Delaware	Yes	2.5%	-	$30-80	$175	$50-125	$100
New Mexico	Yes	2.5%	-	$62-132	-	varies	$35
Maryland	Yes	2.6%	-	$38	$80	$38	$80
Florida	No	0.6%	$50-295	-	$397.50-$1902.50	varies	varies (typically $100-300)
South Carolina	No	0.7%	$45	$100	$150	-	-
Georgia	No	0.9%	$99	$210	$210	varies	$210

Source: Fiscal Research and NCSC


QUESTIONS?

Committee Sergeants at Arms

NAME OF COMMITTEE: ~~JOINT~~ APP JUSTICE & PUBLIC SAFETY

DATE: 3-4-2015 **Room:** 415

House Sgt-At Arms:

1. **Name:** BARRY MOORE
2. **Name:** B H POWELL
3. **Name:** _____
4. **Name:** _____
5. **Name:** _____

Senate Sgt-At Arms:

1. **Name:** CHARLES MARSALIS
2. **Name:** JIM HAMILTON
3. **Name:** _____
4. **Name:** _____
5. **Name:** _____

Wednesday, March 4	Room	Time
APPROPRIATIONS, JUSTICE & PUBLIC SAFETY (JOINT)	415	8:30 am

Name	County	Sponsor
Drew West	Buncombe	Michele D. Presnell

SENATE PAGES ATTENDING

COMMITTEE: Joint Approp - Justice & Public Safety

DATE: 3/4, TIME: 8:30, ROOM: 415

Pages: Please print legibly.....*or else!!!!!!!!!!!!!!!!*

Page Name	Hometown	Sponsoring Senator
1 Alexis Powell	Greenville	Don Davis
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Do not add additional names below the grid.

Pages: Please present this form to either the Committee Clerk at the meeting or a Sgt. at Arms.

VISITOR REGISTRATION SHEET

(Committee Name)

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Margaret Schneider	Senate Intern
Mary Irvine	NC Equal Justice Alliance
Mildred Spearman	NCAOC
Brad Fowler	NCAOC
Tom Maher	DOS
Cheryl Reed	AOC
TIM KENT	NC Beer Wine
JEFF MARECIC	AOC
Peg Dorer	Conf. of DAs
Tom Murry	NC AOC
Jon Williams	NCAOC
Dan Kennedy	CSC - New Hanover Co.
Barbara Moore	Conf of Clerks of Sup Ct
Susan Frye	Clerk of Court Forsyth Co.

09-22-2012

VISITOR REGISTRATION SHEET

(Committee Name)

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY
Andy Brandon	DPS
MATTHEW LONGOBARDI	DOJ
Becky Luce-Clark	DOJ
Ben Stockdale	NC GA

09-22-2012

House Committee on Appropriations, Justice and Public Safety
Wednesday, March 11, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on March 11, 2015 in Room 415 of the Legislative Office Building. Representatives Daughtry, Faircloth, Hurley, Jackson, R. Johnson, McNeill, Salmon, Speciale, Stevens, and R. Turner, and Senator's Bingham, Randleman, Foushee, Jackson, and Lee attended.

Representative John Faircloth, Chair, presided. He called the meeting to order at 8:33 AM. Chairman Faircloth introduced the Sergeant at Arms staff and pages present for the meeting.

Chairman Faircloth introduced William Childs, Fiscal Research Division, to give an overview of The Office of Indigent Defense Services. A copy is attached as Exhibit "A". Mr. Childs also presented AOC follow-up. A copy is attached as Exhibit "B". After the presentation, Chairman Faircloth opened the floor for discussion.

The meeting adjourned at 9:41 AM.

Representative John Faircloth, Chair
Presiding

Rebecca Bauerband, Committee Clerk

Becky Bauerband (Rep. John Faircloth)

From: Kerry Guice (Rep. Jamie Boles)
Sent: Friday, March 06, 2015 04:08 PM
To: Kerry Guice (Rep. Jamie Boles)
Subject: <NCGA> House Appropriations, Justice and Public Safety Committee Meeting Notice for Wednesday, March 11, 2015 at 8:30 AM (Joint)
Attachments: Add Meeting to Calendar_LINC_.ics

NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet **JOINTLY** as follows:

DAY & DATE: Wednesday, March 11, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 4:07 PM on Friday, March 06, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 11, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs:
Senator Stan Bingham
Senator Buck Newton
Senator Shirley Randleman
Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth, Presiding
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

The Office of Indigent Defense Services
William Childs, Fiscal Research Division

AOC Follow-up
William Childs, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Thursday, March 12, 2015

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),
Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon,
Rep. Speciale, Rep. Turner

Senate Appropriations Subcommittee on JPS
Sen. Bingham (Chair)
Sen. Newton (Chair)
Sen. Randleman (Chair)
Sen. Apodaca (Vice Chair),
Sen. Foushee, Sen. Hartsell, Sen. Jackson,
Sen. Lee

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	03/11/15														
Rep. Jamie Boles, Co-Chair															
Rep. Leo Daughtry, Co-Chair	✓														
Rep. John Faircloth, Co-Chair	✓														
Rep. Pat Hurley, Co-Chair	✓														
Rep. Darren Jackson, Vice Chair	✓														
Rep. Allen McNeill, Vice Chair	✓														
Rep. Sarah Stevens, Vice Chair	✓														
Rep. Charles Graham															
Rep. George Graham															
Rep. Ralph Johnson	✓														
Rep. Brad Salmon	✓														
Rep. Michael Speciale	✓														
Rep. Rena Turner	✓														
Sen. Stan Bingham, Co-Chair	✓														
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair	✓														
Sen. Tom Apocaca, Vice-Chair															
Sen. Valerie Foushee	✓														
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson	✓														
Sen. Michael Lee	✓														

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	03/11/15														
William Childs, Fiscal Research	✓														
Lisa Fox, Fiscal Research	✓														
Kristine Leggett, Fiscal Research	✓														
John Poteat, Fiscal Research	✓														
Becky Bauerband, Clerk	✓														
Kerry Guice, Clerk	✓														
Debbie Holder, Clerk	✓														
Jeb Kelly, Clerk	✓														
Maria Kinnaird, Clerk	✓														
Carol Wilson, Clerk															
Jason Soper, Speaker's Office															
Stephen Ogden, Senate Office															

Attachment A

The Office of Indigent Defense Services



William Childs
Fiscal Research Division
March 11, 2015

FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

The Office of Indigent Defense Services

Indigent Defense Services (IDS)

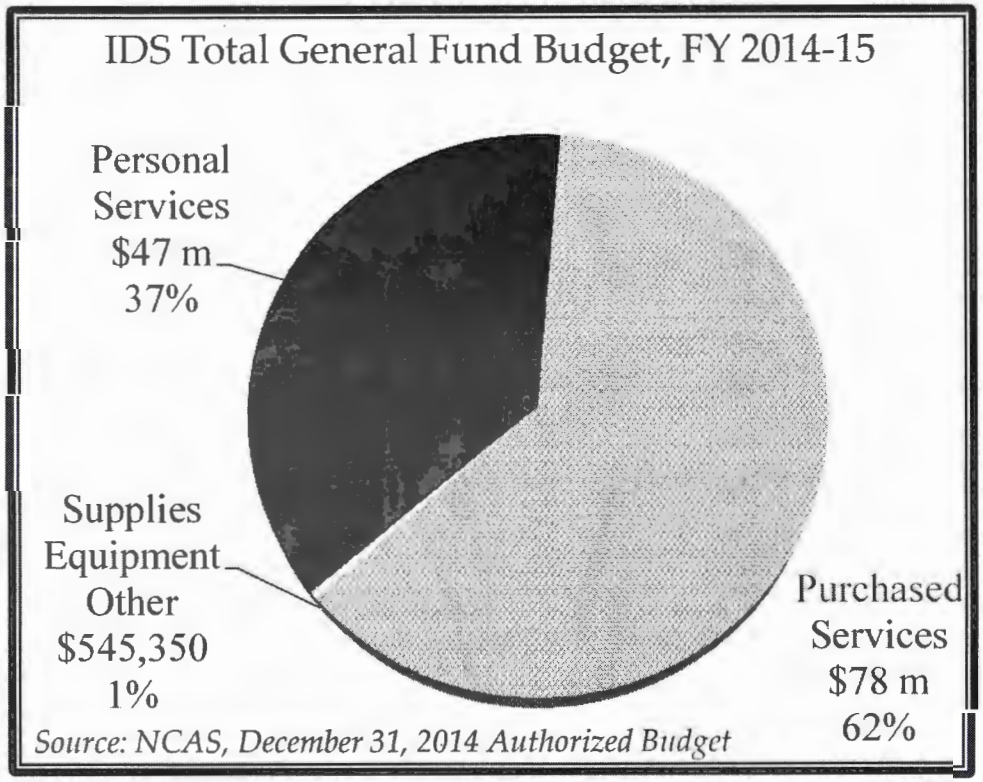
Provides defense attorneys for indigent defendants

Thomas Maher, Director of IDS

Includes:

- Public Defender offices
- Private Assigned Counsel Fund

Total General Fund Budget: $125 million
Total FTE Employees: 503.9



14th Amendment to U.S. Constitution

§ 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; ***nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.***

North Carolina Constitution

Art. I § 19. Law of the land; equal protection of the laws.

No person, shall be taken, imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the law of the land. ***No person shall be denied the equal protection of the laws;*** *nor shall any person be subjected to discrimination by the State because of race, color, religion, or national origin.*

Indigent Defense Services Act

- Article 39B of General Statutes
  - §7A-498 to §7A-498.8
  - Passed by NCGA in 2000
  - IDS began operations in July 2001
- Only agency in the Judicial Branch that is not overseen by AOC
- AOC remains responsible for some IDS functions: Purchasing, Personnel, some IT

IDS Responsibilities (§7A-498.3)

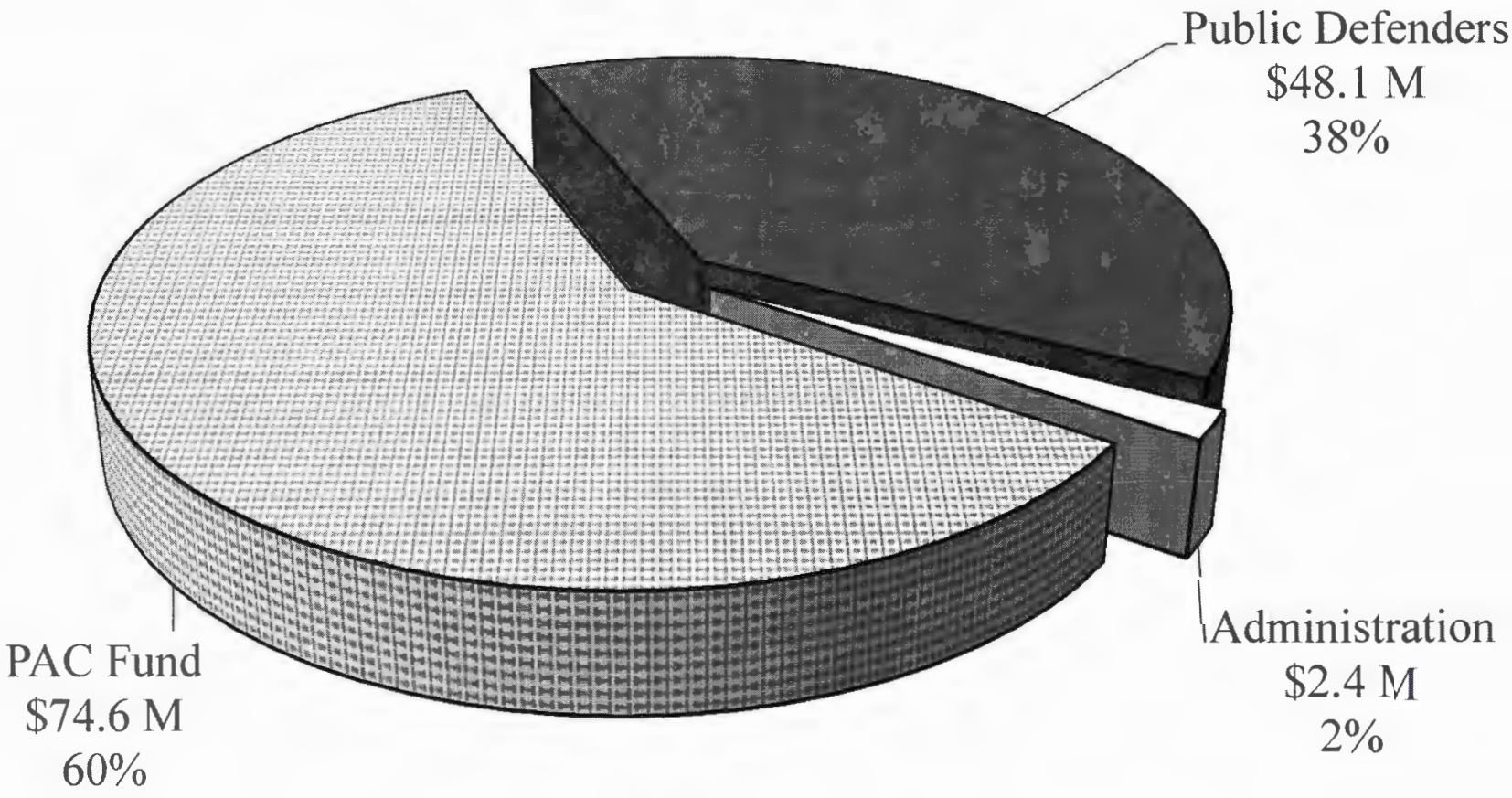
1. **Overseeing the provision of legal representation to indigent defendants and others entitled to counsel under North Carolina law**
2. Developing training, qualification, and performance standards to govern the provision of legal services to indigent persons
3. Determining the most appropriate methods of delivering legal services to indigent persons in each judicial district
4. Providing services in the most cost-effective manner possible.

Legal Counsel For Indigent Persons

- Private Appointed Counsel (PAC)
  - Court-appointed private attorneys
  - In counties or districts without PD offices
  - Also assigned in counties or districts with PD offices when a PD cannot take a case
- Contract Defenders
  - Contracted private attorneys taking bulk PAC cases at pre-established rate
- State Public Defender Offices (PD)
  - In 16 of 41 District Court districts
  - May overlap in Superior Court districts
  - Includes Regional and Statewide Specialty Defenders

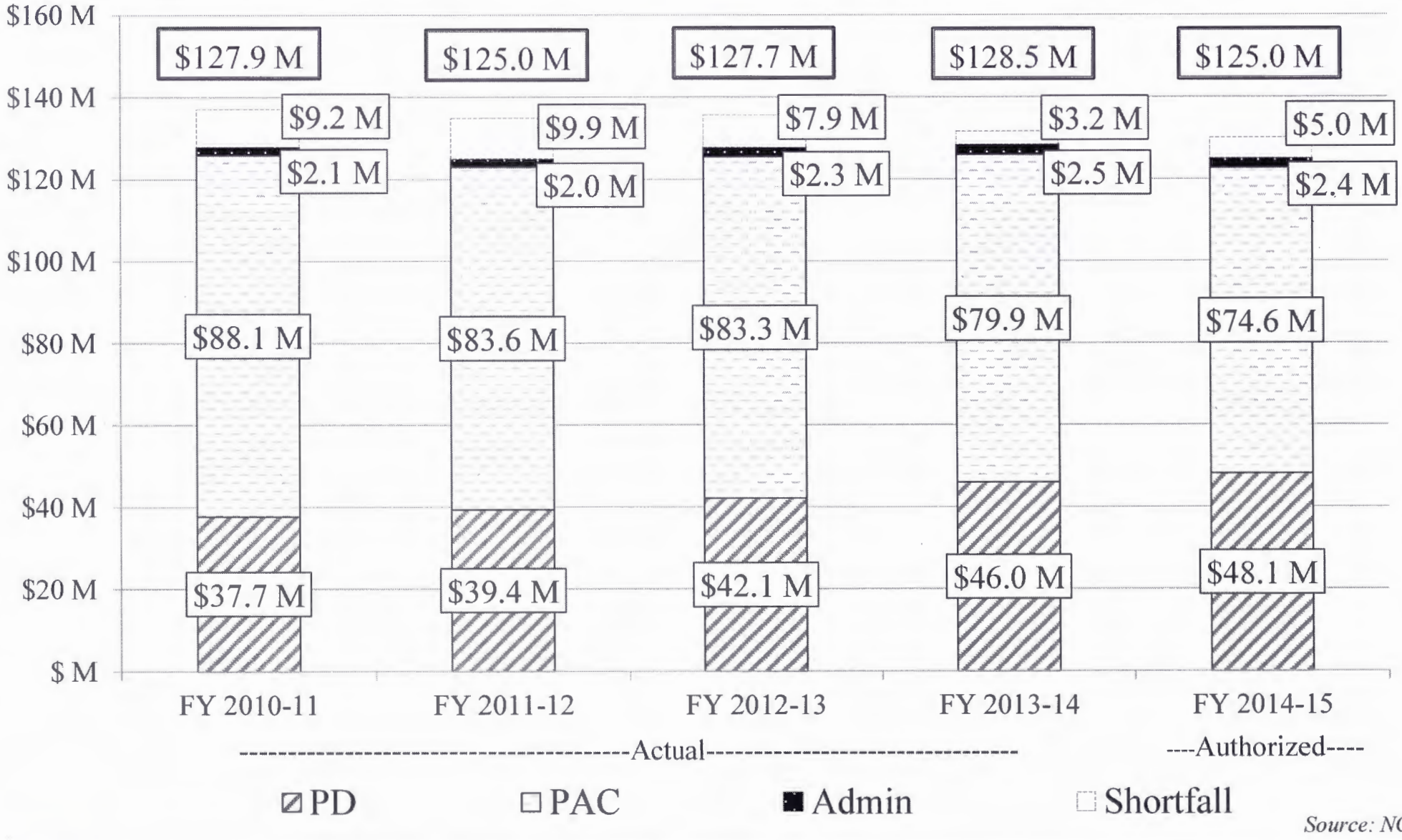
IDS Program Budget FY 2014-15

Total General Fund Budget: $125 million



Source: NCAS, December 31, 2014 Authorized Budget

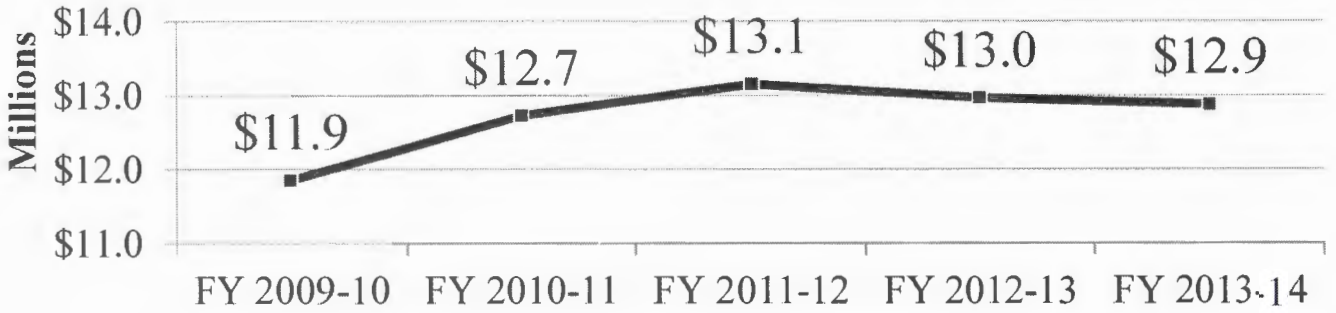
IDS Budget History



Source: NCAS

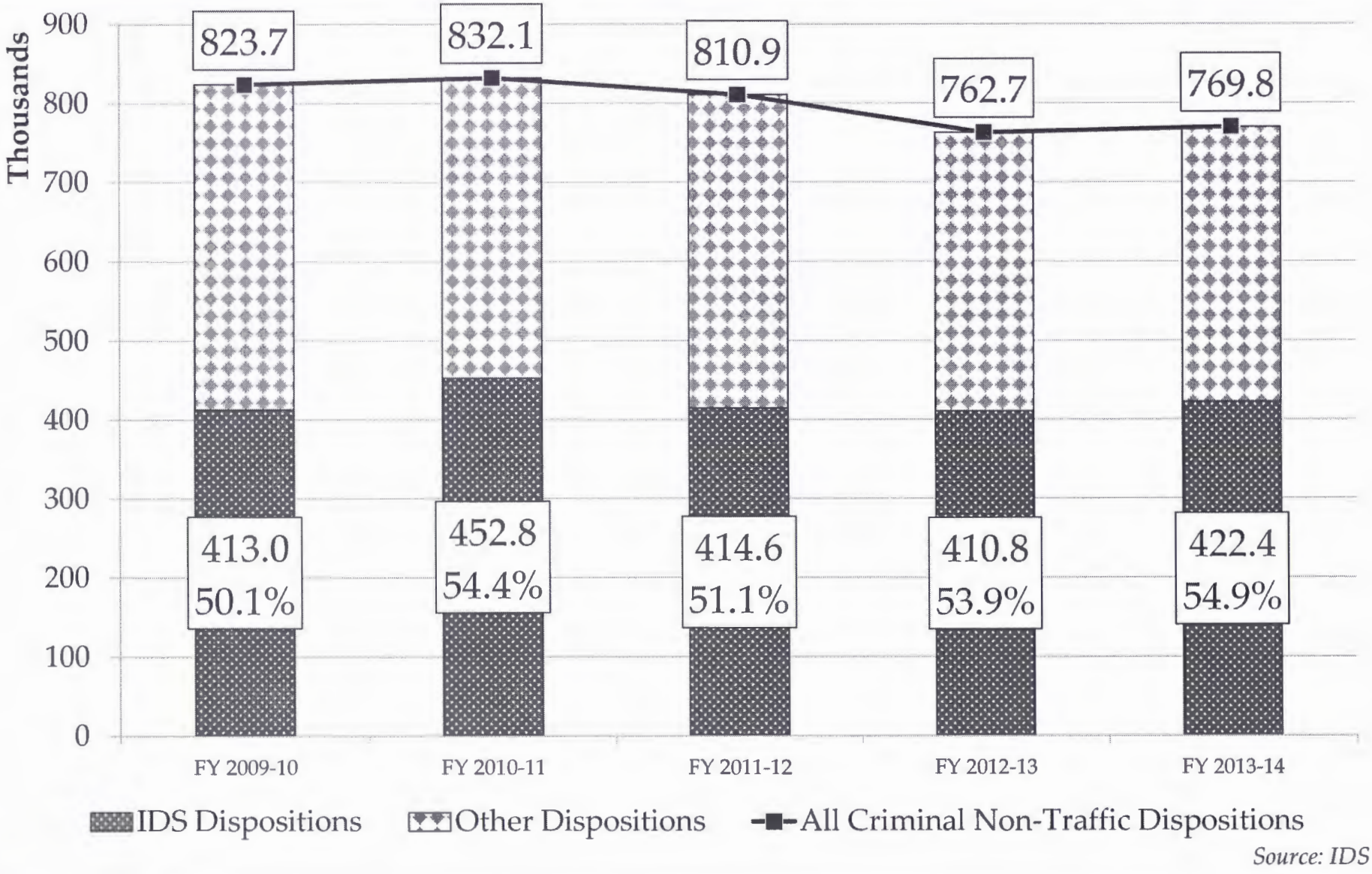
Recoupment

- Probationary collections
- Civil judgments
- State income tax refunds
- Lottery proceeds



- IDS concerns:
  - Fewer state income tax refunds under new tax code
  - Contract system shifts away from PAC attorneys
    - harder to track hours

Growing IDS Caseload



Source: IDS

Private Appointed Counsel Fund

- Compensates private attorneys appointed to provide defense for indigent defendants when no public defender available
- Shortfall:



Source: IDS

PAC Rates

- Pre-2011:
  - $75/hour for most cases
  - $95/hour for capital cases, appeals, and post-conviction
  - $85/hour if non-capital
- Current:
  - $55/hour for District Court cases
  - $60/hour for most Superior Court cases
  - $70/hour for A-D felonies
  - $85/hour for capital cases, appeals, and post-conviction
  - $75/hour if declared non-capital

Contract Defender System

- Expected to cut long-term costs for IDS
- Collects cases into "units" equivalent to 360 billable hours = 20% of average annual workload
- Each unit contains cases of variable difficulty
- Divided into misdemeanors, low-level felonies, and high-level felony
- May also have units for probation violations, Drug Treatment Court, or truancy
- Coordinated by Regional Defender
  - Can provide additional support and education for contract defenders

Contract Defender System

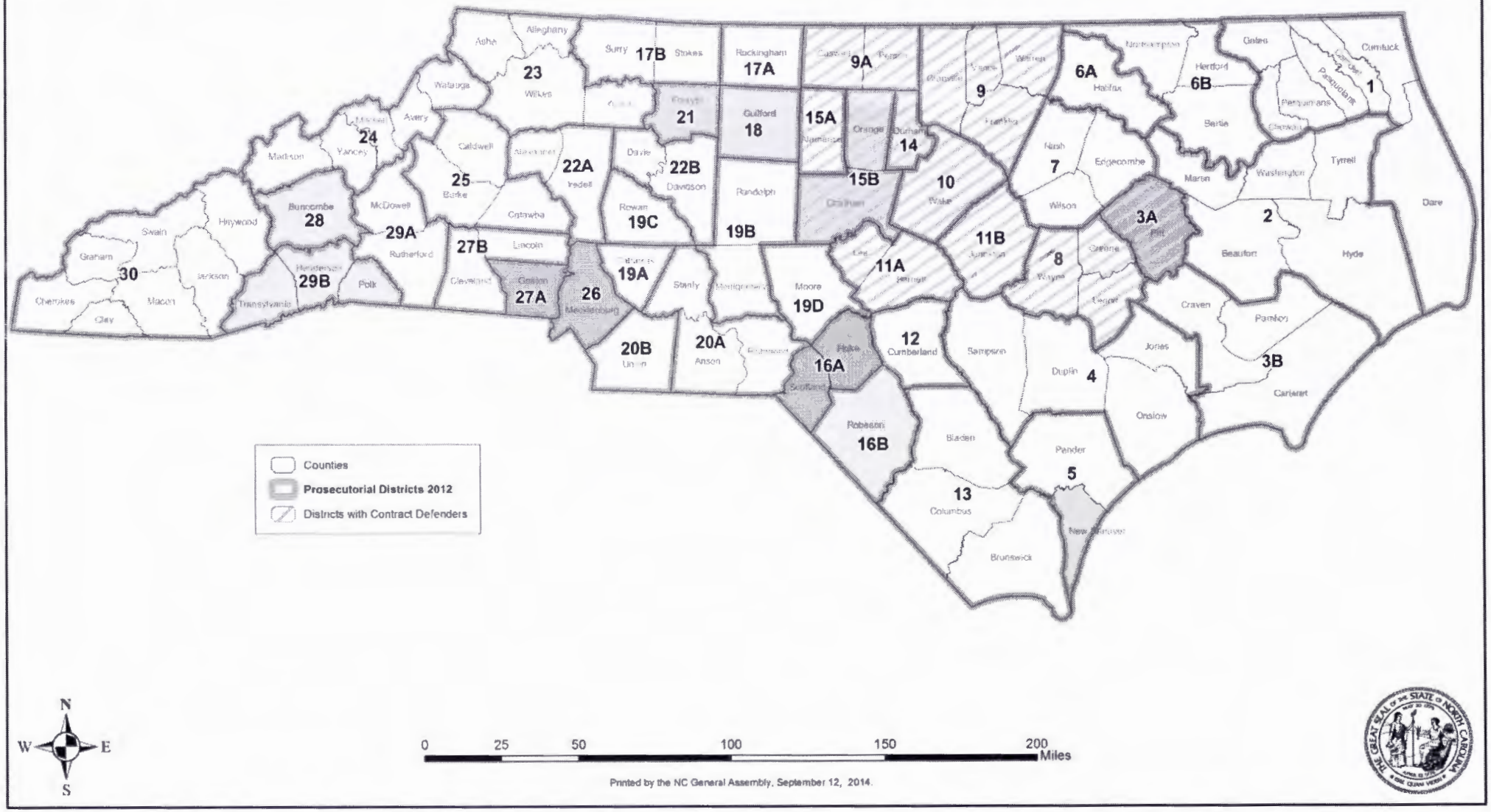
- First round:
  - Wake (District 10), Durham (District 14), Franklin, Granville, Vance, and Warren (District 9)
  - Effective December 2012
- Second round:
  - Orange and Chatham (District 15B), Alamance (District 15A), Caswell and Person (District 9A)
  - Effective June 2013
- Third round:
  - Lee, Harnett, and Johnston (District 11), Wayne, Lenoir, and Greene (District 8), and Pitt (District 3A)
  - Effective August 2014

Contract Defender Compensation

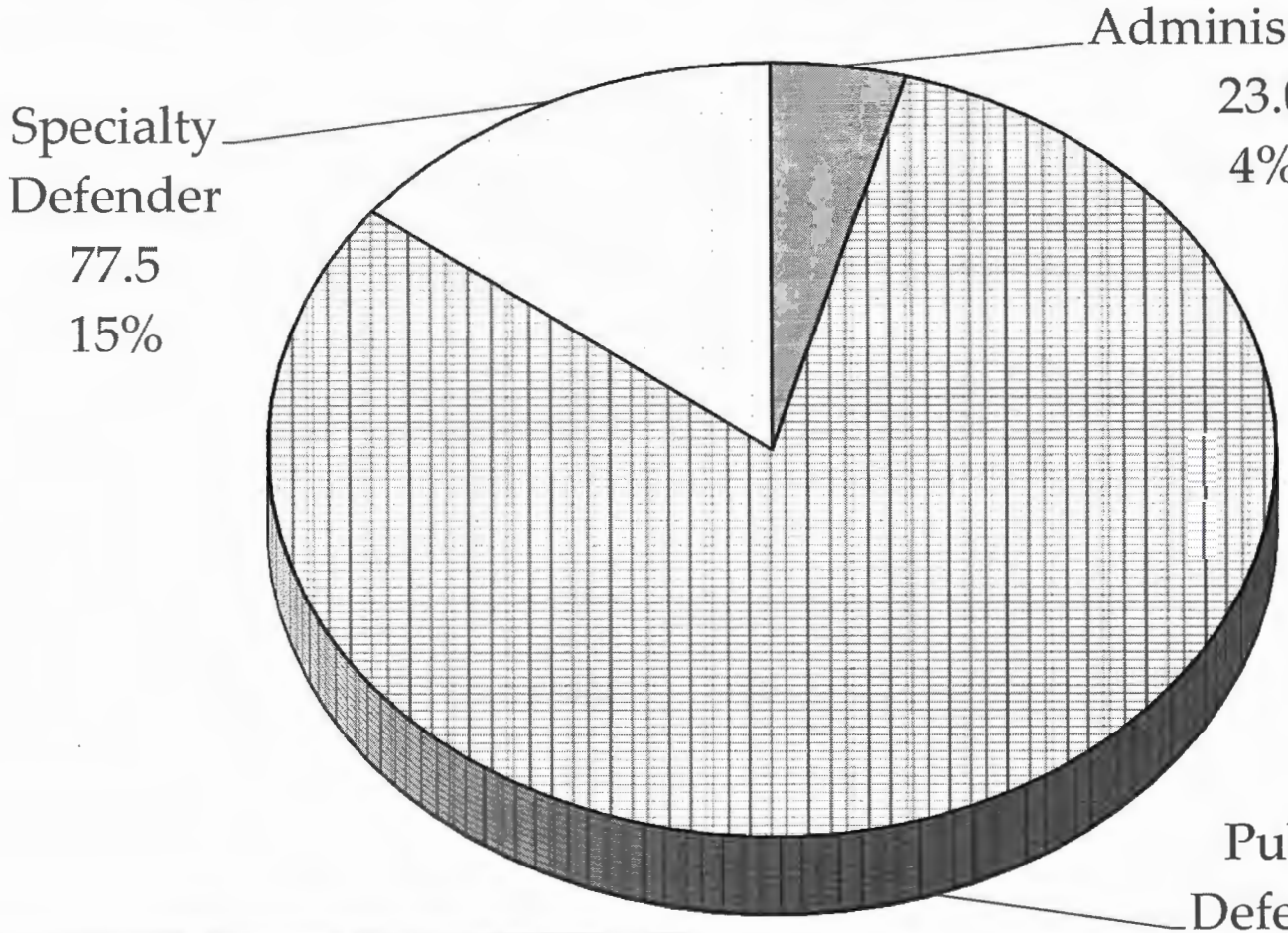
	Number of Annual Dispositions/Unit	Annual Compensation	Per Case Compensation
Adult Misdemeanor	102-124	$17,500	$141 - $172
Adult Low-Level Felony	56-68	$19,500	$287 - $348
Adult High-Level Felony	21-25	$23,500 (can receive extraordinary case pay if pre-approved)	$940 - $1,119

Source: IDS

Prosecutorial Districts with Public Defender Offices and Contract Defenders



IDS Personnel



Total GF Employees: 536.0 FTE

Source: BEACON, December 31, 2014

Public Defenders

- 16 District Public Defender Offices
- Five Specialty Defender Offices:
  - Office of the Juvenile Defender: 3 FTE
  - Office of the Appellate Defender: 25 FTE
  - Office of Parent Representation: 5 FTE
  - Office of the Capital Defender: 29 FTE
    - Regional Offices: Durham, Forsyth, Buncombe, New Hanover
  - Office of the Special Counsel (Mental Health): 15.5 FTE
    - Regional Offices: Broughton Hospital (Burke), Cherry Hospital (Wayne), both Central Regional Hospitals in Raleigh (Wake) and Butner (Granville)

Administration

- Total: 23 FTE
  - Executive Administration: 1 FTE
  - Legal and Policy: 2.5 FTE
  - Financial Staff: 11.5 FTE
  - Public Defender Support: 3 FTE (includes CCIS-PD support)
  - Contract System Support: 3 FTE
  - Research: 2 FTE

Source: IDS

Fee Transparency

- Post searchable information from attorney fee applications online
  - updated at least biweekly
  - includes all criminal fee applications paid January 2, 2015 and later
- Includes:
  - Case Number
  - Date Paid
  - Amount Paid
  - Highest Charge and whether there were multiple charges
  - Time Pending
  - Disposition
  - County
  - Attorney
  - Judge and Level of Court

North Carolina Prisoner Legal Services

- Pass-through contract
- Provides legal advice to inmates about statutory or constitutional right to meaningful access to the courts (Motions for Appropriate Relief)
  - Identifies sentencing errors
  - In legitimate claims, handles post-conviction litigation
  - Avoids frivolous *pro se* filings by explaining legal status when conviction and sentence are lawful and correct
- NCGA reduced contract from $2.9 to $2.0 million for FY 2013-14
  - NCPLS no longer reviews civil claims (excessive use of force, negligent failure to protect (including sexual assault), and the provision of inadequate medical care)

Low-level Misdemeanor Reclassification

- NCGA modified structured sentencing as of 12/1/2013
- Class 3 Misdemeanor faces Intermediate Punishment (including jail time) with four or more prior convictions
- IDS budget reduced by $2.0 million
- Challenges for legal system
  - Uncertainty about prior conviction level at first appearance, when defense attorneys assigned
  - Uncertainty about ongoing proceedings that may bypass threshold level of prior convictions at sentencing
- CJLEADS report helps ease some challenges

Recent Legislative Actions: 2013 - 2014

2013

• Reduce Prisoner Legal Services:	($0.9 million)
• Low-level misdemeanor reclassification:	($2.0 million)
• Admin staff reduction:	($258,634)
TOTAL:	**($3.1 million)**
Additional PAC Funds:	$3.8 million NR

2014

• Salary and Benefits Reserve:	$802,347
• Admin reduction:	($466,380)
TOTAL:	**$335,967**


QUESTIONS?

Attachment B

Follow-Up Questions Related to the Administrative Office of the Courts
Joint Appropriations Subcommittee on Justice and Public Safety

All of the documents referenced below have been saved in the AOC Follow-Up subfolder for the March 11, 2015 meeting folder on the subcommittee website.

Questions from March 3, 2015 Meeting

1. **Can FRD compare clerk turnover to that in the private sector?**

The North Carolina Office of State Human Resources does not provide this data. Fiscal Research Division has not yet been able to find an accurate measure for private sector comparison to clerk of superior court turnover. If we were to compare to bank tellers, for example, the Bureau of Labor Statistics does not distinguish bank tellers from other positions in the banking industry. The same problem arises for paralegals.

2. **Judge Smith said that about 2/3 of the Chief District Court Judges have implemented the threshold change to small claims court. AOC was asked to provide a list of the districts.**

AOC surveyed chief district court judges in December 2013 asking what the magistrate small claims jurisdiction amount was for each county, including any plans for increasing the amount. Sixty-eight counties had either raised or planned to raise their amount to $10,000. The survey results by county are included in the document, AOC_Magistrate-Jurisdiction_2015-03-03.pdf.

3. **Judge Smith said that AOC could conduct an analysis of filing trends related to the small claims change.**

AOC provided charts for civil magistrate, civil district, and civil superior filing trends statewide for the past 15 fiscal years, AOC_Civil-Filing-Trends_2015-03-03.pdf. AOC notes that in FY 2013-14, civil magistrate and civil district filings increased slightly after multiyear declines. Since civil superior filings continued to decline, it is very likely that at least some of the civil magistrate and civil district filings would have been required to be filed in a higher court division had the jurisdiction authorization levels not changed October 1, 2013. Since AOC does not track amounts in controversy, they cannot say definitely how many of these filings would have needed to occur in the higher court division had the jurisdiction authorization levels not changed. AOC will be glad to conduct such an analysis if requested.

4. **What is the turnover by district for clerks of superior court?**

This information is provided in the document FRD_Clerks_FY2013-14_Turnover_by_District-2015-03-06.pdf.

5. **To what areas in Mecklenburg are grant-funded ADAs assigned?**

Pursuant to G.S. 153A-212.1 and G.S. 160A-289.1, a city or county can 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. Pursuant to G.S. 7A-64, those funds may be used for district attorneys.

6. **Could AOC provide a list of all court personnel funded by grants or local governments broken out by district and job title?**

This information is provided in the *Report on Judicial Department Contracts with Local Governments for Court Personnel Positions – FY 2014-2015*, which is saved as AOC_Contracts_Local-Gov_2015-03-03.pdf.

7. **What has been spent on the CCIS-CC to date?**

The first release of CCIS-CC was in June of 2006. Through December 2014, AOC has spent about $9.1 million on the development and implementation of CCIS-CC. While it may seem to be taking a long time, AOC states that the project team has been very innovative in completing the conversion despite uncertainties in funding and resources. This project largely has moved forward utilizing existing resources, but AOC states that significant financial investment will be required in order to complete full implementation of CCIS-CC and move toward e-Courts at a more rapid pace.

8. **Could AOC provide an exact list of how it handled the $500,000 cut to Technology Services Division?**

AOC eliminated four positions and reduced the compensation level of a fifth position in order to meet a $500,000 reduction. AOC provided a document, AOC_Technology-Positions-for-Reduction_2015-03-03.pdf, with the specifics of that reduction.

Questions from March 4, 2015 Meeting

9. Was there federal money used in the creation of any of AOC's IT offerings?

AOC is unable to determine definitively whether grant funds have been used in the development of ACIS because of the amount of time since ACIS was first implemented in 1982. However, staff has examined available records from 1999 until the present, and it appears that no federal funds have been used in the development of the core functionality of ACIS during that time. In the table below, staff has identified some federal grants that were used to create data exchanges with federal agencies, to enhance the reliability of fingerprint information, and to model the data structures for the enterprise criminal database.

Year	Grant Source	Funded	Grant Amount
2000	GCC/Byrne	data modeling	$130,551
2002	GCC/Byrne	XML interface with DOJ/DCI	$56,000
2008	NCHIP	reconciliation of fingerprint info	$271,950
2009	NCHIP	reconciliation of fingerprint info	$266,731
			$725,232

10. Could AOC provide a copy of the 2007 Strategic Plan?

AOC has provided the 2007 Strategic Plan, AOC_TSD-Strategic-Plan-2006-2010.pdf. In addition, AOC provided the NCSC 2015 Assessment Report (NCSC_2015_Assessment_Report.pdf), which represents a review of AOC technology efforts and direction conducted by the National Center for State Courts.

11. Could AOC provide a breakdown of all of the personnel in Technology Services Division with the more specific groupings mentioned in subcommittee, including how they fit into the 85% maintenance/15% production scheme?

This document is saved online as AOC_Maintenance-Development-Splits_2015-03-10.pdf

12. Can AOC provide a list of companies or public entities that AOC exchanges information with every night?

Slide 11 of the Overview of Court Technology (AOC_Overview-of-Court-Technology_2015-03.pdf) answers this question. Rep. Murry previously shared these slides with the members of the committee on Tuesday, March 2, 2015. However, if this question involves remote public access licensees, the *2015 RPA Report* (AOC_RPA_Report_2015-03-04.pdf) provides the answer.

Questions from March 5, 2015 Meeting

13. Can AOC provide an estimate of waived fees?

AOC is unable to provide a reliable estimate of the amounts waived. The waiver counts include both district court and superior court cases, which have different court costs. Additionally, costs assessed vary by defendant based on the nature of the individual case.

14. Can AOC provide an update of the status of the Richmond County lawsuit related to the Misdemeanant Confinement Fund?

AOC is not tracking the status of this lawsuit. FRD will follow up with the North Carolina Department of Justice.

15. Can AOC provide a list of all administrative raises at AOC for the last year and where those funds originated, including job reclassifications?

AOC provided a document, AOC_Salary_Increases_2014-2015.pdf, which details administrative raises within AOC from January 1, 2014 through the present. In addition, Section 35.3(h) of S.L. 2014-100 granted clerks of court the exclusive authority to use salary reserves to award salary increases for deputy and assistant clerks in addition to those specifically provided under the respective salary plans. AOC provided a document, Clerk Salary Reserve Increases (AOC_Clerk_Salary_Reserve_Increases_2015-03-10.pdf), which details those increases.

16. In what order are disbursements made from the court system?

These are laid out in statute in G.S. 7A-304(d).

(1) In any criminal case in which the liability for costs, fines, restitution, attorneys' fees, or any other lawful charge has been finally determined, the clerk of superior court shall, unless otherwise ordered by the presiding judge, disburse such funds when paid in accordance with the following priorities:

a. Sums in restitution to the victim entitled thereto;
b. Costs due the county;
c. Costs due the city;
d. Fines to the county school fund;
e. Sums in restitution prorated among the persons other than the victim entitled thereto;
f. Costs due the State;
g. Attorney's fees, including appointment fees assessed pursuant to G.S. 7A-455.1.

(2) Sums in restitution received by the clerk of superior court shall be disbursed when:

a. Complete restitution has been received; or

b. When, in the opinion of the clerk, additional payments in restriction will not be collected; or

c. Upon the request of the person or persons entitled thereto; and

d. In any event, at least once each calendar year.

17. What are Chapter 20 fees? When were they created? Where do they go?

The Chapter 20 court fee was created in S.L. 2009-451, Sec. 15.20(a). This fee is remitted to the State Treasurer. AOC's court cost chart states:

> *The Chief District Court Judges traditionally have limited "improper equipment offenses" on the list of waivable traffic offenses to equipment violations found in Part 9 of Article 3 of Chapter 20. The judges have, however, distinguished "equipment violations" in Part 9 from "height, length and width" violations in Part 9. Using the waiver list as guidance, the NCAOC interprets the "improper equipment" fee to apply to any offense in Part 9 other than (i) violations relating to vehicle height, length and width and (ii) violations that otherwise could be considered equipment violations, but for which the equipment element of the offense is derivative of the height, width or length nature of the offense. An example of the latter would be violations of G.S. 20-117 (flags and lights at the end of loads), for which the equipment (the flag) is required only because of a load that has extended the overall length of the vehicle.*

House Pages

Wednesday, March 11	Room	Time
APPROPRIATIONS, JUSTICE & PUBLIC SAFETY (JOINT)	415	8:30 am

Name	County	Sponsor
Rashonda Blue	Wake	Yvonne Lewis Holley
Miles Hunt	Wake	Rosa U. Gill
Austin Johnson	McDowell	Josh Dobson

Committee Sergeants at Arms

NAME OF COMMITTEE House Committee on Appropriations; Subcommittee on Justice and Public Safety

DATE: 3-11-15 Room: LOB 415

House Sgt-At Arms:

1. Name: [redacted]
2. Name: BH Powell
3. Name: David Linthicum (Lynn will come)
4. Name:
5. Name:

Senate Sgt-At Arms:

1. Name: MARCUS KITTS
2. Name: CHARLES MARSALIS
3. Name:
4. Name:
5. Name:

SENATE PAGES ATTENDING

COMMITTEE: Joint Approp. - Justice & Public Safety

DATE: 3-11, TIME: 8:30am, ROOM: 415

Pages: Please print legibly.....*or else!!!!!!!!!!!!!!!!*

Page Name	Hometown	Sponsoring Senator
1 Sylvia Craig	Holden Beach,	Senator Bill Rabon
2 Carson Honeycutt	Pinehurst	Tillman
3		
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Do not add additional names below the grid.

Pages: Please present this form to either the Committee Clerk at the meeting or a Sgt. at Arms.

VISITOR REGISTRATION SHEET

Joint Committee on Approp. Justice & Public Safety — March 11, 2015

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Thomas Mather	IDS
Danielle Carman	IDS
Elisa Wolper	IDS
Emily Partner	IDS
Jeff Gray	Fraternal Order of Police
Barbara Moore	Conf of Clerks & SpCt
Susan A. Flicks	CSC Moore County
Jan Gilkerson	NCAOC
Tracy Little	OSBM
Cheryl Reed	AOC
Mildred Spearman	NCAOC

VISITOR REGISTRATION SHEET

Joint Committee on Approp. Justice & Public Safety — March 11, 2015

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Danielle Seale	NCAOC
Brad Fowler	NCAOC
Emily Emanuels	UNCW
Robert Andrews	Sen. Lee LA

VISITOR REGISTRATION SHEET

Joint Committee on Approp. Justice & Public Safety — March 11, 2015

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Tom Murry	NC AOC
Peg Dorn	NC Conf. of DAs
Rodney Dockham	NC ALE
Andy Brandon	DPS

House Committee on Appropriations, Justice and Public Safety
Wednesday, March 18, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on March 18, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, C. Graham, G. Graham, Hurley, R. Johnson, McNeill, Speciale, Stevens, R. Turner and Senators, Bingham, Randleman, Foushee, Hartsell and J. Jackson attended.

Representative James L. Boles, Jr., Chair, presided and called the meeting to order at 8:38 a.m.

Chairman Boles introduced the Pages and Sergeant at Arms present. He then recognized Christy Agner, Legislative Liaison for the North Carolina Department of Justice to introduce the DOJ staff in attendance at the meeting.

Chairman Boles recognized Kristine Leggett, NCGA Fiscal Research Division to present an overview of the North Carolina Department of Justice Administration Division, Legal Services Division and Training & Standards Division. Prior to beginning her overview, Ms. Leggett provided the committee with follow-up information from the March 17, 2015 meeting. Following her presentation, the Chairman allowed time for questions and answers on the topics discussed during the meeting.

The meeting adjourned at 9:37 a.m.

James L Boles Jr
Representative James L. Boles, Jr., Chair
Presiding

Kerry L Guice
Kerry Guice, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet **JOINTLY** as follows:

DAY & DATE: Wednesday, March 18, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:51 PM on Friday, March 13, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 18, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Stan Bingham	Representative Jamie Boles, Presiding
	Senator Buck Newton	Representative Leo Daughtry
	Senator Shirley Randleman	Representative John Faircloth
		Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DOJ – Administration, Legal Services, and Training and Standards
Kristine Leggett, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Thursday, March 19, 2015

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS	**Senate Appropriations Subcommittee on JPS**
Rep. Boles (Chair)	Sen. Bingham (Chair)
Rep. Daughtry (Chair)	Sen. Newton (Chair)
Rep. Faircloth (Chair)	Sen. Randleman (Chair)
Rep. Hurley (Chair)	Sen. Apodaca (Vice Chair),
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair),	Sen. Foushee, Sen. Hartsell, Sen. Jackson,
Rep. Stevens (Vice Chair)	Sen. Lee
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon,	
Rep. Speciale, Rep. Turner	

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
Rep. Jamie Boles, Co-Chair	X	X		X	X	X		X	X	X	X	X	X	X	X
Rep. Leo Daughtry, Co-Chair	X	X		X	X	X	X	X	X		X		X	X	X
Rep. John Faircloth, Co-Chair	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Rep. Pat Hurley, Co-Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Darren Jackson, Vice Chair		X	X	X	X	X	X	X		X				X	
Rep. Allen McNeill, Vice Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Sarah Stevens, Vice Chair	X	X		X	X	X	X	X	X	X	X		X	X	
Rep. Charles Graham			X	X		X		X	X		X	X	X	X	X
Rep. George Graham	X	X	X	X	X	X		X	X	X	X	X	X	X	X
Rep. Ralph Johnson		X	X	X	X	X	X	X	X	X	X	X	X	X	
Rep. Brad Salmon	X	X		X	X	X	X			X		X	X	X	
Rep. Michael Speciale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Rena Turner	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sen. Stan Bingham, Co-Chair	X	X	X	X	X		X	X	X	X					
Sen. Buck Newton, Co-Chair	X	X			X	X		X		X					
Sen. Shirley Randleman, Co-Chair	X	X	X	X	X	X	X	X	X	X					
Sen. Tom Apodaca, Vice-Chair															
Sen. Valerie Foushee	X	X		X	X	X	X	X	X	X					
Sen. Fletcher Hartsell, Jr.		X							X						
Sen. Jeff Jackson		X	X	X	X	X	X	X	X	X					
Sen. Michael Lee	X	X	X		X	X	X	X							

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

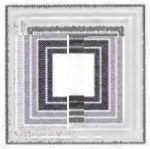
DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
William Childs, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lisa Fox, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Kristine Leggett, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X		X	X
John Poteat, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Becky Bauerband, Clerk	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Kerry Guice, Clerk	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Debbie Holder, Clerk	X		X		X	X	X	X	X	X	X		X	X	X
Jeb Kelly, Clerk	X	X	X	X	X	X	X	X	X	X					
Maria Kinnaird, Clerk	X	X		X	X		X	X							
Carol Wilson, Clerk	X	X	X	X	X	X		X	X	X					
Jason Soper, Speaker's Office		X													
Stephen Ogden, Senate Office	X	X		X		X	X	X	X	X					

Joint Appropriations Subcommittee on
Justice and Public Safety

Department of Justice

Administration
Legal Services
Training and Standards

March 18, 2015



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Follow-up from Yesterday

Lapsed Salary Use

Lapsed salary: the dollar amount of salary and associated benefits not expended during the period in which a position is vacant

G.S. 143C-6-9 Use of lapsed salary savings

Lapsed salary savings may be expended only for nonrecurring purposes or line items.

OSBM Budget Manual:

- Limited to expenditure in Personal Services, Purchased Services, Supplies, Equipment, or Other accounts
- Expenditure in Purchased Services does not require prior approval of OSBM
- Funds can only be spent after they have been generated
- Contracts funded with lapsed salaries are limited to the fiscal year
- Funds can't be used to create new positions, provide salary increases, or expand the scope of a program

Budget Terms: Base Budget



- Previous year's authorized budget
- Backs out nonrecurring reductions or increases
- May also include adjustments for:
  - Annualization of programs
  - Federal payroll tax changes
  - Contracted lease rate increases
  - Receipt projections
  - Reconciliation of intra- and intergovernmental transfers

Department of Justice (DOJ)

Provides legal services for the State, assists local law enforcement agencies, and oversees law enforcement training and standards

Roy Cooper, Attorney General

Includes:

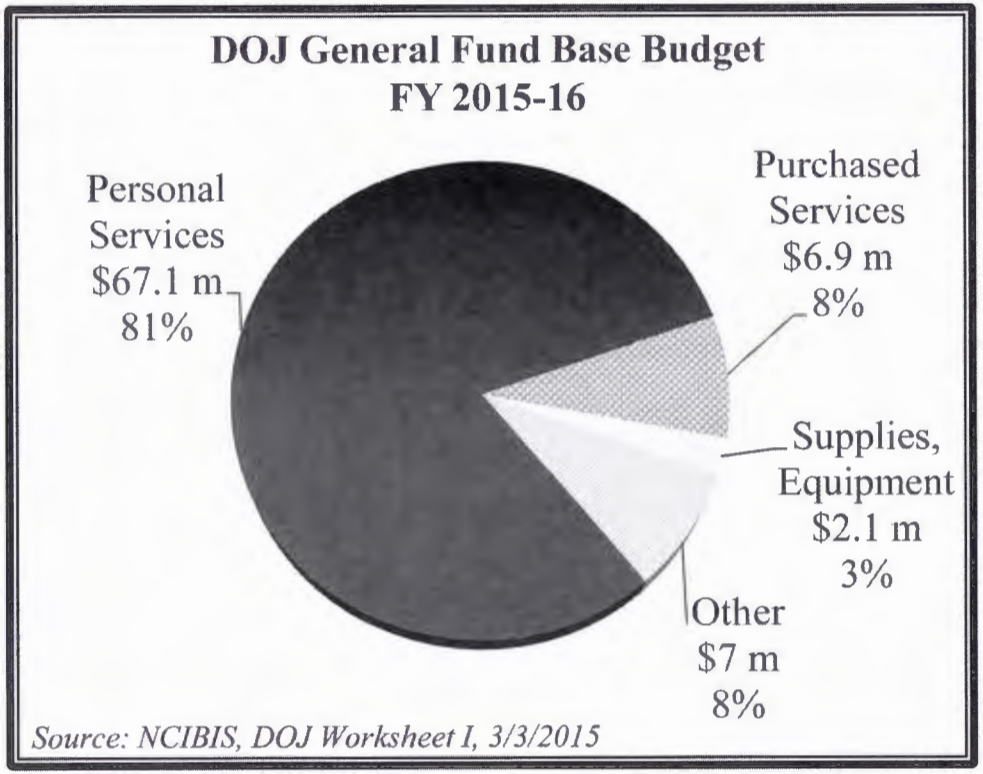
- Legal services
- Consumer Protection
- Criminal Justice Training and Standards
- NC State Crime Lab

Total General Fund Base Budget:

$83.1 million

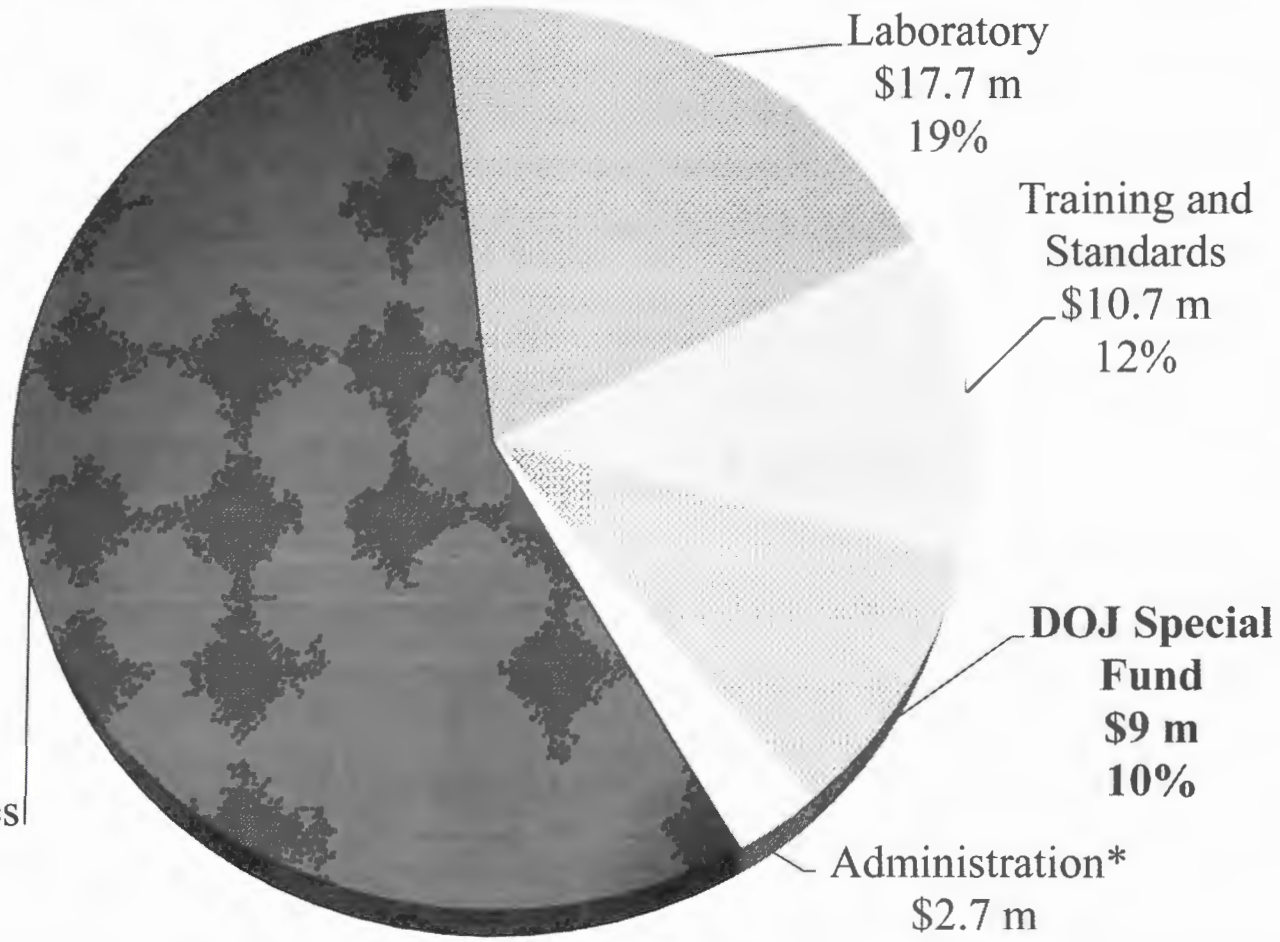
Total FTE Employees:

807.76



FY 2015-16 Base Budget

Total Requirements by Fund**



Total Budget:

$92 m

Total Full-Time Equivalent (FTE) Employees:

835.26

**Intergovernmental transactions have been adjusted to avoid double counting.

*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

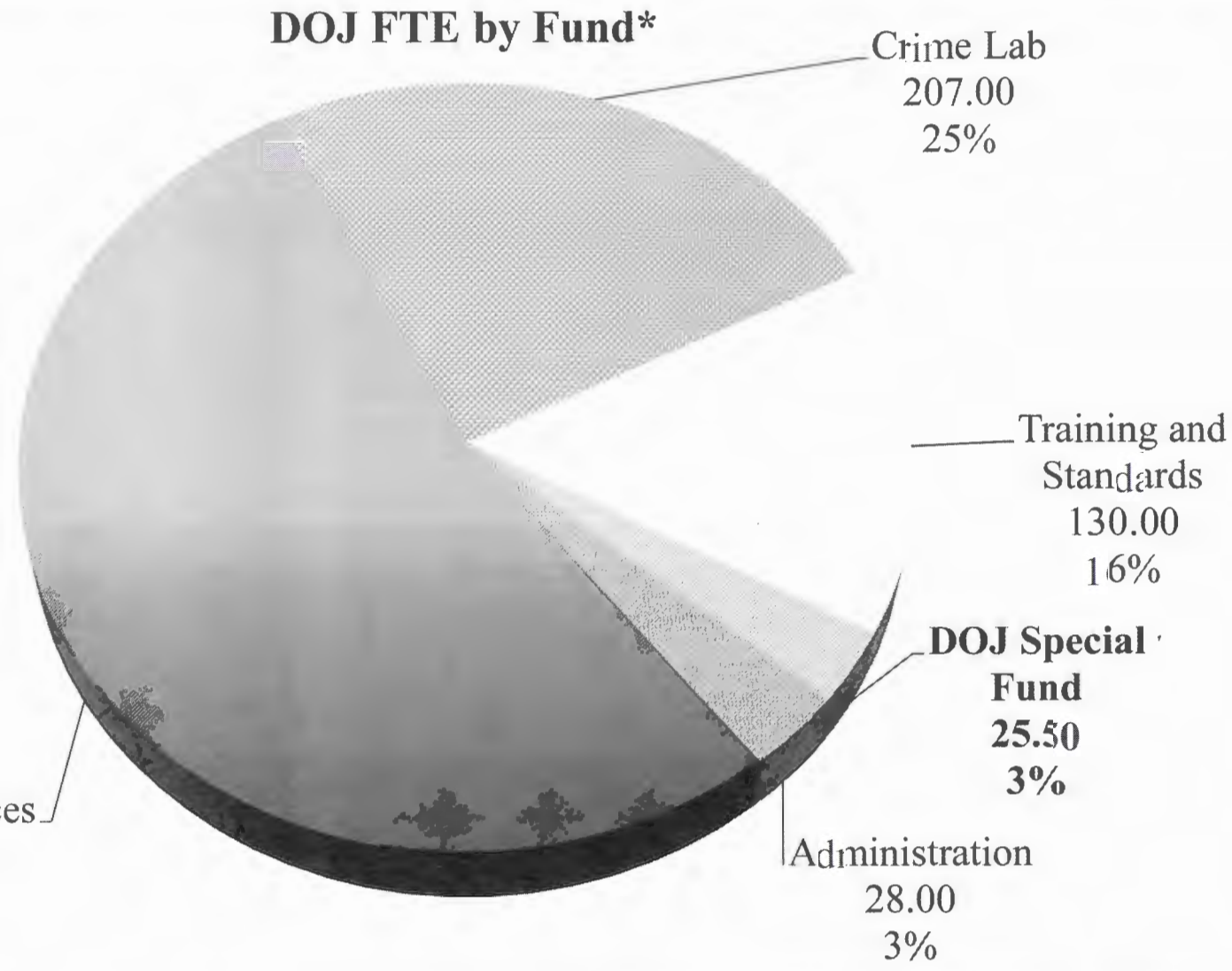
FY 2015-16 Base Budget

Total Budget:

$92 m

Total Full-Time Equivalent (FTE) Employees:

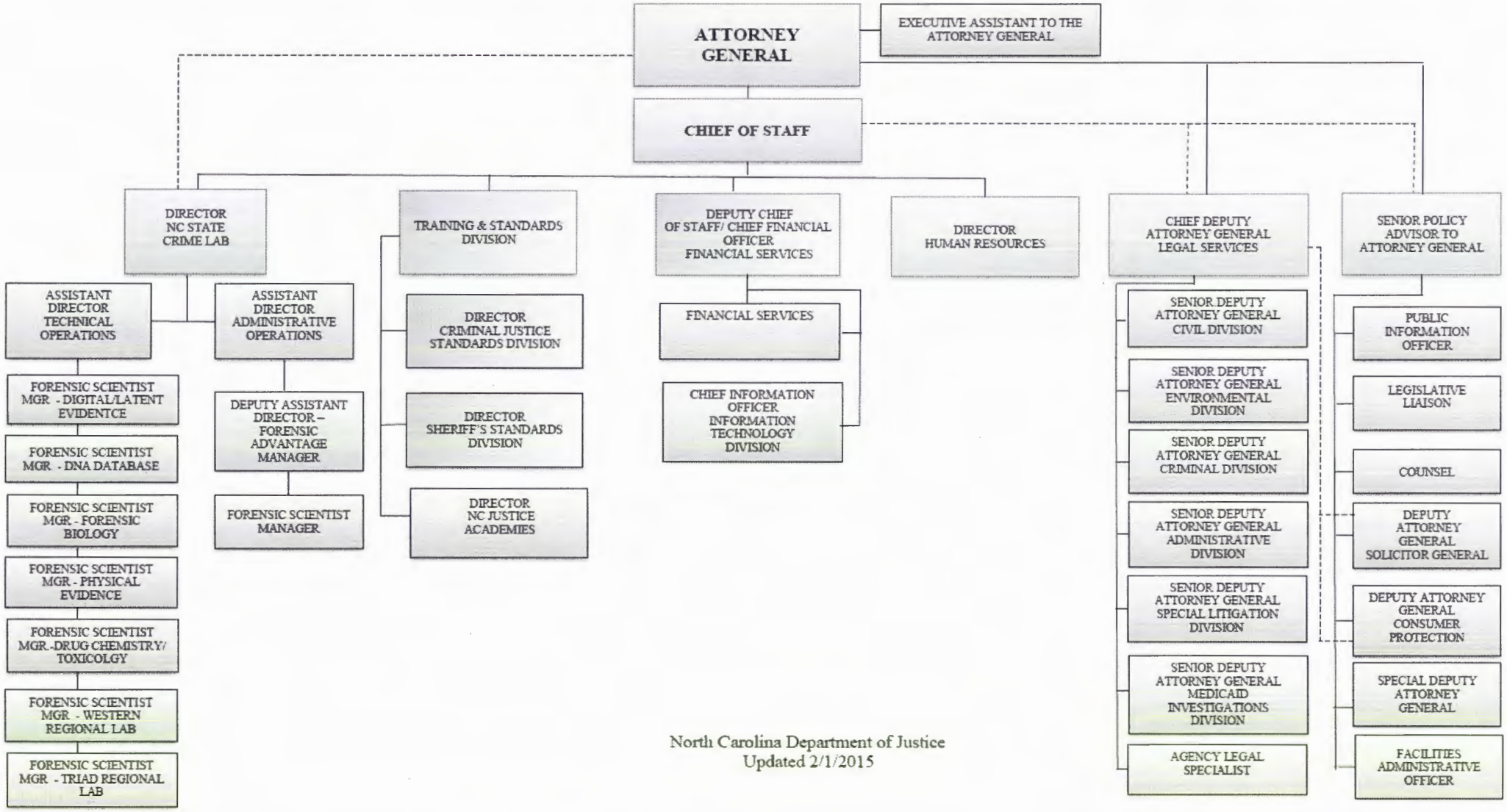
835.26



Source: FTE – Beacon BO149 3/5/2015

*Administration includes Fund Codes 1100 and 1991

Department of Justice



Administration

DOJ Administration

General Administration:

- Attorney General and administrative support

Financial Services:

- Accounting
- Budgeting
- Cash management
- Payroll
- Contract oversight
- Reporting
- Audit

Human Resources:

- Recruitment
- Compensation, and benefits
- Performance
- Professional development
- Occupational Safety and Health

Total General Fund (GF) Budget:

$2,651,232

Total GF Full-Time Equivalent (FTE) Employees:

28.0

Source: NCIBIS. DOJ Worksheet I. 3/3/2015; FTE – BEACON B0149. 3/5/2015

FY 2015-16 Base Budget

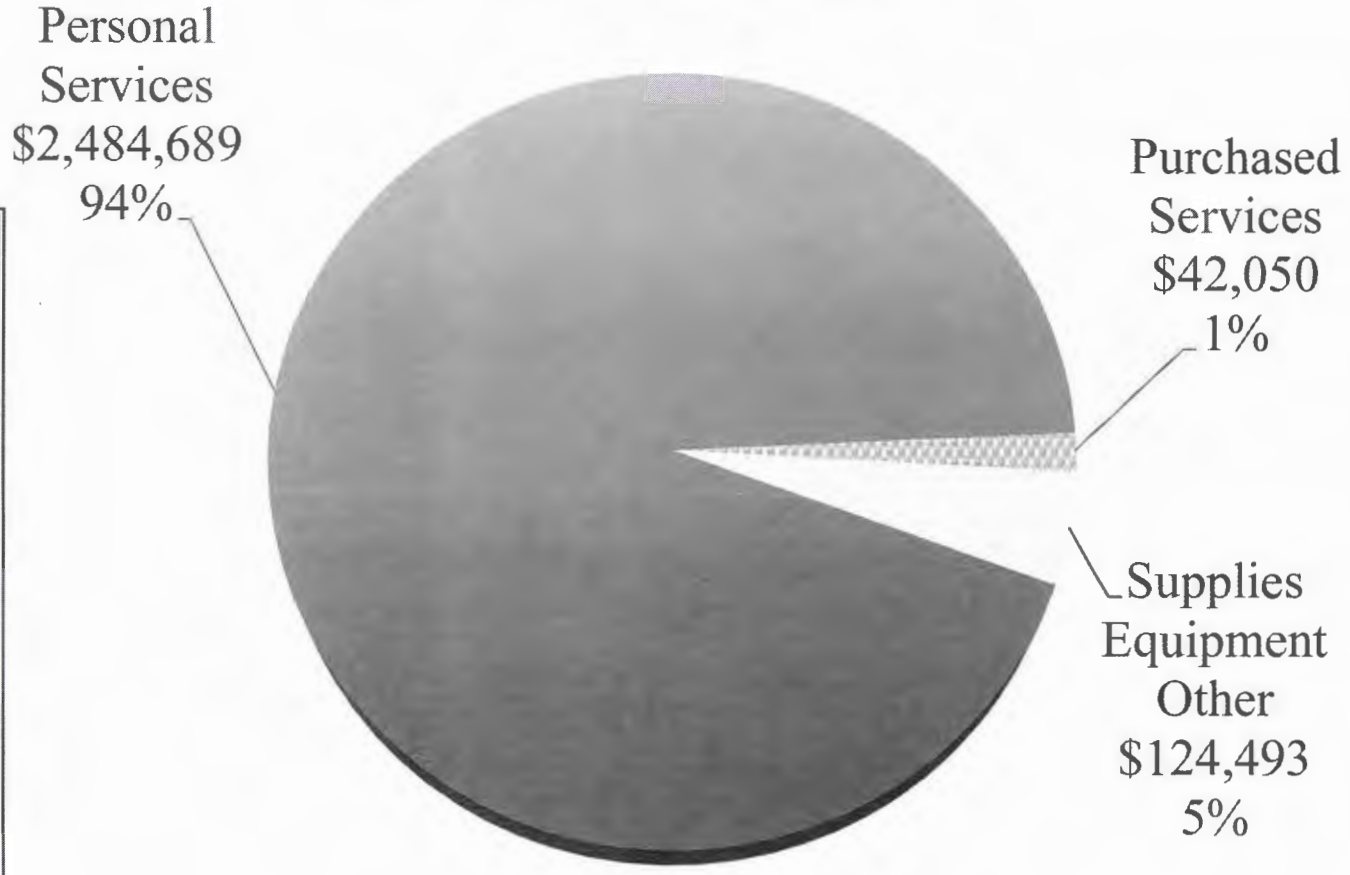
Total General Fund (GF) Budget:

$2,651,232

Total GF Full-Time Equivalent (FTE) Employees:

28.0

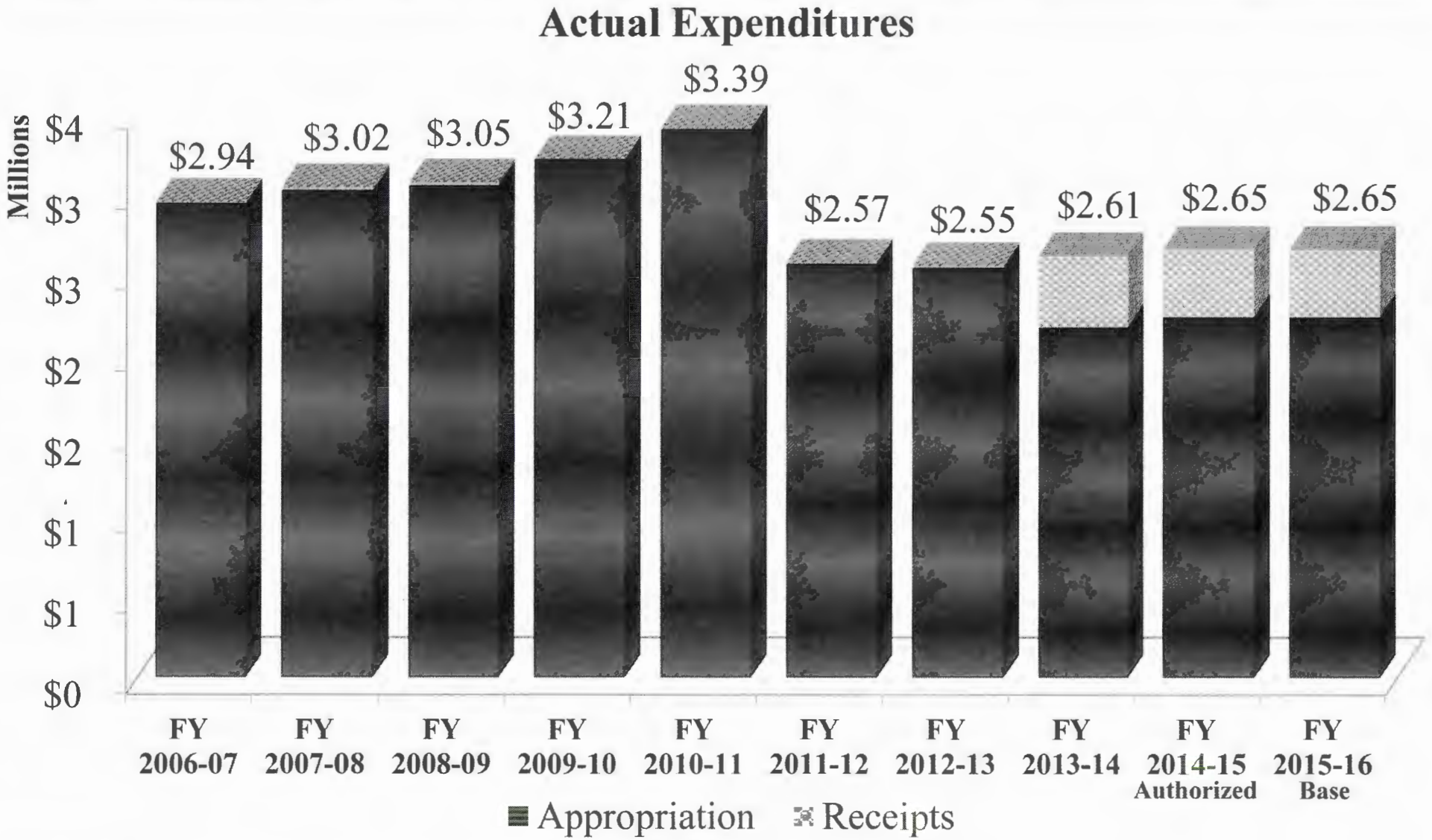
Administration* by Account



Source: NCIBIS, 3/3/2015

*Administration includes Fund Codes 1100 and 1991

Administration Budget History



Source: NCAS Budget History and Management Analysis, NCIBIS Worksheet I, 3/03/2015

Recent Budget Actions

2013 Budget (S.L. 2013-360)

Department-wide Management Flexibility Reserve	($1,700,000) R
Four positions shifted to receipt support	($259,310) R

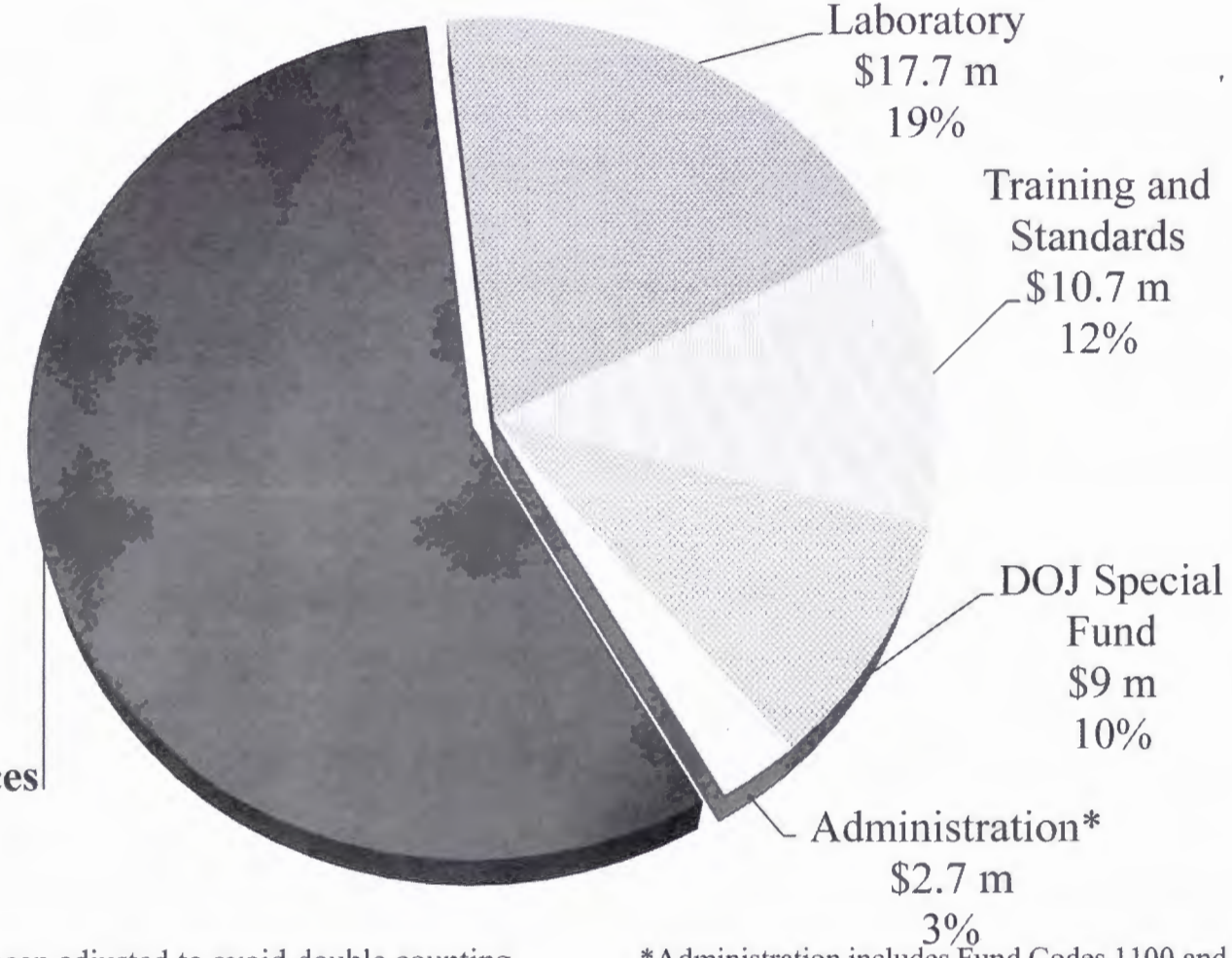
2014 Budget (S.L. 2014-100)

Department-wide Management Flexibility Reserve	($1,500,000) R
$1,000 salary increase for all permanent FTE	$989,918 R

Legal Services

FY 2015-16 Base Budget

Total Requirements by Fund**



Total Budget:

$92 m

Total Full-Time Equivalent (FTE) Employees:

835.26

**Intergovernmental transactions have been adjusted to avoid double counting.

*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

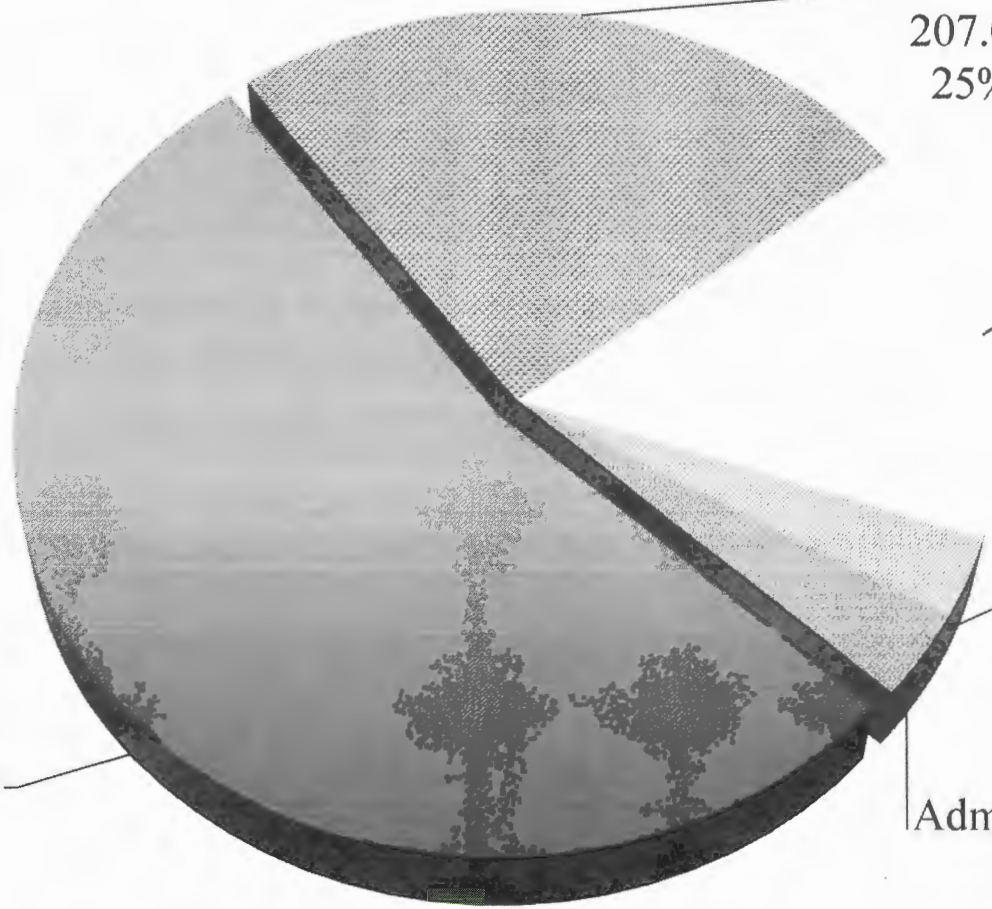
FY 2015-16 Base Budget

Total Budget:

$92 m

Total Full-Time Equivalent (FTE) Employees:

835.26



Source: BEACON BO149, 03/05/2015

*Administration includes Fund Codes 1100 and 1991

Legal Services

G.S. 114-2 - Attorney General is responsible for:

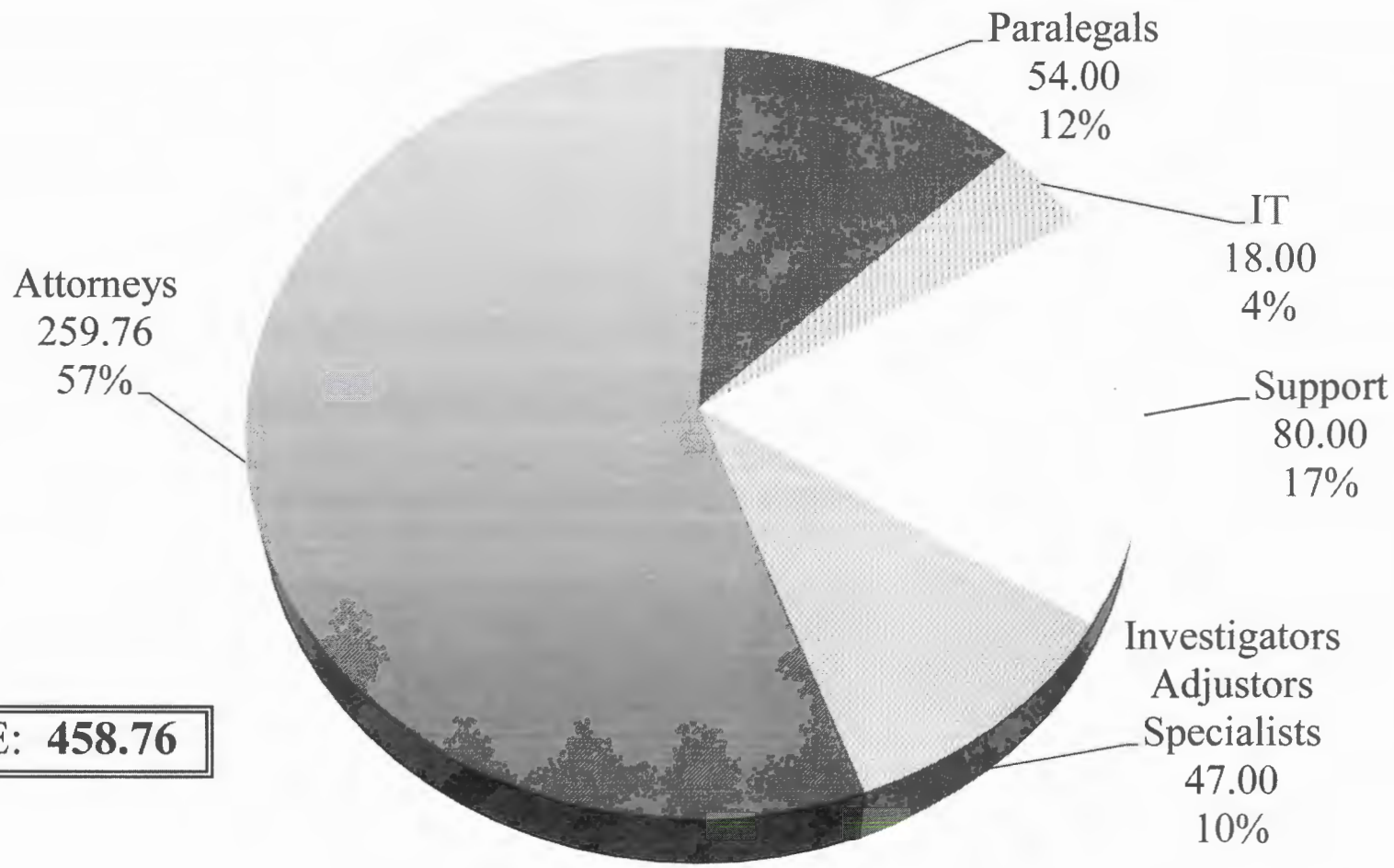
- Representing the State in all matters (civil and criminal)
- Providing representation and advice to all State agencies
- Providing consultation and advice to prosecutors

Legal Services Divisions

- Administrative
- Civil
- Consumer Protection
- Criminal
- Environmental
- Medicaid Investigations
- Special Litigation
- Office of the Solicitor General

Legal Services

Legal Services Positions



Total FTE: **458.76**

Source: BEACON BO149, 03/05/2015

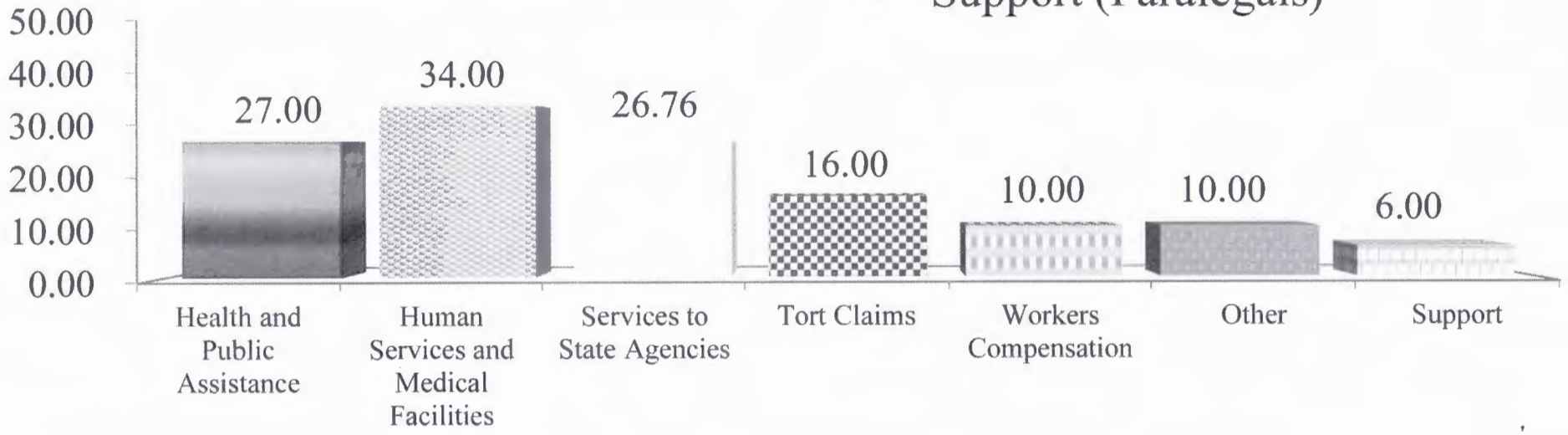
Administrative Division

Legal advice and representation to most State agencies

129.76 FTE

Sections:

- Public Health and Child Welfare
- Public Assistance
- Human Services and Medical Facilities
- Services to State Agencies
- Tort Claims
- Workers' Compensation
- Composite Litigation
- Support (Paralegals)



Source: BEACON BO149, 03/05/2015

Administrative Division

Services to Agencies

Statutorily Assigned:

- Revenue (G.S. 114-4)
- DOT (G.S. 114-4.2)
- Insurance (G.S. 114-4.2A)
- UNC Hospitals (G.S. 114-4.2B)
- Real Estate Commission (G.S. 114-4.2C)

Others

- Some agencies contract for positions
- State agencies billed for direct litigation costs (G.S. 114-8.2)
- Receipt supported boards and commissions pay for all legal services (G.S. 114-8.2)
- Itemized bills sent to agencies (G.S. 114-8.5)

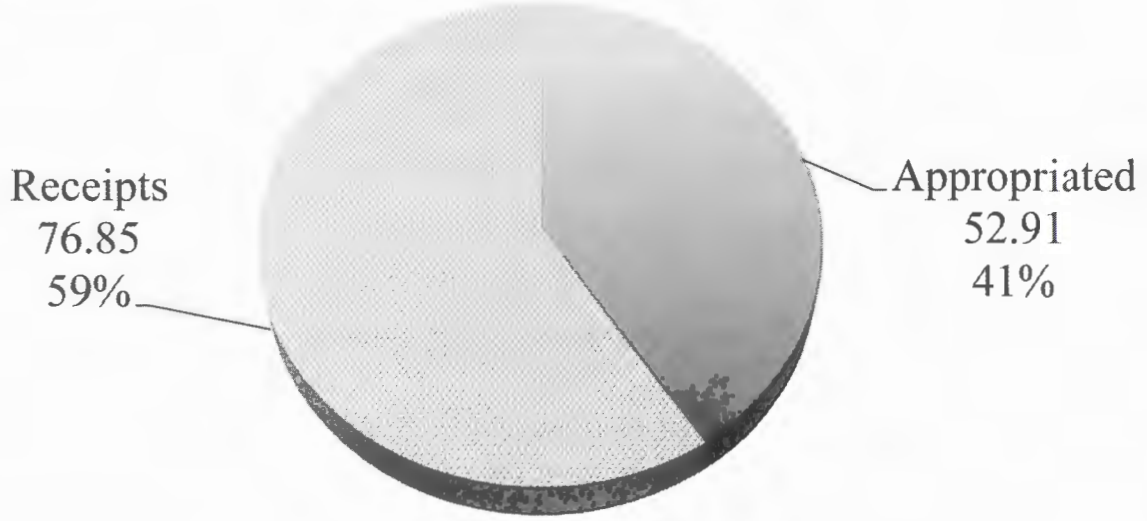
Outside attorneys must be approved by the AG (G.S. 114-2.3)

Administrative Division

Receipts

- Interagency transfers for services
- Tort claim funds from public schools

Administrative Division FTE by Source



Source: BEACON BO149, 03/05/2015

Civil Division

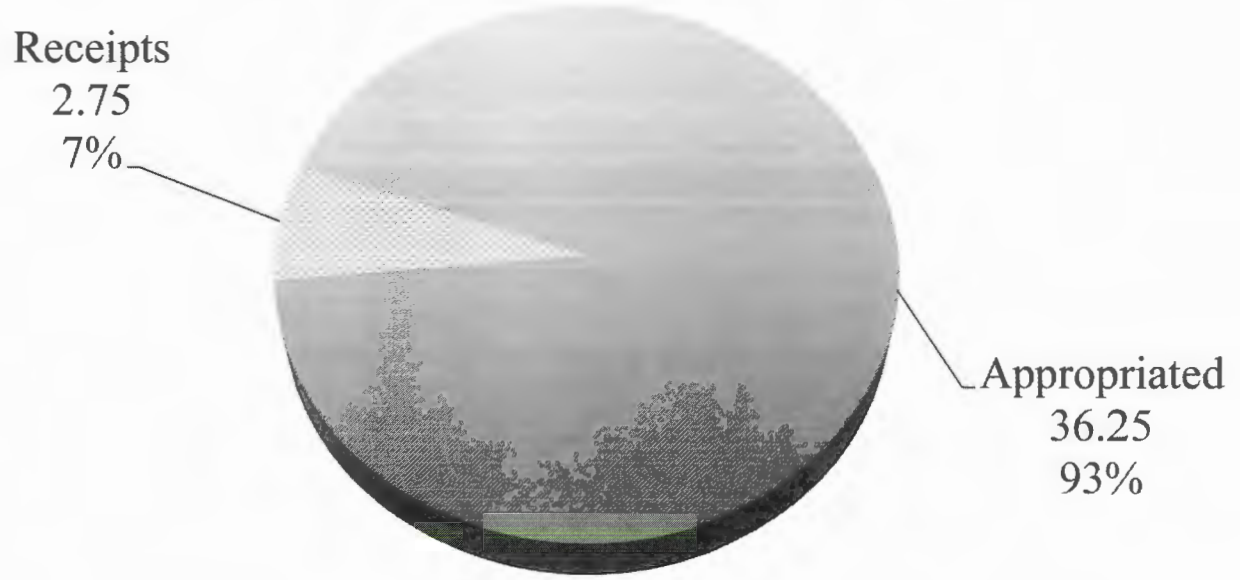
Civil claims and litigation involving the State, its officials or employees

39 FTE

Sections:

- Insurance
- Labor
- Property Control
- Revenue
- Transportation
- Motor Vehicles

Civil Division FTE by Source



Source: BEACON BO149, 03/05/2015

Consumer Protection Division

Protects the public from unlawful business practices

57 FTE

In FY 2013-14 Consumer Protection:

- Received 20,686 written consumer complaints
- Received 34,320 phone complaints or inquiries
- Generated approximately $3.2 million in settlements



Entirely receipt supported

Source: BEACON, BO149, 03/05/2015; CP statistics - DOJ

Criminal Division

Criminal appeals, representation and advice related to law enforcement, and assistance in prosecuting some criminal cases

73.0 FTE

Sections:

- Public Safety
- Law Enforcement Liaison
- Special Prosecutions
- Criminal Appellate
- Capital Litigation/Federal Habeas

	2010	2011	2012	2013	2014
Criminal Appeals Briefs	760	778	773	687	635
Capital Cases	Unavailable	145	142	147	143
Federal Non-capital cases	58	116	106	136	135

Source: BEACON, BO149, 03/05/2015; Case statistics - DOJ

Medicaid Investigations Division

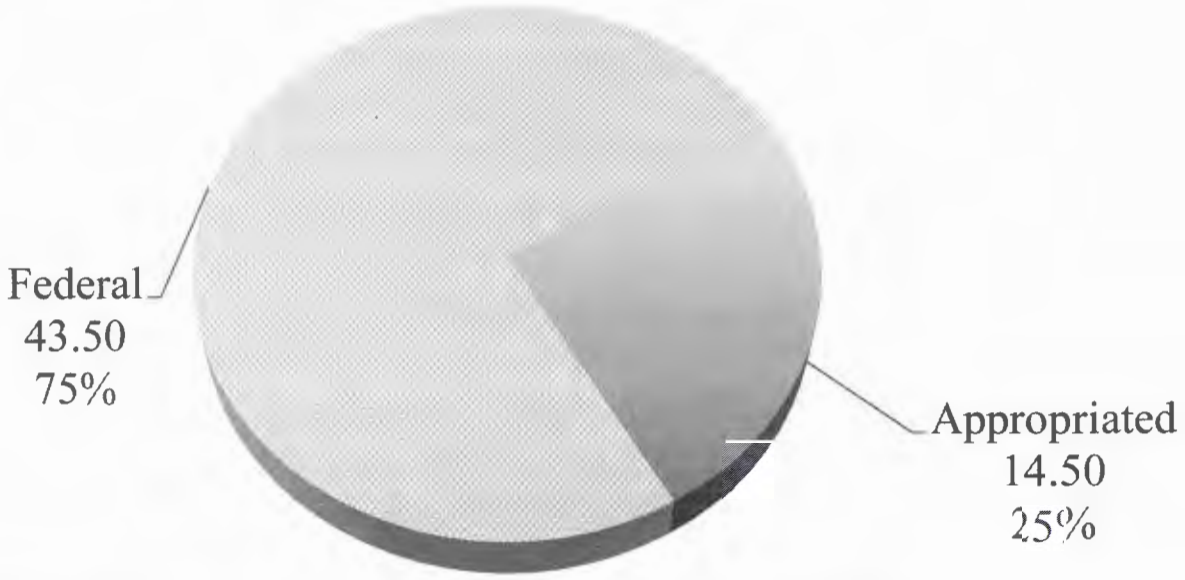
Investigates Medicaid fraud and abuse

58.0 FTE

Medicaid Fraud Investigations FTE by Role

Investigators	31.00
Support	11.00
Attorneys	16.00

Medicaid Investigations FTE by Source



Source: BEACON BO149, 03/05/2015

Medicaid Investigations Division

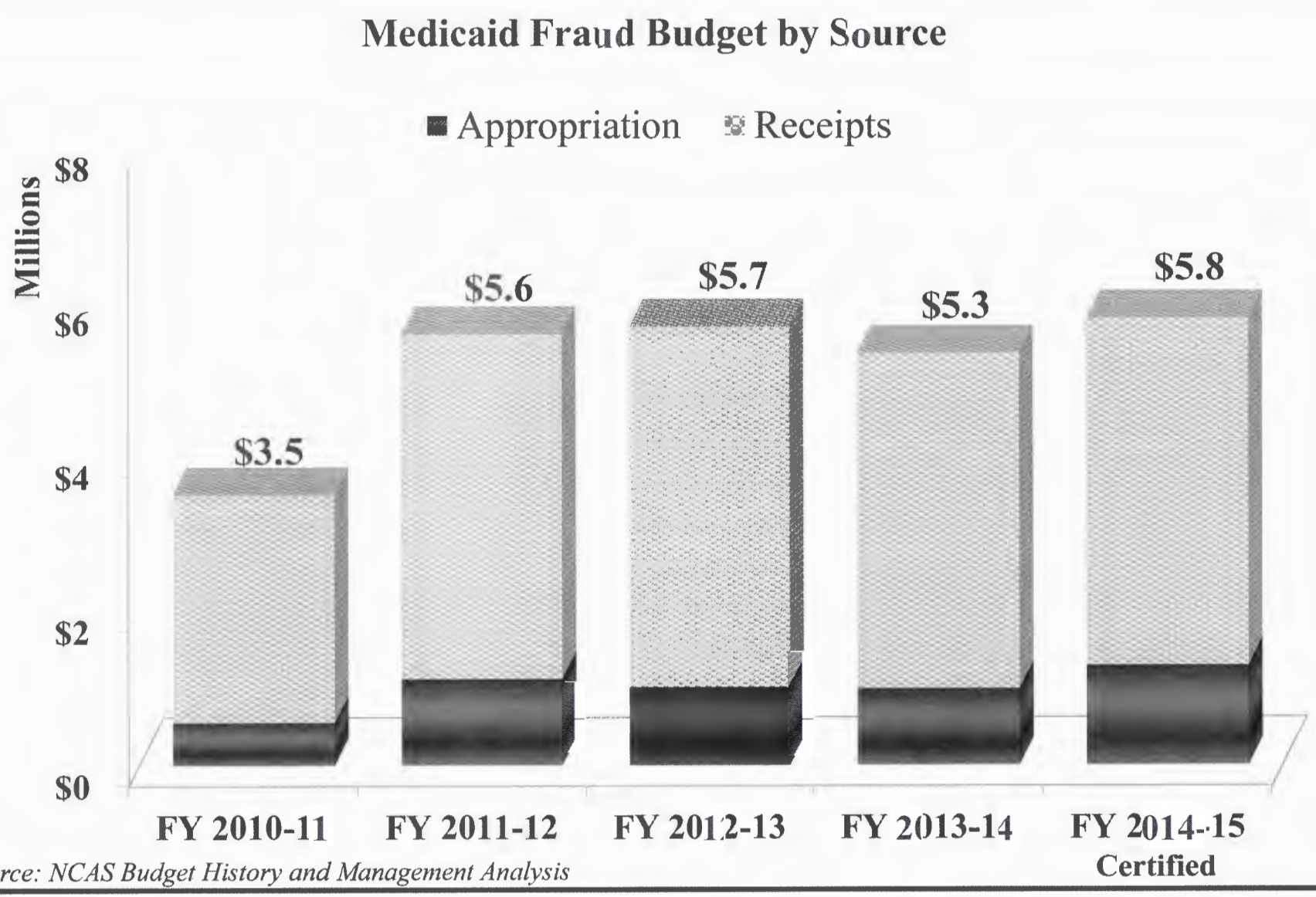
Medicaid Settlements are distributed to:

- Federal government
- State Medicaid Program
- Civil Fines and Forfeitures Fund (public schools)
- DOJ

	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Referrals	240	298	347	423
Investigations	289	374	502	561
Recoveries	$38,659,712	$48,794,392	$52,701,055	$55,768,753

Source: DOJ Medicaid Fraud Unit Annual Reports

Medicaid Investigations Division



Source: NCAS Budget History and Management Analysis

Other Divisions

Special Litigation Division (30.0 FTE)

Complex litigation in which the public has a vital stake. Sections include Special Litigation and Education.

Office of Solicitor General (3.0 FTE)

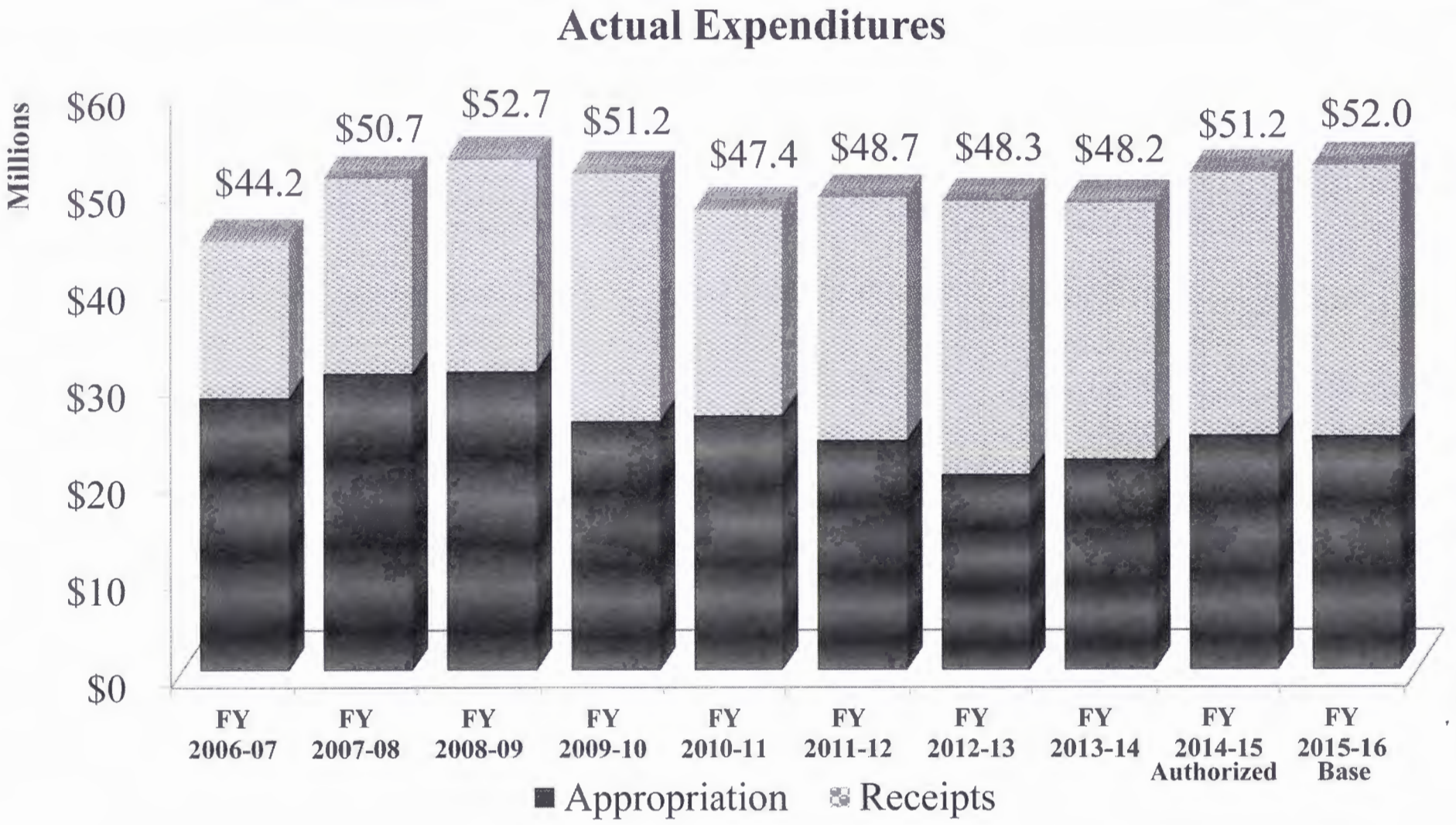
Represents the State before the Supreme Court

Environmental Division (43.0 FTE)

Advises and represents DENR, and investigates and prosecutes environmental criminal and civil actions. Sections include Air and Natural Resources, Waste Management, and Water and Land

Source: BEACON BO149, 03/05/2015

Legal Services Budget History



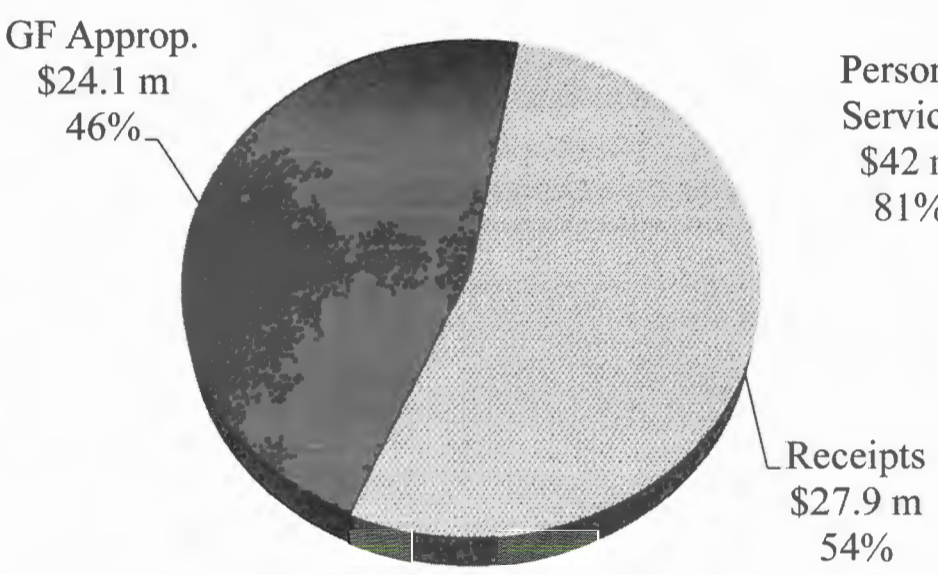
Source: NCAS Budget History and Management Analysis

FY 2015-16 Base Budget

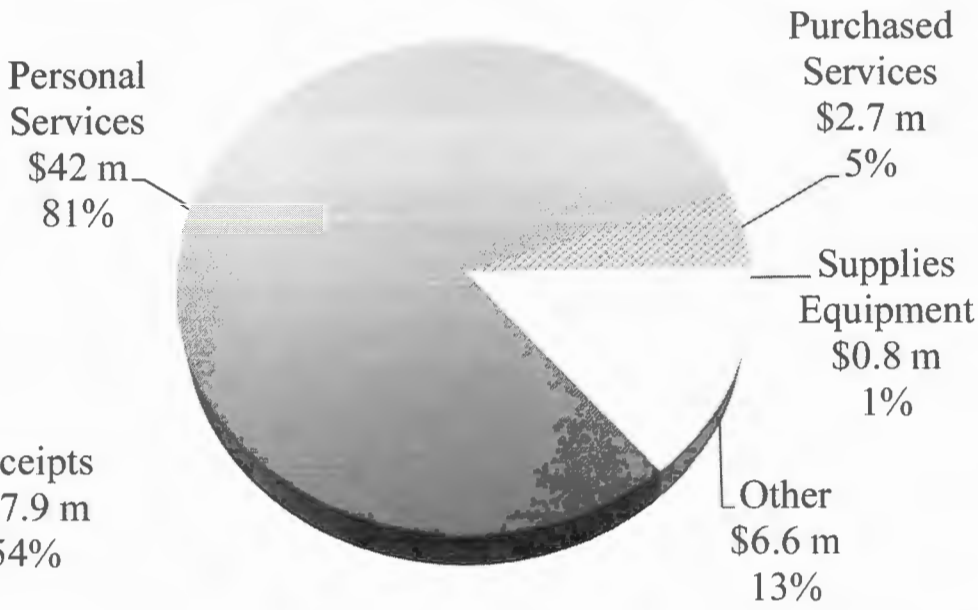
Total General Fund (GF) Requirements: **$51,996,584**

Total GF Full-Time Equivalent (FTE) Employees: **444.76**

Legal Services by Source



Legal Services by Account



Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

Recent Budget Actions

2013 Budget (S.L. 2013-360)

Department-wide Management Flexibility Reserve	($1,700,000) R
Three positions shifted from receipt support	$244,661 R

- **Sec. 17.1** requires an annual report on attorney activity
- **Sec. 17.8**, as amended by S.L. 2013-363, transferred 19 receipt supported attorney positions to the agencies they served.

2014 Budget (S.L. 2014-100)

Department-wide Management Flexibility Reserve	($1,500,000) R
$1,000 salary increase for all permanent FTE	$989,918 R
Transfer to NCGA Litigation Reserve	($300,000) NR

Training and Standards

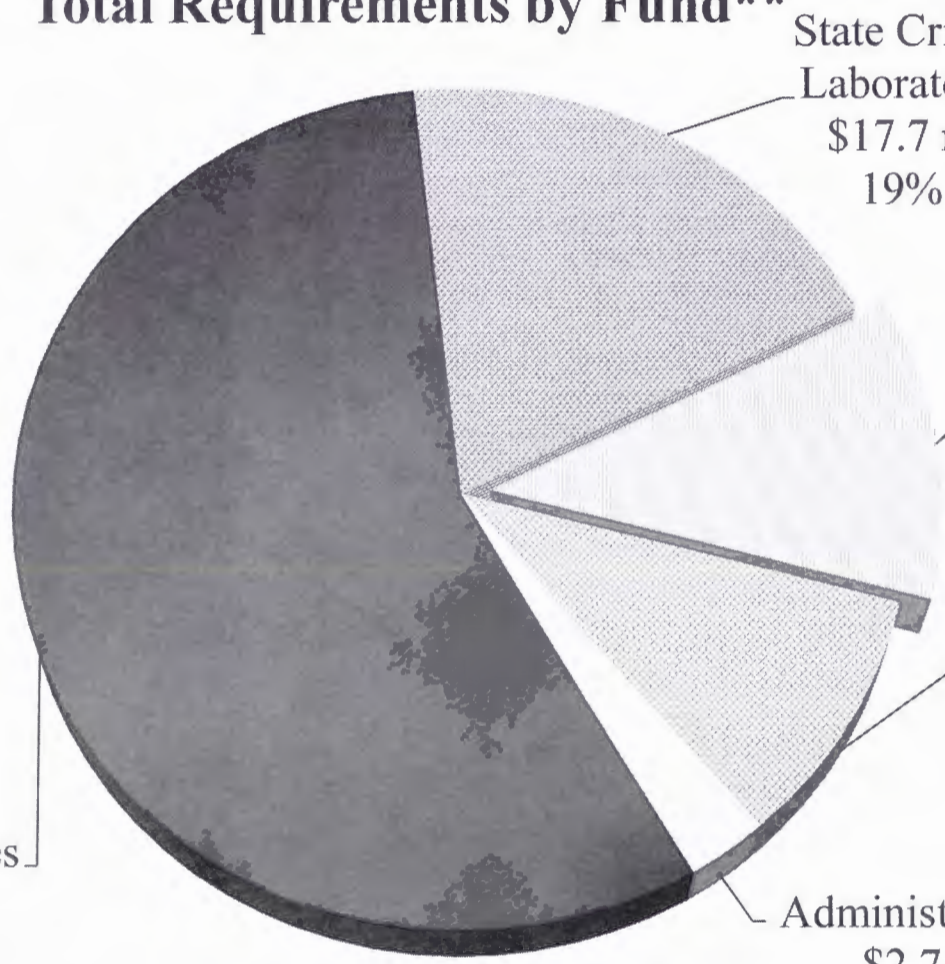






FY 2015-16 Base Budget

Total Requirements by Fund**



Total Budget:

$92 m

Total Full-Time Equivalent (FTE) Employees:

835.26

**Intergovernmental transactions have been adjusted to avoid double counting.

*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

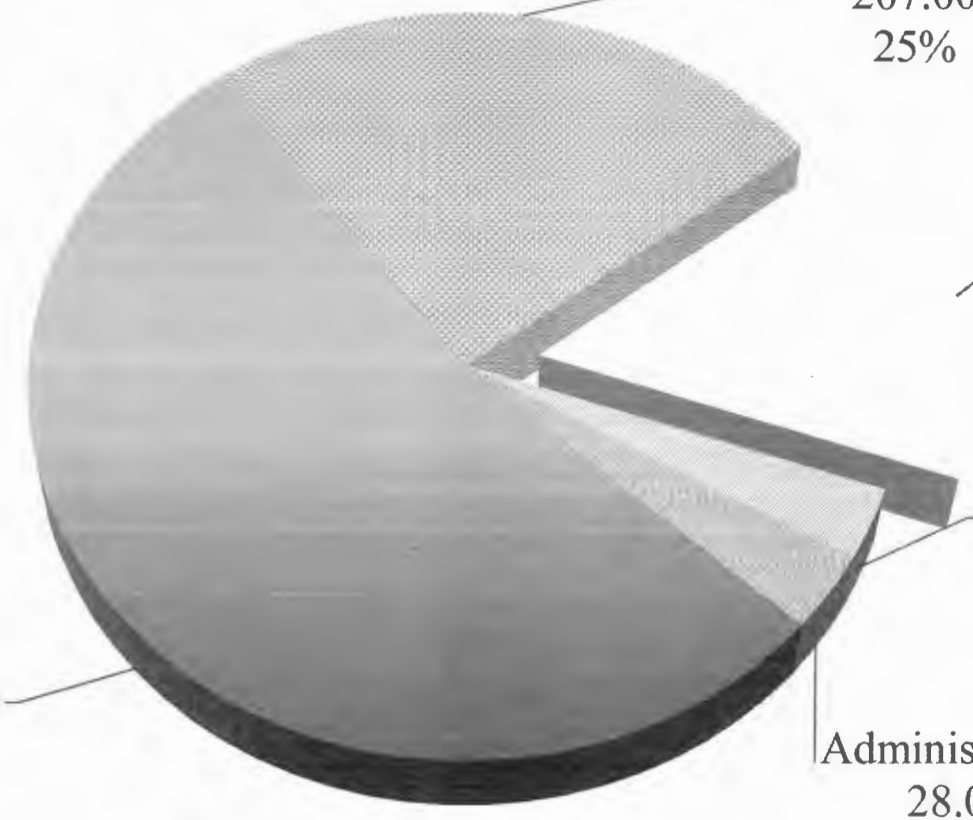
FY 2015-16 Base Budget

Total Budget:

$92 m

Total Full-Time Equivalent (FTE) Employees:

835.26



Source: FTE – Beacon BO149 3/5/2015

*Administration includes Fund Codes 1100 and 1991

Law Enforcement Training and Standards

Three Sections:

- Criminal Justice Training and Standards Commission
- Sheriffs' Education and Training Standards Commission
- NC Justice Academy

Provides certification and training for all criminal justice officers in the State:

- Deputy Sheriffs
- Police
- Detention Officers
- Telecommunicators
- Correctional officers
- Probation officers
- Juvenile justice officers
- Juvenile justice court counselors

Total FY 2015-16 Base Budget:

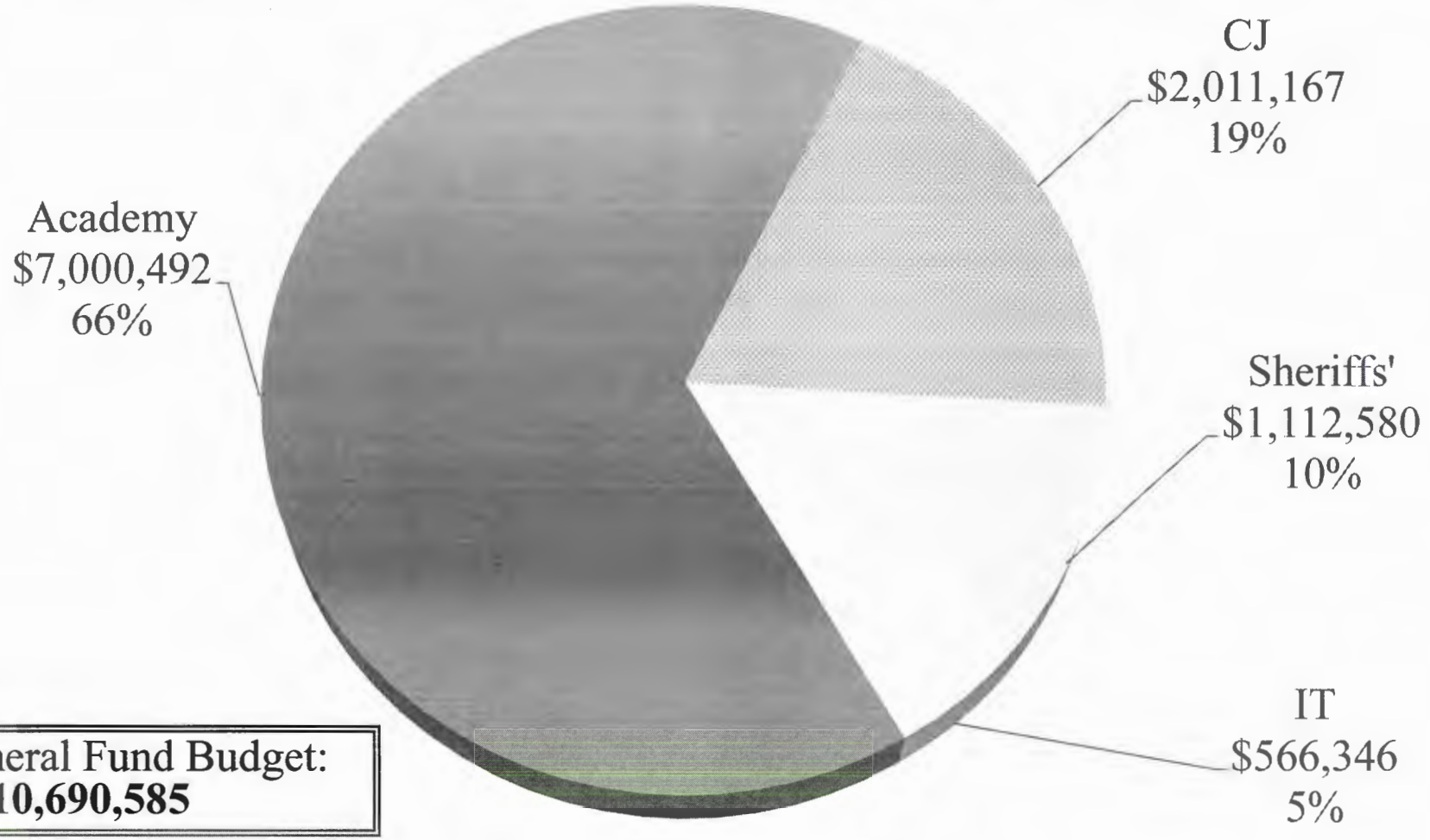
$12.3 m

Total FTE:

136.50

Training and Standards

FY 2014-15 Authorized General Fund Budget by Section

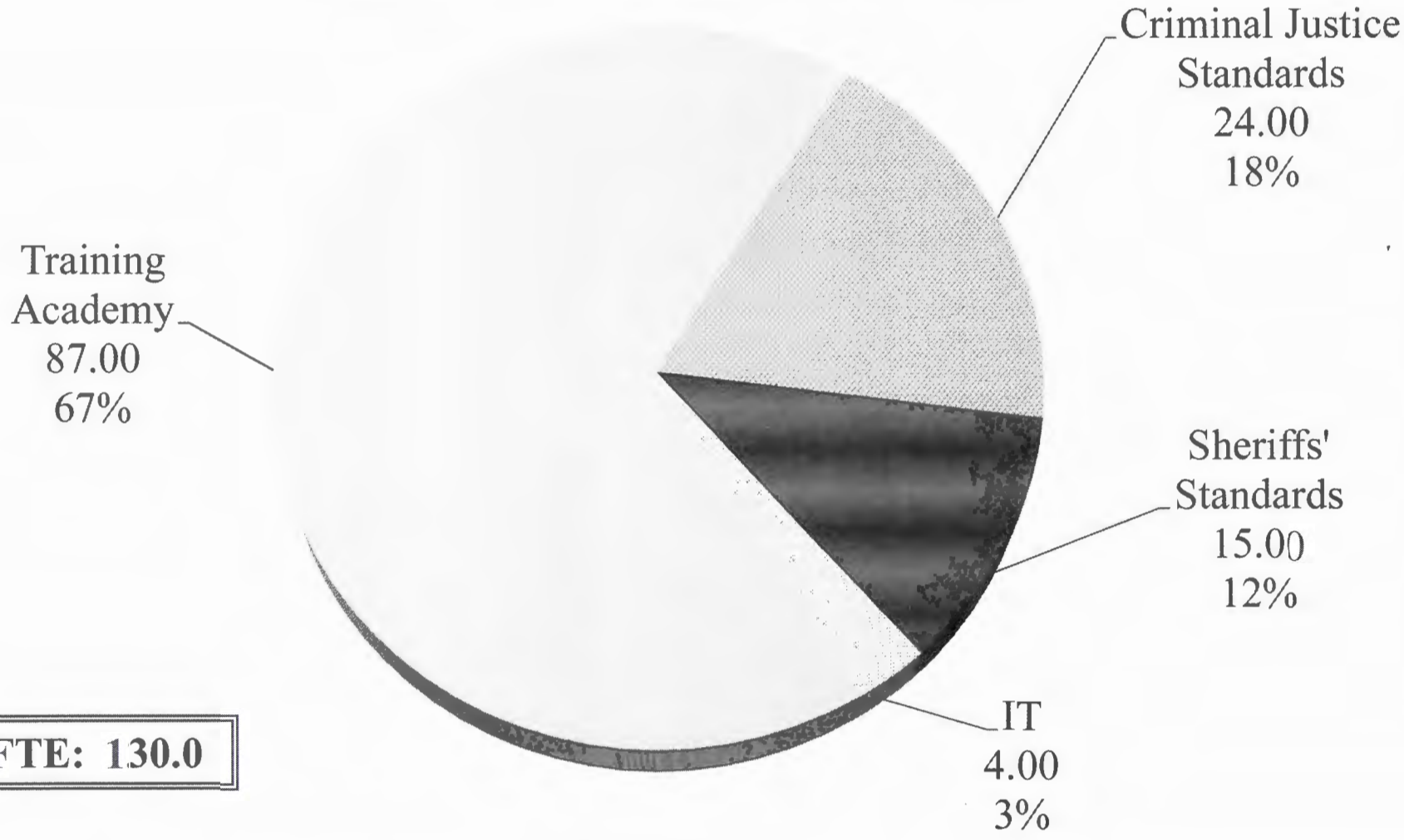


Total General Fund Budget:
$10,690,585

Source: NCAS

Training and Standards

General Fund Positions by Function



Total FTE: 130.0

Source: BEACON, BO149, Run Date 03/05/2015

Criminal Justice Education & Training Standards Commission

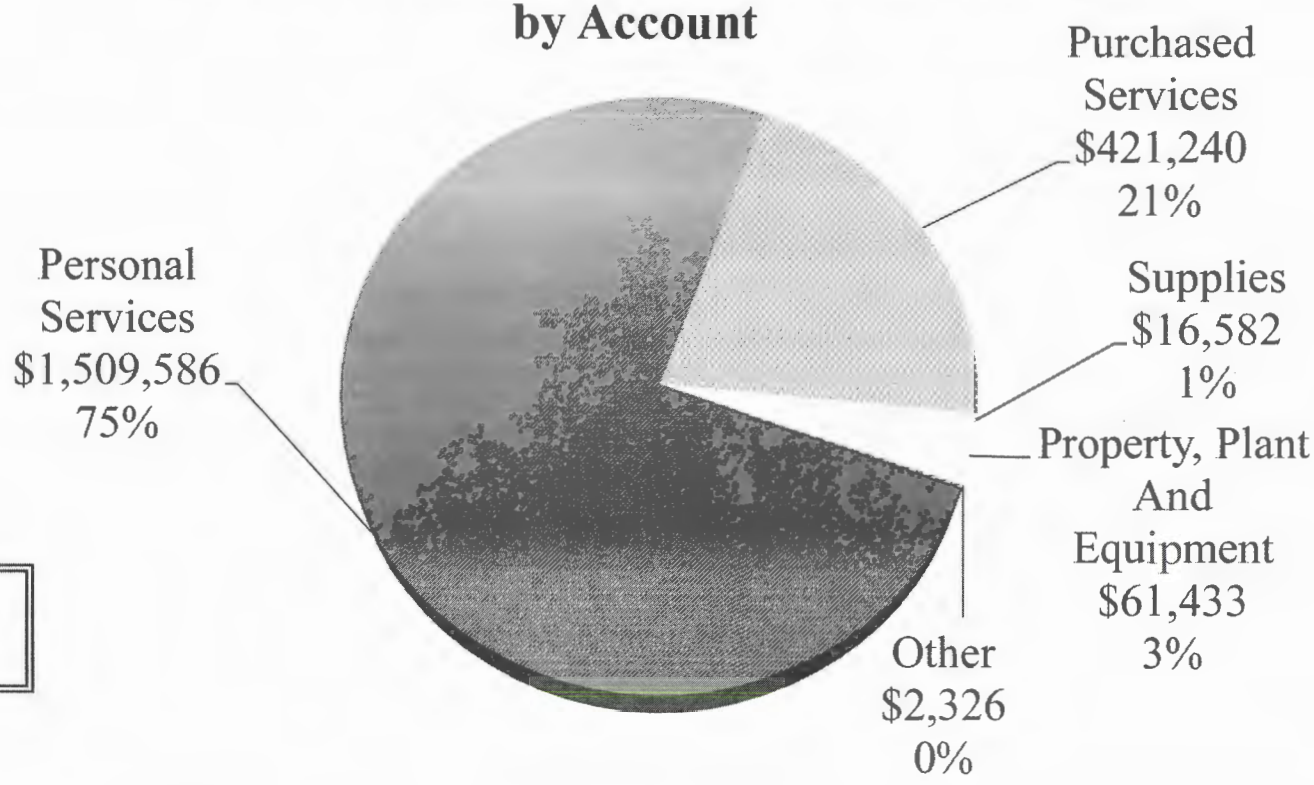
Established in 1971 – G.S. 17C

24 FTE

Commission:

- 31 members
- Four meetings per year

FY 2014-15 Authorized General Fund Budget by Account



Total General Fund Budget: **$2,011,167**

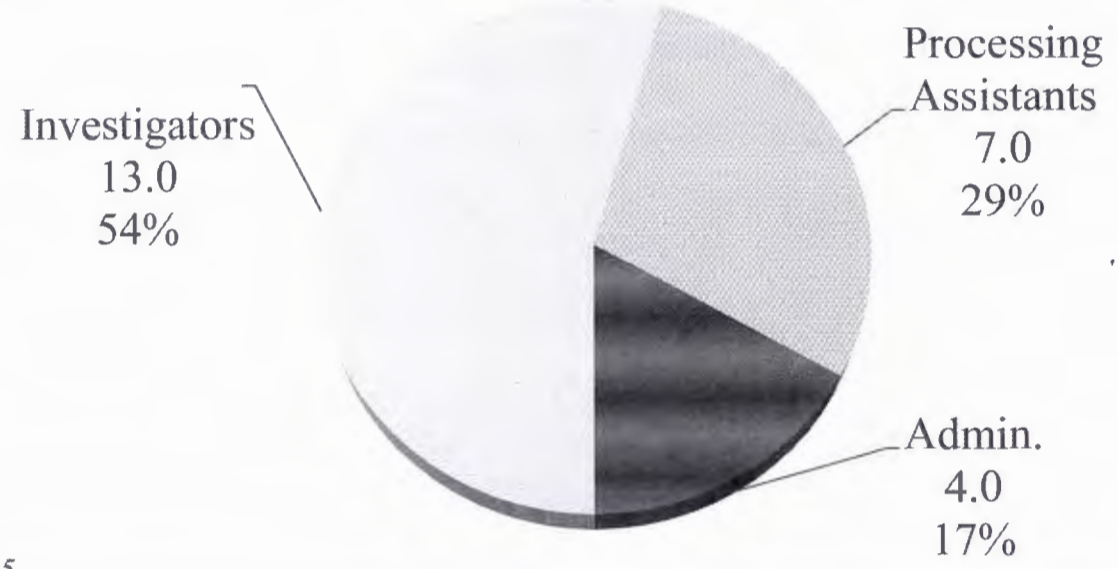
Source: NCAS; FTE – BEACON BO149, 03/05/2015

Criminal Justice Education & Training Standards Commission

Powers (G.S. 17C-6(a)):

- Establish minimum standards
- Certify, recertify, suspend, revoke, or deny certification
- Investigate and evaluate compliance
- Establish standards for annual firearms certification for retired officers

Criminal Justice Standards



Source: BEACON, BO149, Run Date 03/05/2015

Sheriffs' Education & Training Standards Commission

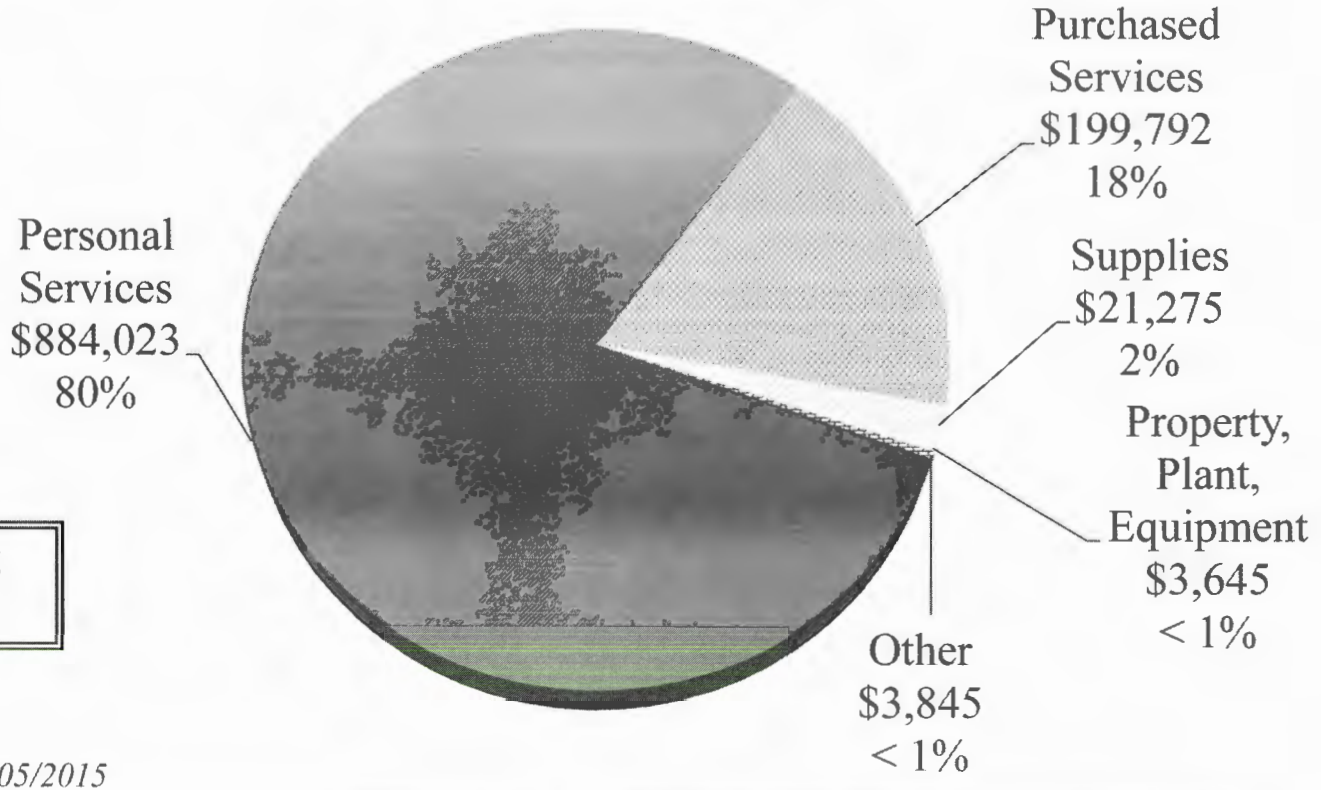
Established in 1983 – G.S. 17E

15 FTE

Commission:

- 17 members
- Four meetings per year

FY 2014-15 Authorized General Fund Budget by Account



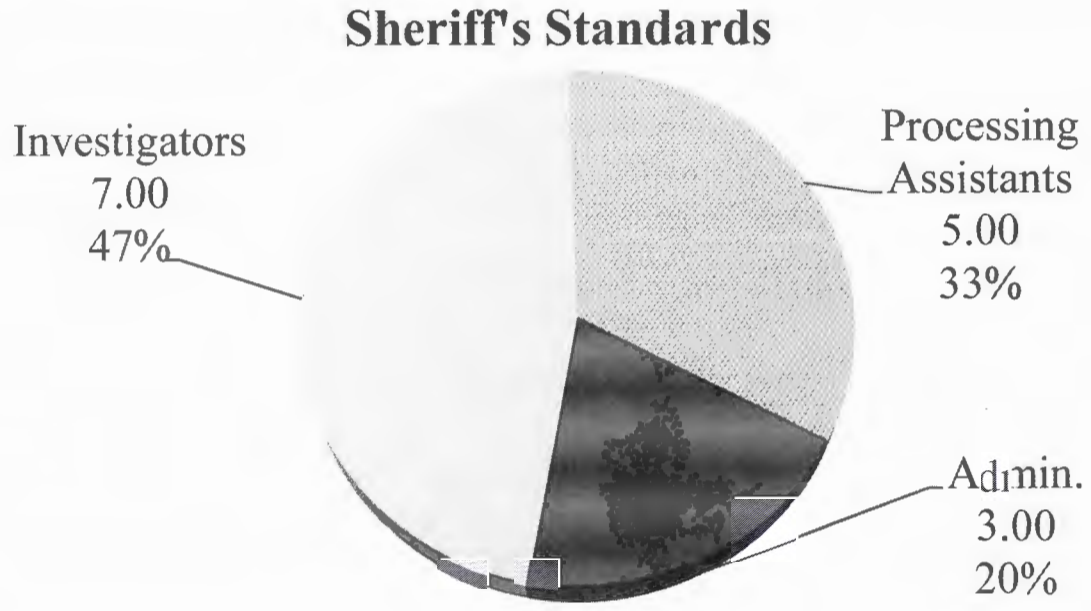
Total General Fund Budget: **$1,112,580**

Source: NCAS; FTE – BEACON BO149, 03/05/2015

Sheriffs' Education & Training Standards Commission

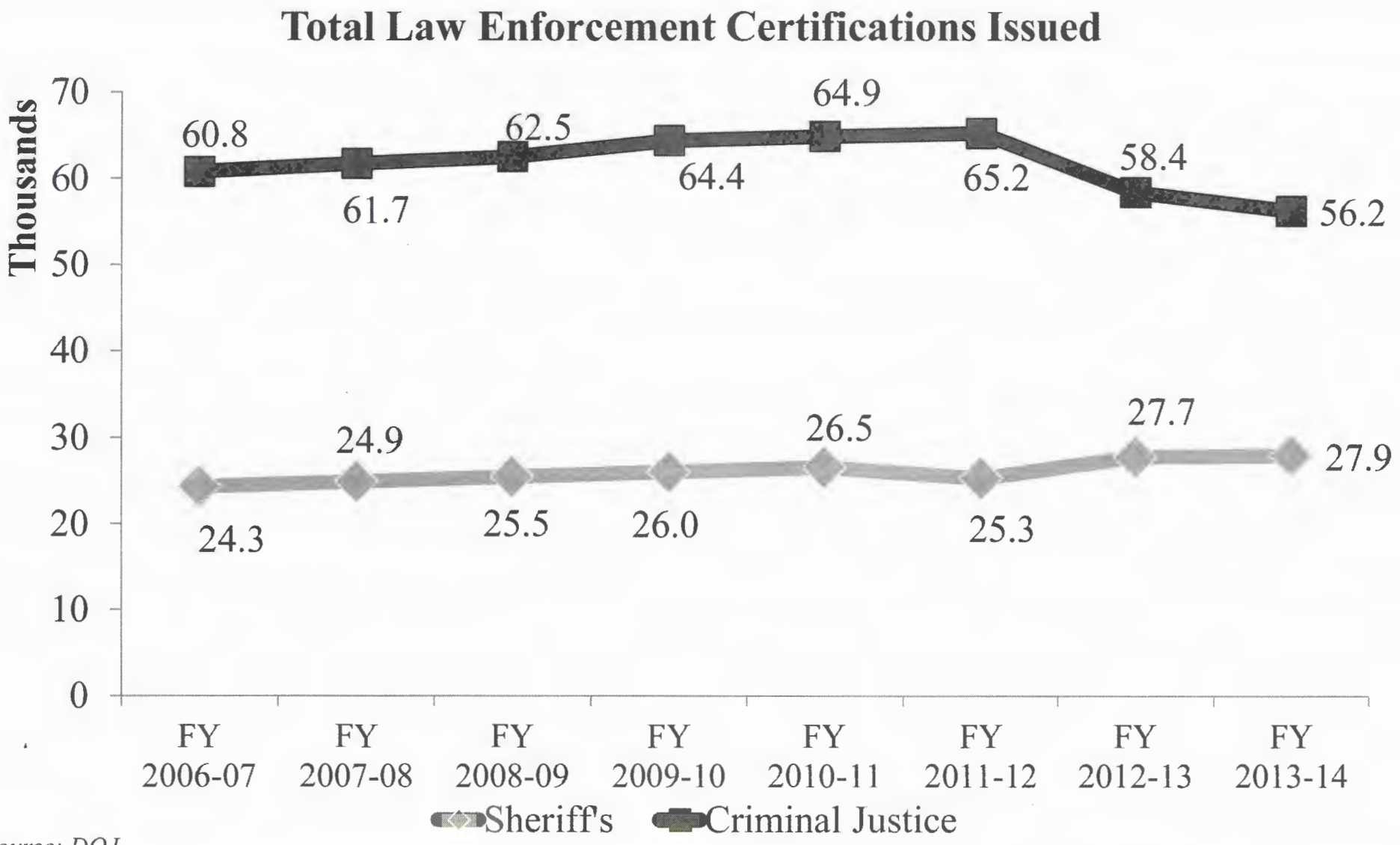
Powers (G.S. 17E-4(a)):

- Establish minimum standards for justice officers
- Certify, recertify, suspend, revoke, or deny certification
- Investigate and evaluate compliance
- Establish standards for annual firearms certification for retired officers



Source: BEACON, BO149, Run Date 03/05/2015

Certified Law Enforcement



Source: DOJ

Certified Law Enforcement



Source: DOJ

Commissions' Receipts

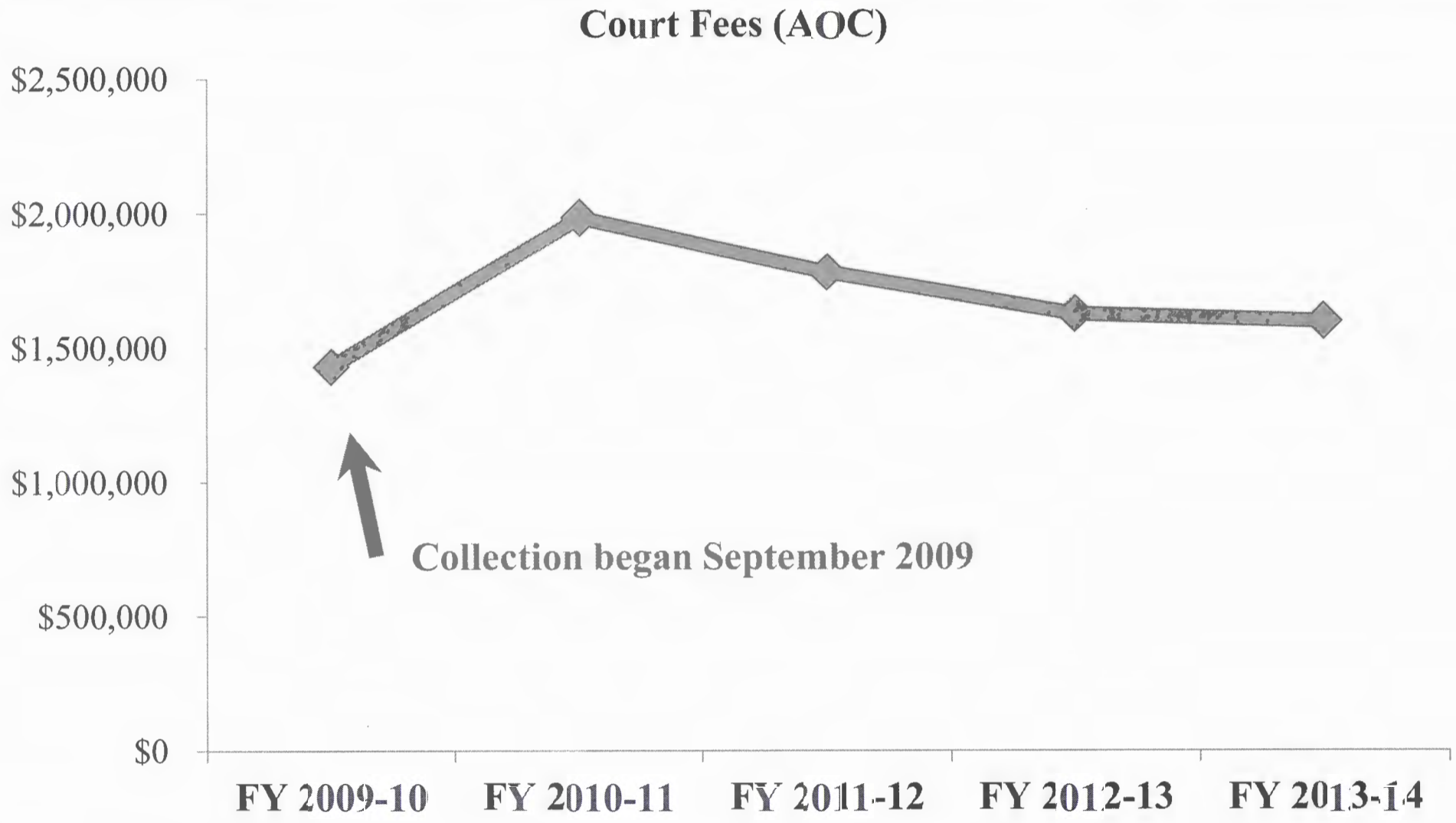
Court Fees (G.S. 7A-304(a)(3a-3b))

- $1.25 for Sheriffs' Supplemental Pension Fund
- $2.00 for CJ Standards services, staffing, and operations

Concealed Weapon Trainer Certification (G.S. 14-415.12; 12 NCAC 09F.0107)

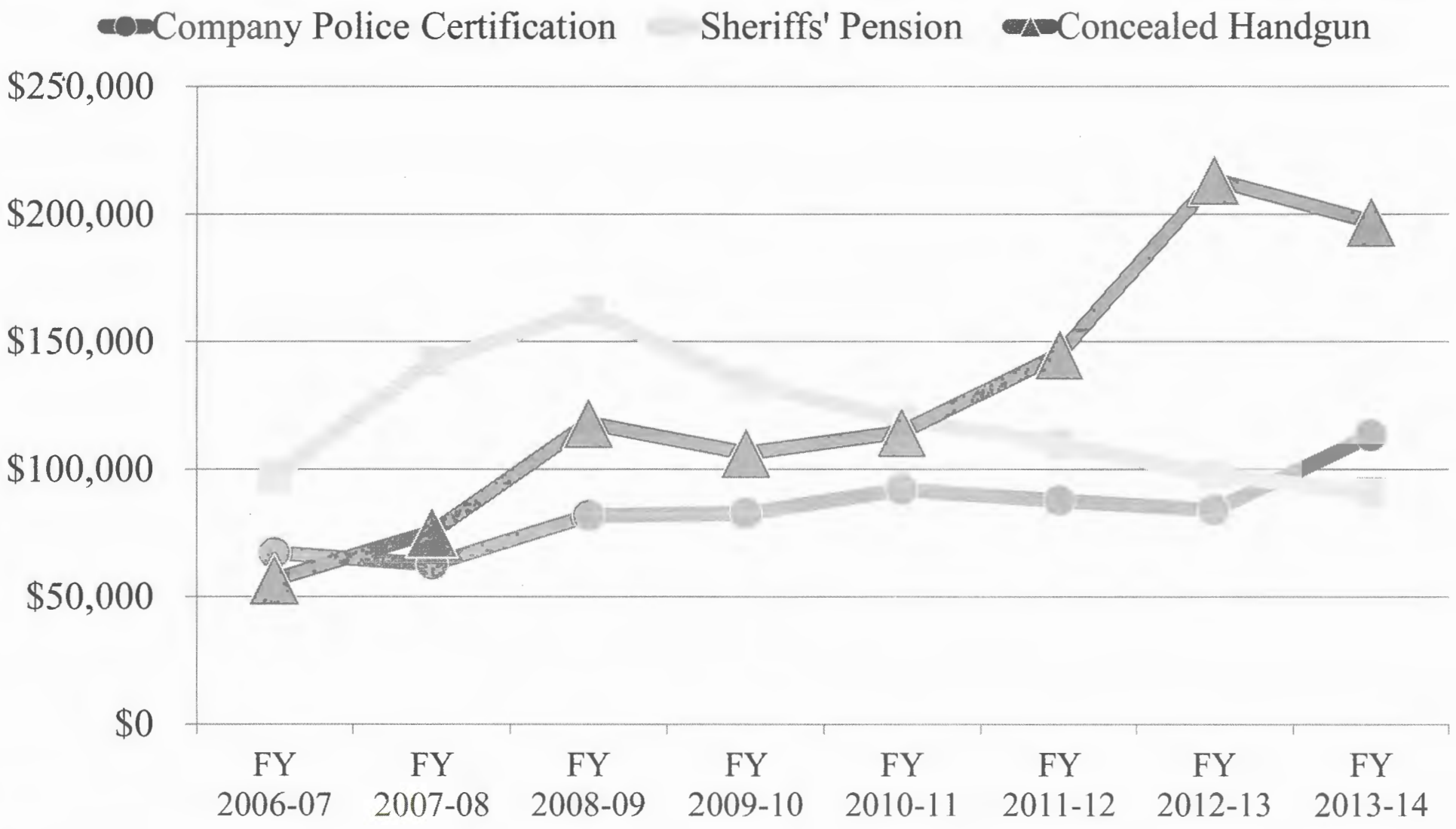
Company Police Certification (G.S. 74E-12)

Commissions' Receipts



Source: AOC

Commissions' Receipts



Source: NCAS

NC Justice Academy

Established in 1973 – G.S. 17D

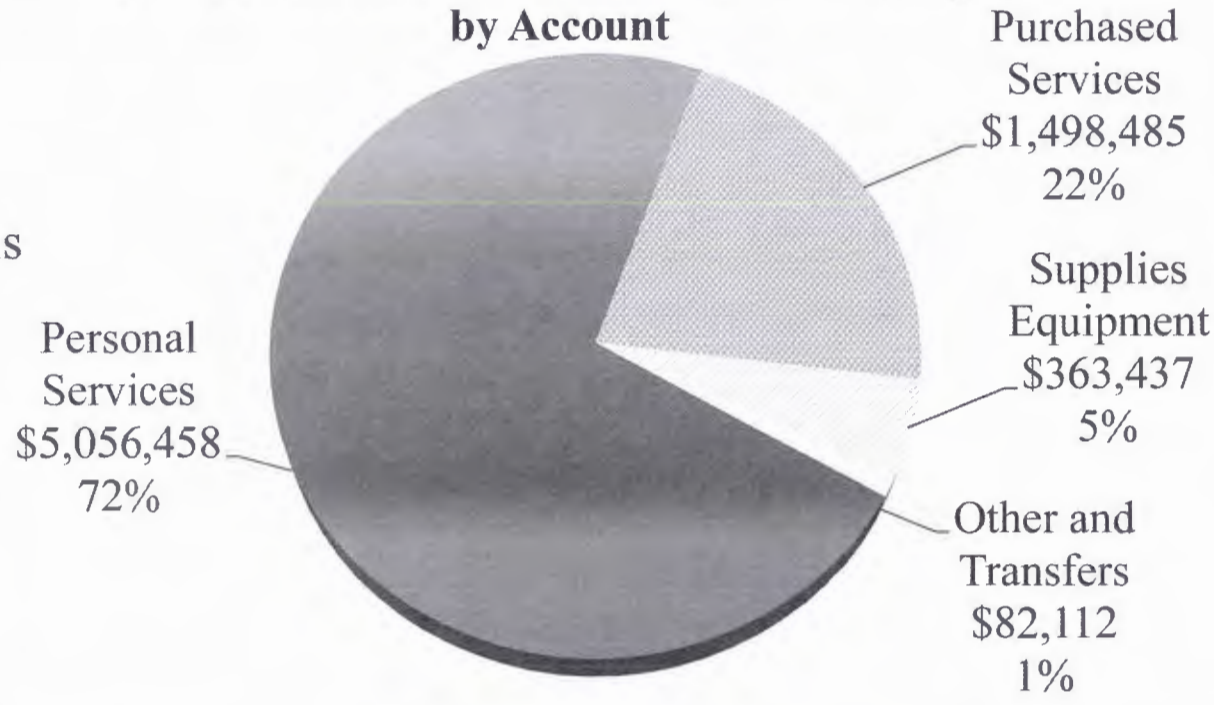
87 FTE

Salemburg Campus and Edneyville Campus

Provide:

- Advanced law enforcement training
- In-service training
- Course development
- Educational and training materials

FY 2014-15 Authorized General Fund Budget by Account

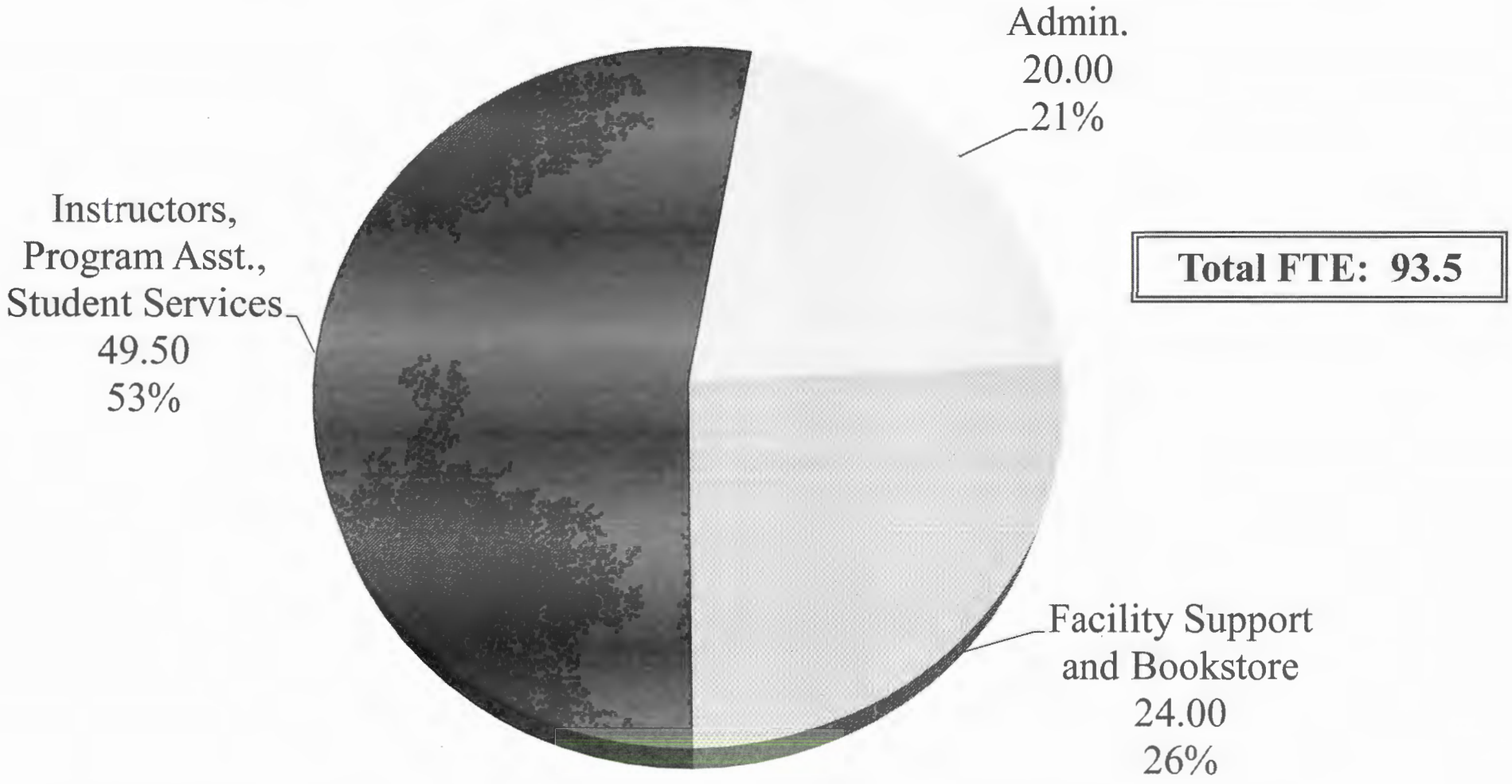


Total General Fund Budget: **$7,000,492**

Source: Budget - NCAS; FTE – BEACON BO149, 03/05/2015

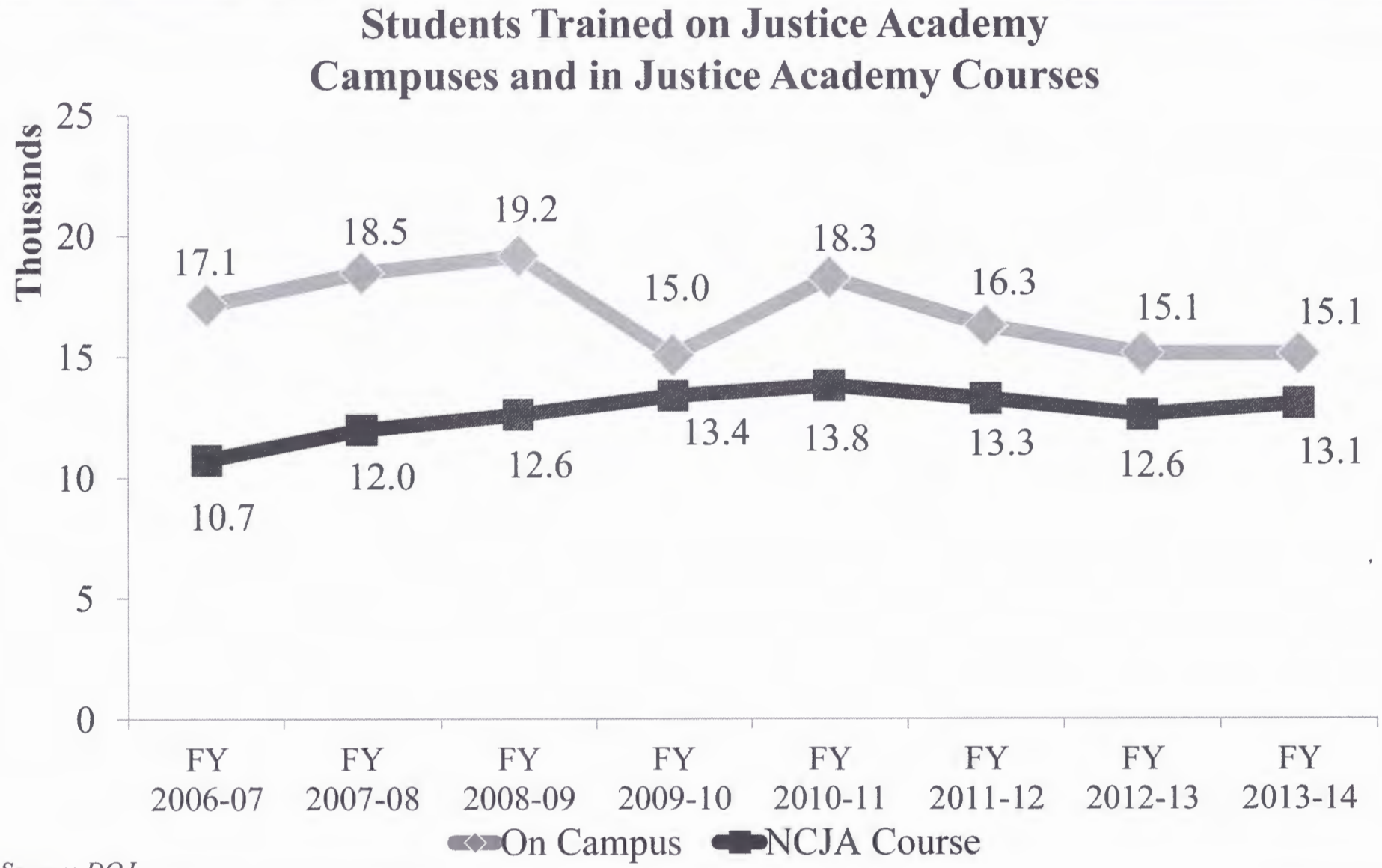
NC Justice Academy

Justice Academy Positions by Function



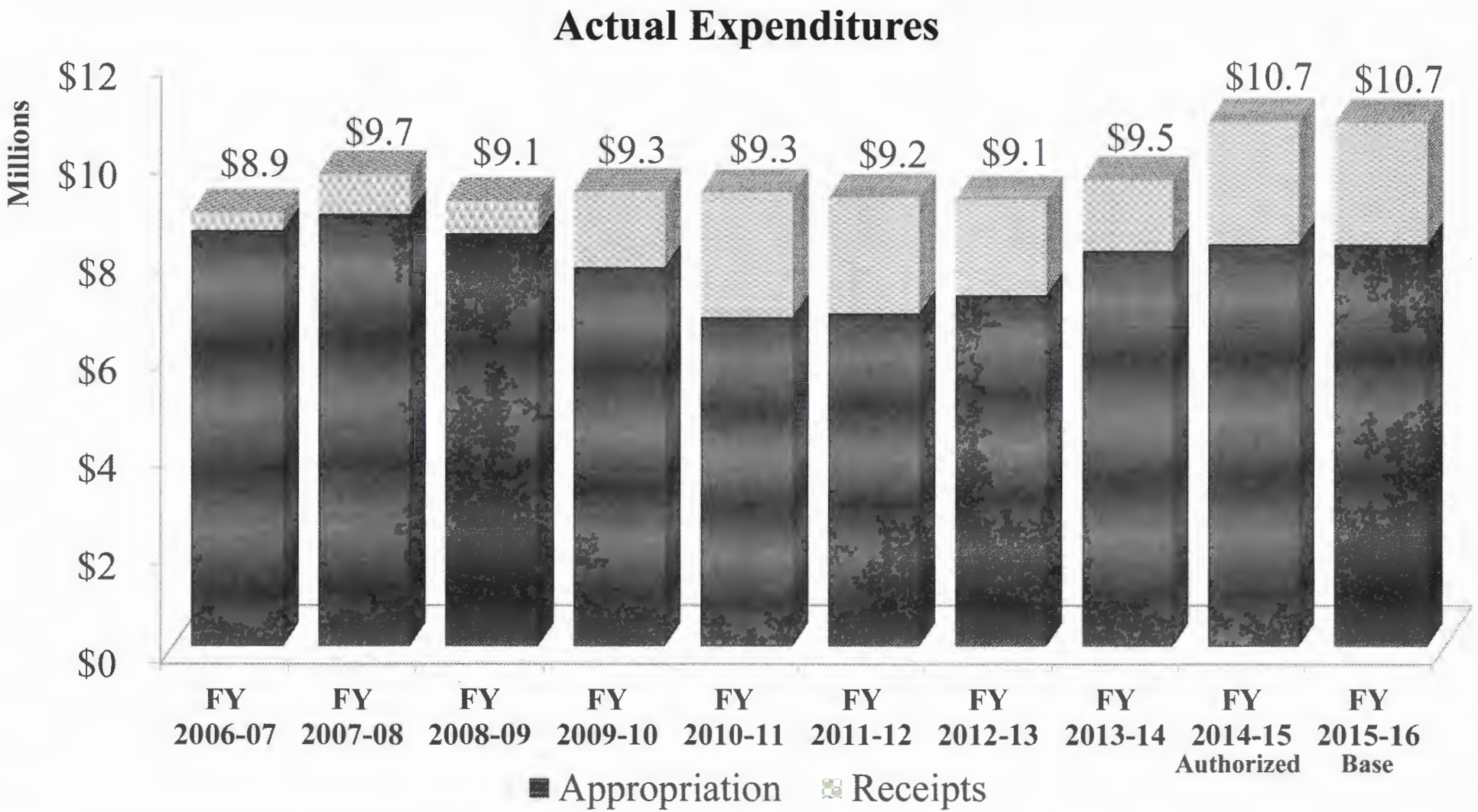
Source: BEACON, BO149, Run Date 03/05/2015

Certified Law Enforcement



Source: DOJ

Training and Standards Budget History



Source: NCAS Budget History and Management Analysis

FY 2015-16 Base Budget

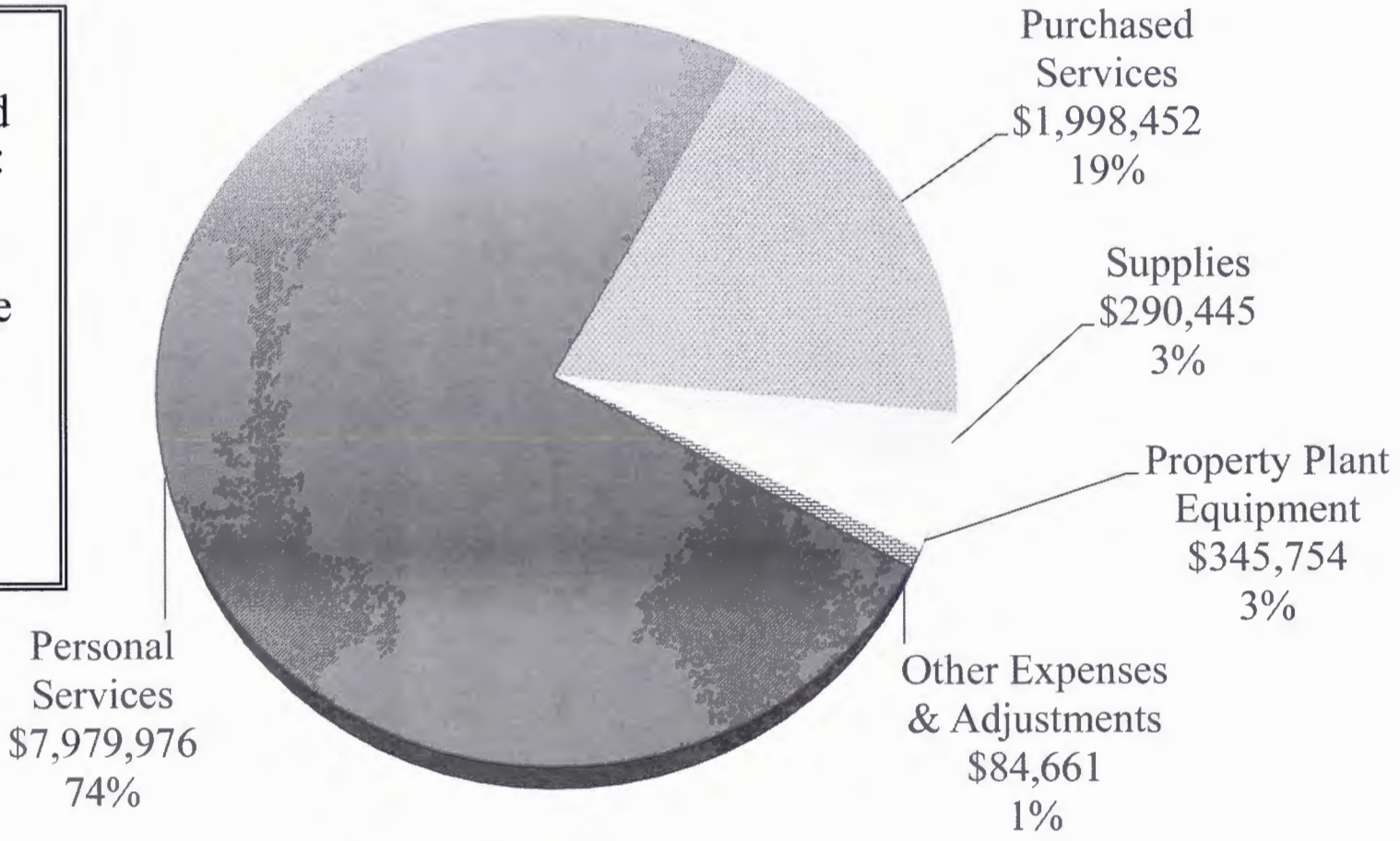
Total General Fund (GF) Base Budget:

$10,699,288

Total GF Full-Time Equivalent (FTE) Employees:

130.0

General Fund Budget by Account



Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

FY 2015-16 Base Budget

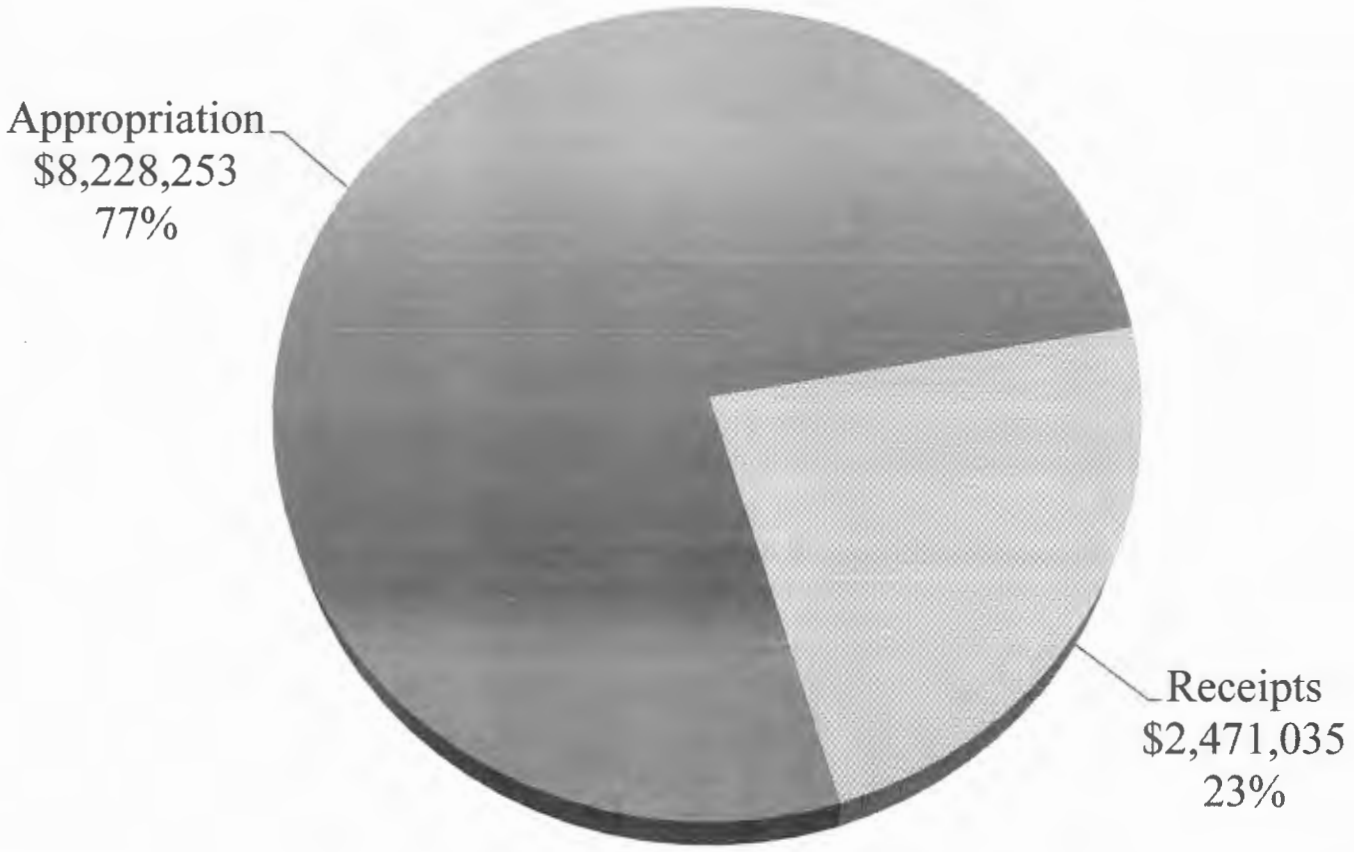
Total General Fund (GF) Budget:

$10,699,288

Total GF Full-Time Equivalent (FTE) Employees:

130.0

General Fund Budget by Source



Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

Recent Budget Actions

2013 Budget (S.L. 2013-360)

Department-wide Management Flexibility Reserve	($1,700,000) R
Moved Sheriffs' Standards to General Fund support	$1,000,000 R

- **Sec. 2.2(e)** transfers $1 million from the Statewide Misdemeanant Confinement Fund to the General Fund to support Sheriffs' Standards.
- **Sec. 18B.18** amended the court fee to direct it all to Criminal Justice Standards Commission.

2014 Budget (S.L. 2014-100)

Department-wide Management Flexibility Reserve	($1,500,000) R
$1,000 salary increase for all permanent FTE	$989,918 R

Questions



HOUSE PAGES

Appropriations Committee

NAME OF COMMITTEE on Justice & Public Safety DATE 3-18-15

1. Name: HOUSE – BRYSON HILL BRUNSWICK ILER

County: _____

Sponsor: _____

2. Name: Regina Wiechert

County: Cumberland County (from Spring Lake, NC)

Sponsor: Senator Rabin

3. Name: _____

County: _____

Sponsor: _____

4. Name: _____

County: _____

Sponsor: _____

5. Name: _____

County: _____

Sponsor: _____

SGT-AT-ARM

1. Name: HOUSE – BARRY MOORE
2. Name: HOUSE – BH POWELL
3. Name: HOUSE – DAVE LITHICUM (LIN-THA-COME)
4. Name: SENATE – Canton Lewis

SENATE – Giles Jeffreys

VISITOR REGISTRATION SHEET

[redacted] Appropriations Committee on Justice & Public Safety
Name of Committee

Date 3-18-15

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Julia Lohman	NC Sheriffs' Commission
Suzanne Beasley	SLAVE
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Mildred Spearman	NCAOC
Jeff Gray	Fraternal Order of Police
Margaret Schneider	Senate Intern
Mark Strickland	NCDOJ - NC Justice Academy
Steven Combs	CJ Standards
Robert Montgomery	NCDOJ - Criminal Division
NEWS ROSELAND	NCDOS
SCOTT GLAWSON	NCDOJ - IT DIVISION

VISITOR REGISTRATION SHEET

[redacted] Appropriations Committee on Justice & Public Safety
Name of Committee

Date 3-18-15

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Bob Hagett	NCDOT - Admin Div.
Alec Peters	NCDOJ - Special Litigation Division
Chuck Agan	DOT
Brian Jones	-
Jarret Burr	NC DPS
Greg Little	OSBM

House Committee on Appropriations, Justice and Public Safety
Wednesday, March 25, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on March 25, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, Faircloth, C. Graham, G. Graham, Hurley, R. Johnson, McNeill, Speciale, and R. Turner, attended.

Representative Pat B. Hurley, Chair, presided and called the meeting to order at 8:35 AM.

Chair Hurley introduced the Pages and Sergeants at Arms.

The floor was opened for comments from the other Chairs.

Chair Hurley introduced Lisa Fox, Research Division, for a Power Point Presentation on Juvenile Justice.

Members of the Committee were given the opportunity for questions and answers of Ms. Fox during her presentation, with additional question and answer time between the members and agency Department personnel present.

There being no further business, the meeting adjourned at 9:48 AM.

Pat B. Hurley
Representative Pat B. Hurley, Chair Presiding

Debbie Holder
Debbie Holder, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Wednesday, March 25, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Representative Hurley, Chair**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 12:36 PM on Monday, March 23, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Deborah Holder (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 25, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley, Presiding

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DPS – Juvenile Justice Budget
Lisa Fox, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Thursday, March 26, 2015

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

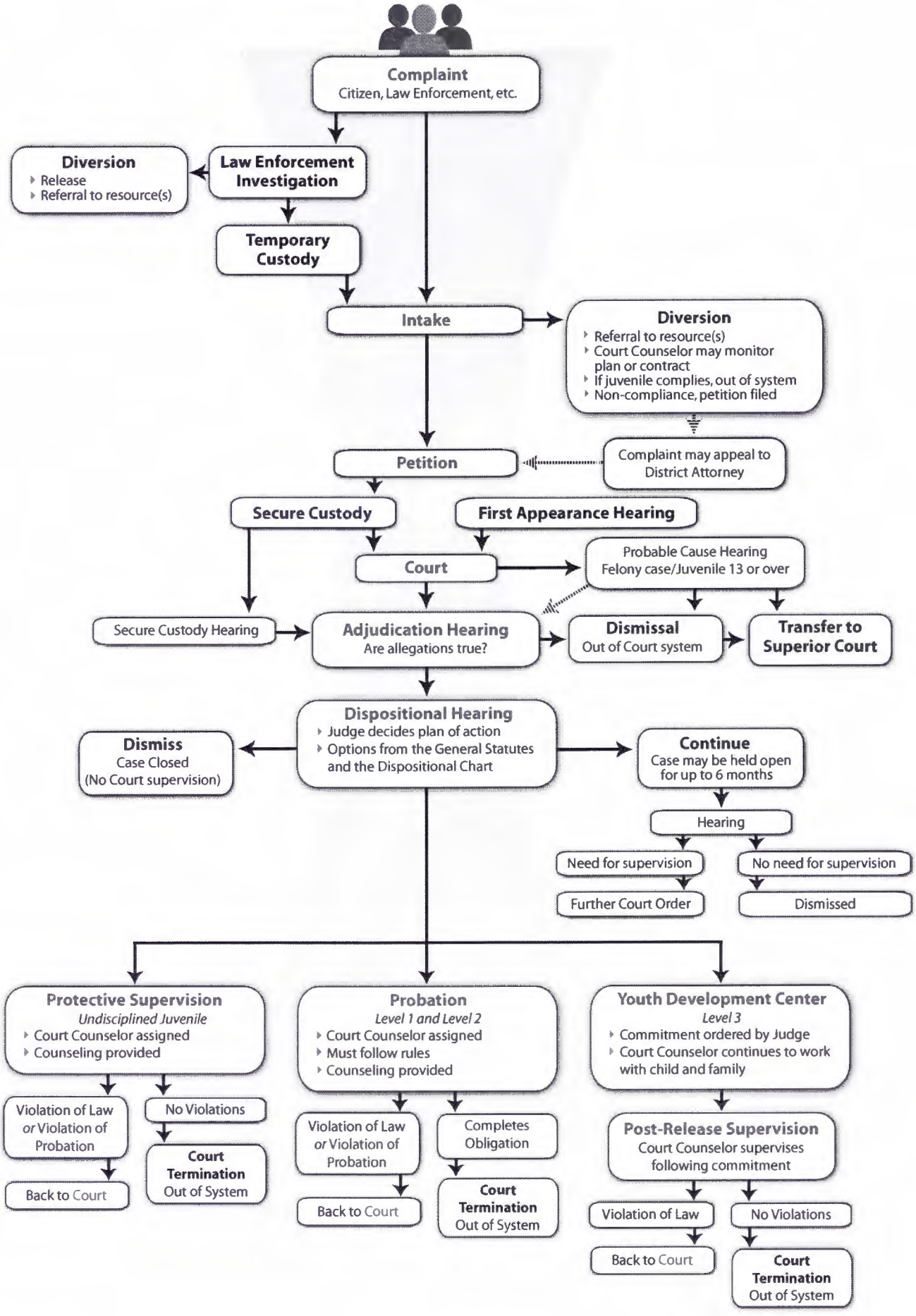
DATES	3-4-15	3-5-15	3-11-15	3-17-15	3-18-15	3-19-15	3-25-15	3-31-15	4-1-15	4-2-15	5-14-15 8:30	5-14-15 12:15pm	6-30-15		
Rep. Jamie Boles, Co-Chair	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Leo Daughtry, Co-Chair	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓			
Rep. John Faircloth, Co-Chair	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓		
Rep. Pat Hurley, Co-Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Darren Jackson, Vice Chair	✓	✓	✓	✓		✓			✓		✓	✓			
Rep. Allen McNeill, Vice Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Sarah Stevens, Vice Chair	✓	✓	✓	✓	✓	✓		✓	✓		✓	✓			
Rep. Charles Graham		✓		✓	✓		✓	✓	✓	✓	✓	✓			
Rep. George Graham	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓		
Rep. Ralph Johnson	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		✓		
Rep. Brad Salmon	✓	✓	✓			✓		✓	✓		✓	✓	✓		
Rep. Michael Speciale	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Rena Turner	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Sen. Stan Bingham, Co-Chair	✓		✓	✓	✓	✓	—	—	—	—	—	—	—	—	—
Sen. Buck Newton, Co-Chair	✓	✓		✓		✓	—	—	—	—	—	—	—	—	—
Sen. Shirley Randleman, Co-Chair	✓	✓	✓	✓	✓	✓	—	—	—	—	—	—	—	—	
Sen. Tom Apocaca, Vice-Chair							—	—	—	—	—	—	—	—	—
Sen. Warren Daniel							—	—	—	—	—	—	—	—	—
Sen. Valerie Foushee	✓	✓	✓	✓	✓	✓	—	—	—	—	—	—	—	—	—
Sen. Fletcher Hartsell					✓		—	—	—	—	—	—	—	—	—
Sen. Michael Lee	✓	✓	✓	✓			—	—	—	—	—	—	—	—	—
Sen. Jeff Jackson	✓	✓	✓	✓	✓	✓	—	—	—	—	—	—	—	—	—

	3-4-15	3-5-15	3-11-15	3-17-15	3-18-15	3-19-15	3-25-15	3-31-15	4-1-15	4-2-15	5-14-15 8:30 5:14-15 12:15pm		6-30-15		
William Childs, Fiscal Research	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Lisa Fox, Fiscal Research	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Kristine Leggett, Fiscal Research	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓		
John Poteat, Fiscal Research	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Becky Bauerband, Committee Clerk	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		
Kerry Guice, Committee Clerk	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Debbie Holder, Committee Clerk	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Jeb Kelly, Committee Clerk	✓	✓	✓	✓	✓	✓									
Maria Kinnaird	✓		✓	✓											
Carol Wilson	✓	✓		✓		✓									

Jason ~~Saine~~ Soper ✓ ✓

other staff ?

North Carolina Juvenile Justice Process



Joint Appropriations Subcommittee on
Justice and Public Safety

Department of Public Safety
Division of Adult Correction and Juvenile Justice

March 25, 2015



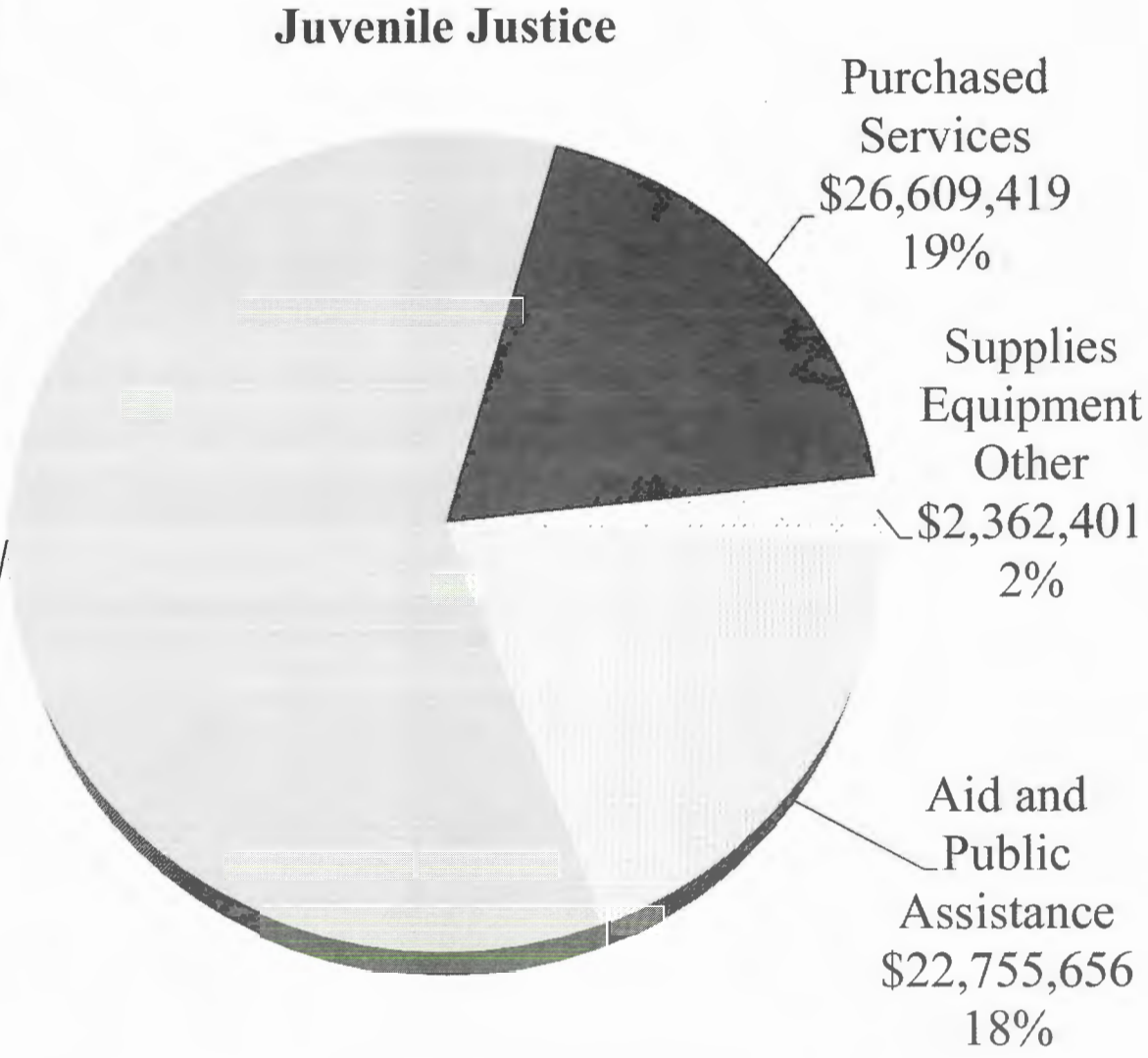
FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Base Budget FY 2015-16

Total Budget:

Gen. Fund:	$127,137,559
Receipts:	$ 8,039,099
Total:	**$119,098,460**

Total FTE:
1,353



Source: IBIS Worksheet I; 03/2015

The Origins of Juvenile Justice

- In the 18th and 19th centuries, juveniles were confined with adult criminals in workhouses and prisons.
- Often confined for non-criminal offenses such as truancy or parental neglect.
- As part of the reform movement of the mid-1800s, "houses of refuge" for juveniles were established.

Brief History of Juvenile Justice in North Carolina

- 1909 –First training school built
- 1919 – The NCGA passes the Juvenile Court Act
- **1998 – General Assembly passed the Juvenile Justice Reform Act**



Stonewall Jackson Manual Training and Industrial School

Defining "Juvenile"

- In North Carolina, individuals over the age of 16 are considered adults.
- Juveniles over the age of 13 who commit a felony may be transferred and prosecuted in the adult corrections system.
- Two types of youth in the juvenile justice system:
  - **Delinquent youth**: children aged 6 to 15 who have committed a crime
  - **Undisciplined youth**: children aged 6 to 17 who are beyond the disciplinary control of their parent or guardian
- A "status offense" is an offense that is a crime only because of the age of the person committing it (truancy, running away from home, alcohol consumption).

Jurisdiction

Juvenile Population Age 6 to 17*

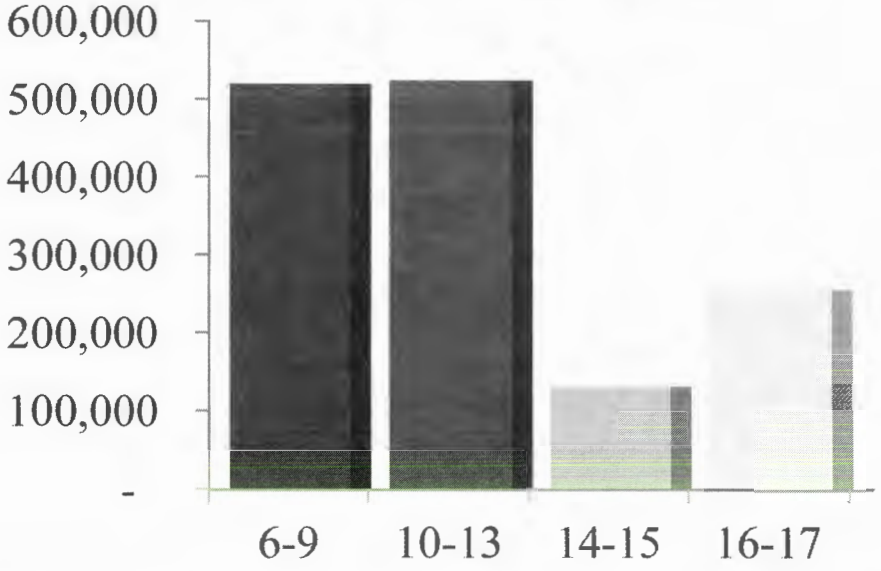
1,564,414

Juvenile Pop. By Gender

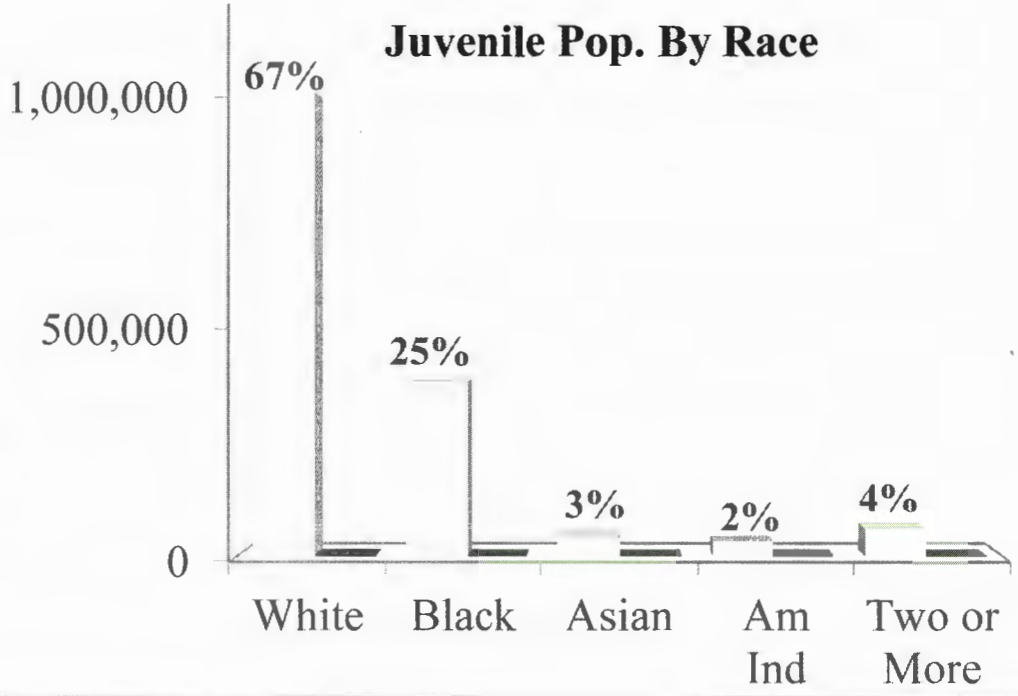


765,058 799,356

Juvenile Pop. By Age



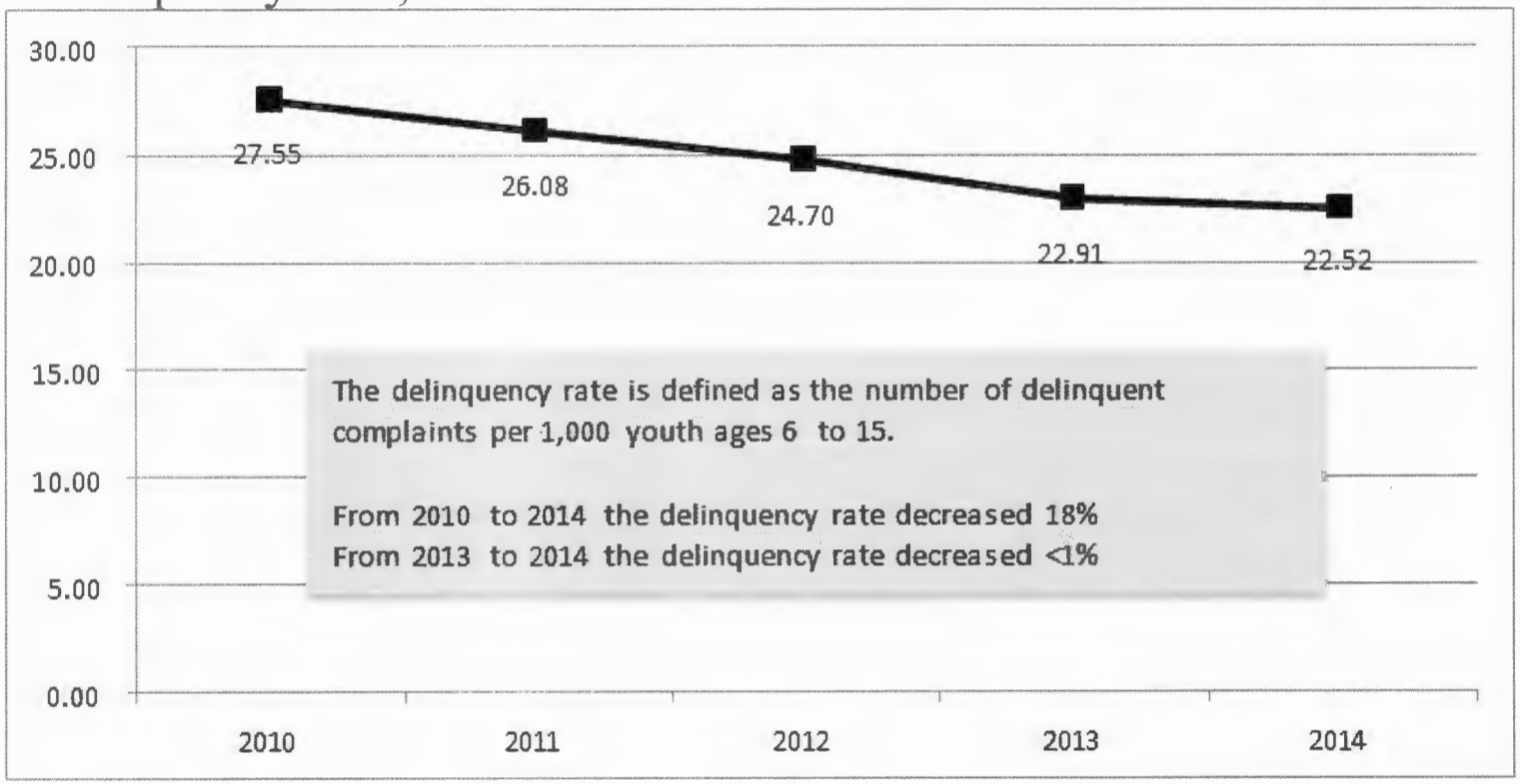
Juvenile Pop. By Race



Population as of 2014; Source: www.demog.state.nc.us

Trends

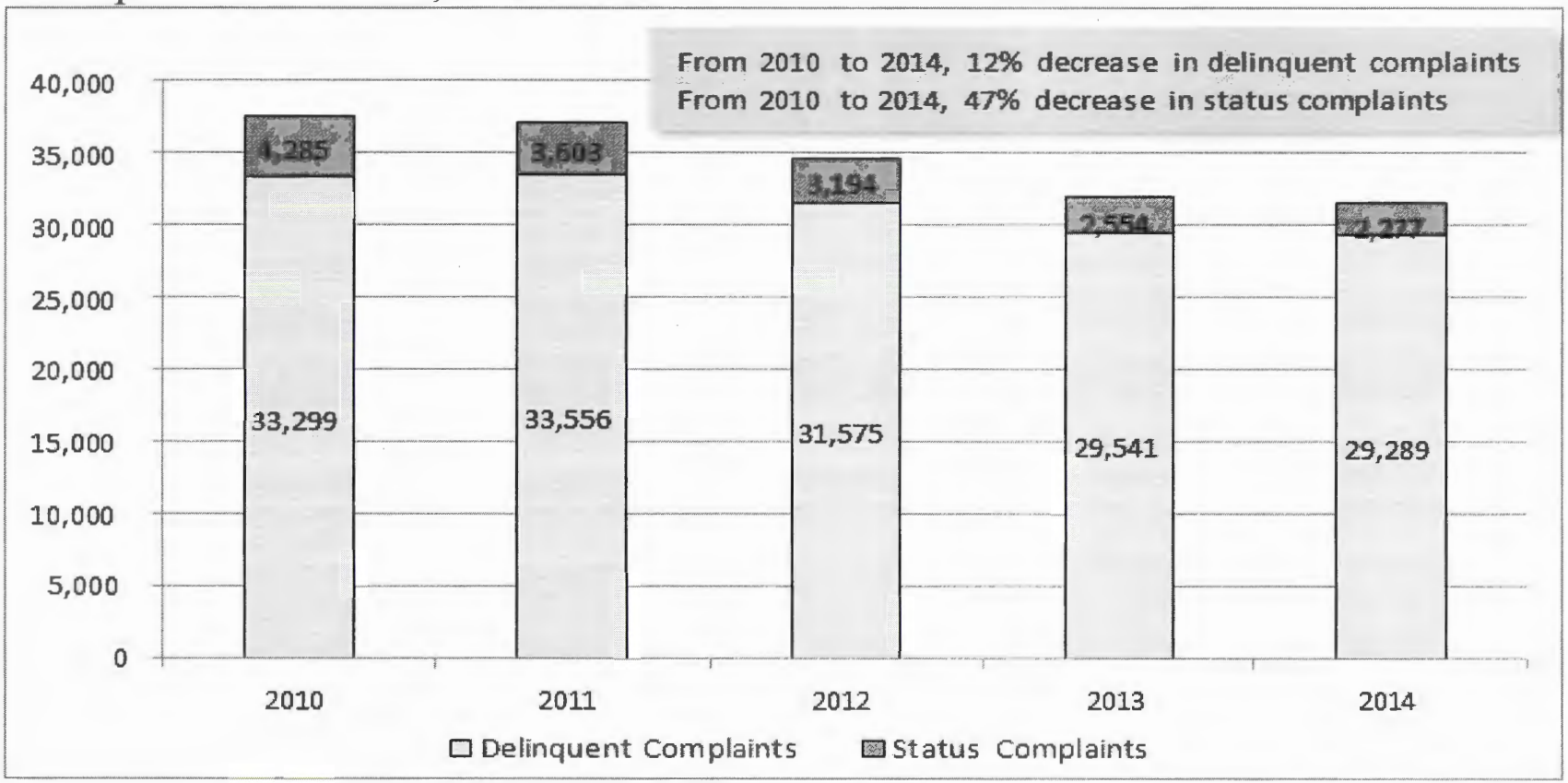
Delinquency Rate, 2010-2014



Source: DACJJ

Trends, Continued

Complaints Received, 2010-2014



Source: DACJJ

Complaints By Gender, Age, Race

Juvenile with Complaints CY 2014

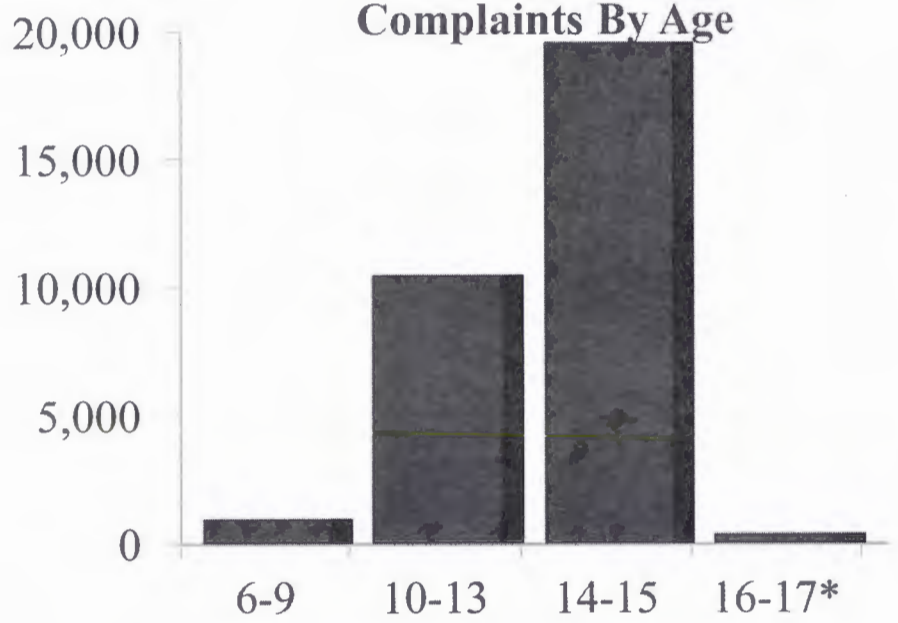
Complaints By Gender



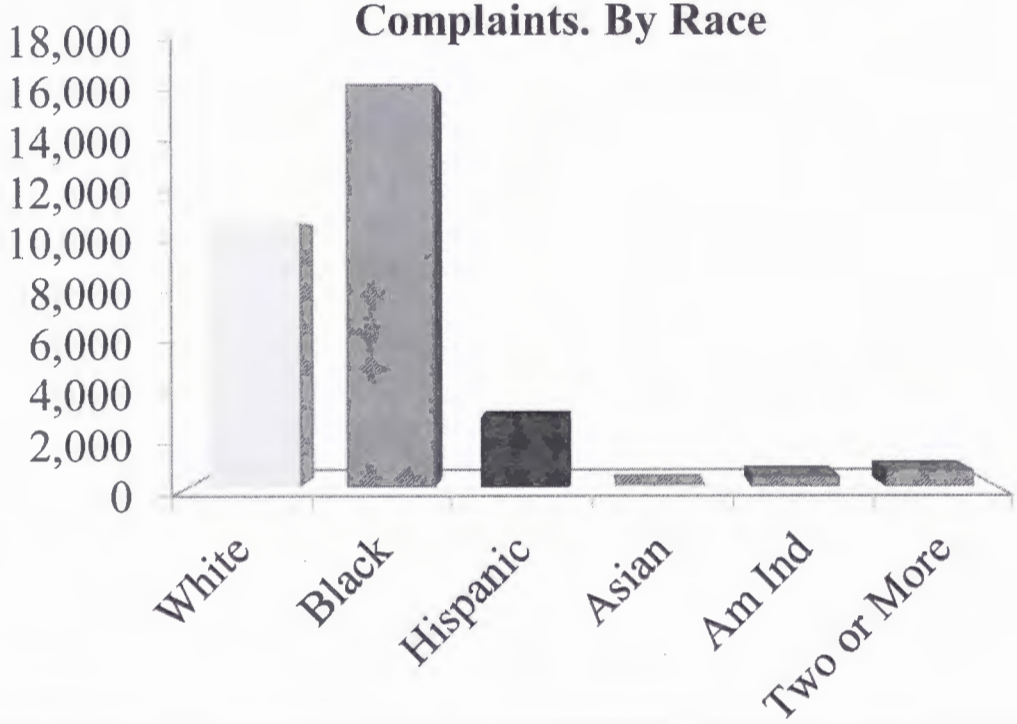
7,747 23,817

31,564

Complaints By Age

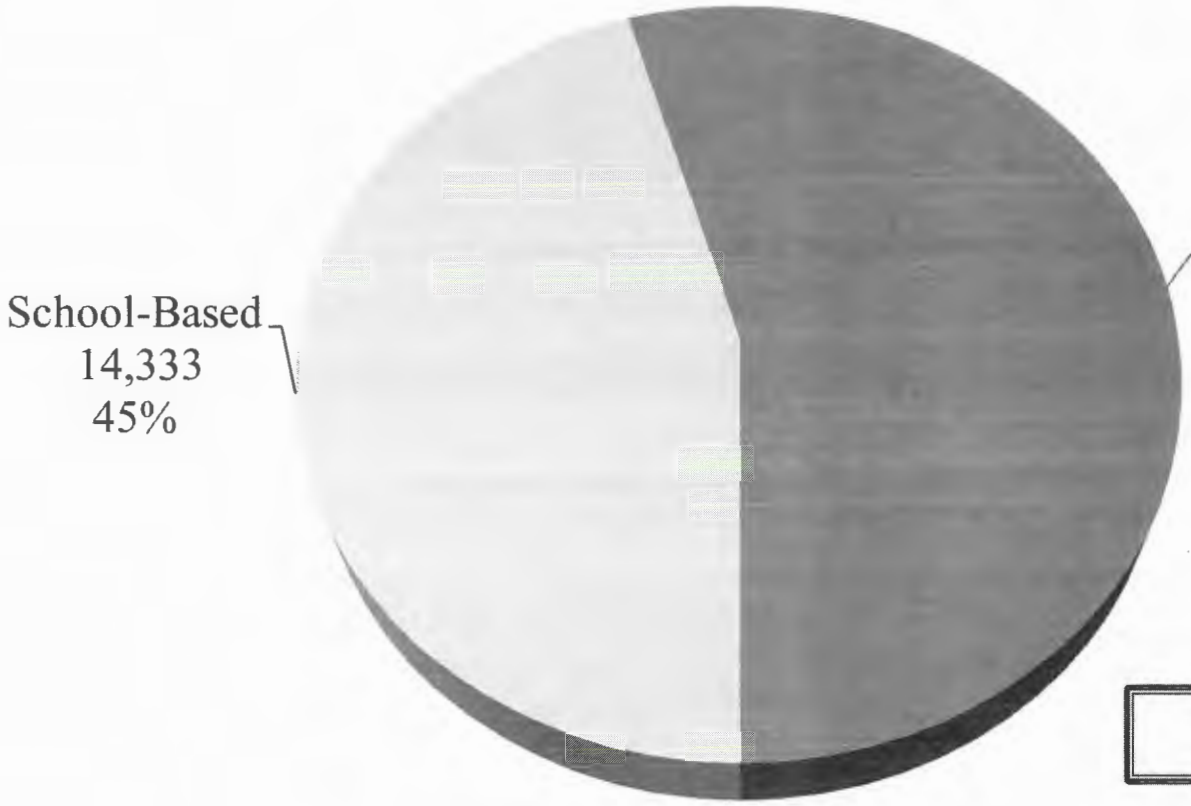


Complaints. By Race



**Data source: DACJJ*

Complaints By Source, CY 2014



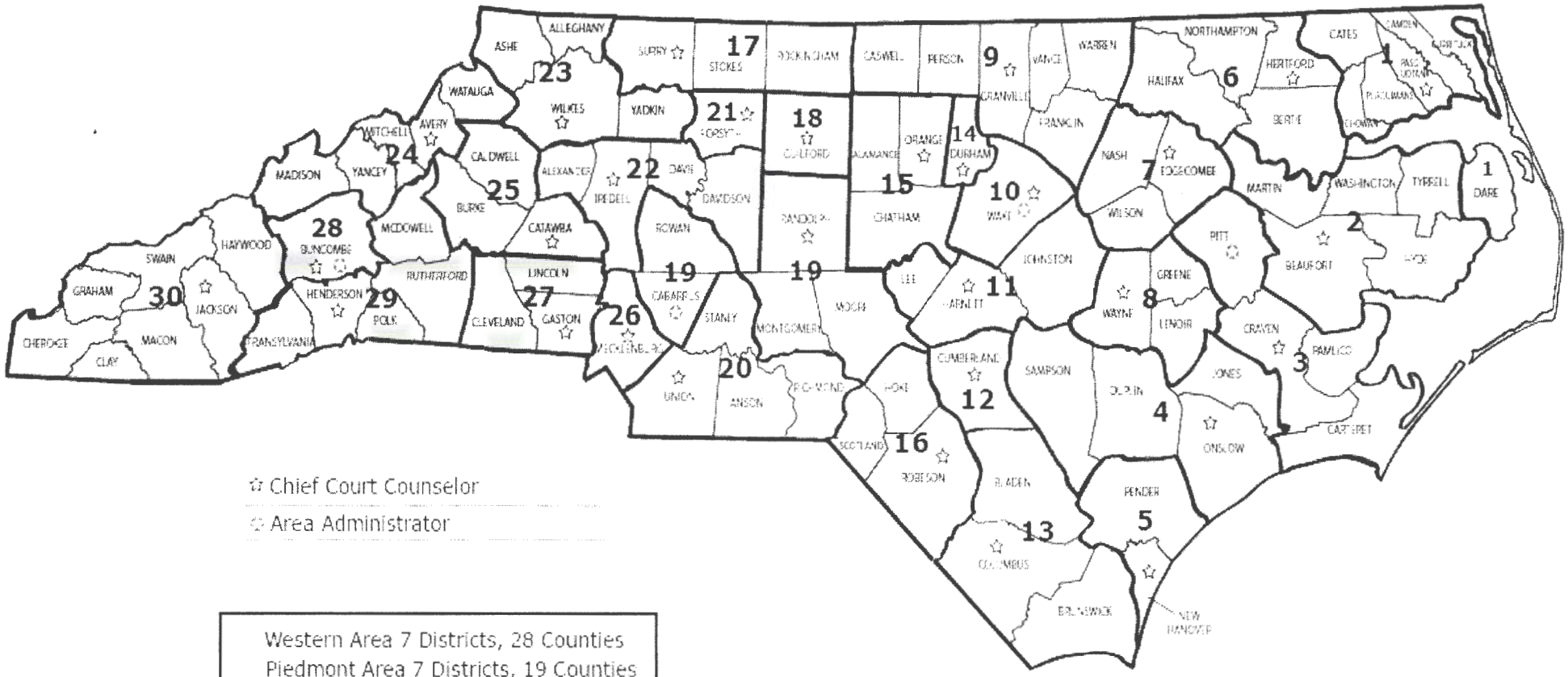
Total: 31,565

Data Source: DACJJ

The Process: Intake

- A delinquency complaint is made (by parents/guardians, SROs, law enforcement, or DSS)
- The juvenile is screened and evaluated by a court counselor, who has these options:
  - *Divert* the juvenile
  - *Approve* the complaint for court
  - *Resolve* with no further action needed
- Certain offenses cannot be diverted and must proceed to court.

Court Services



Source: DACJJ

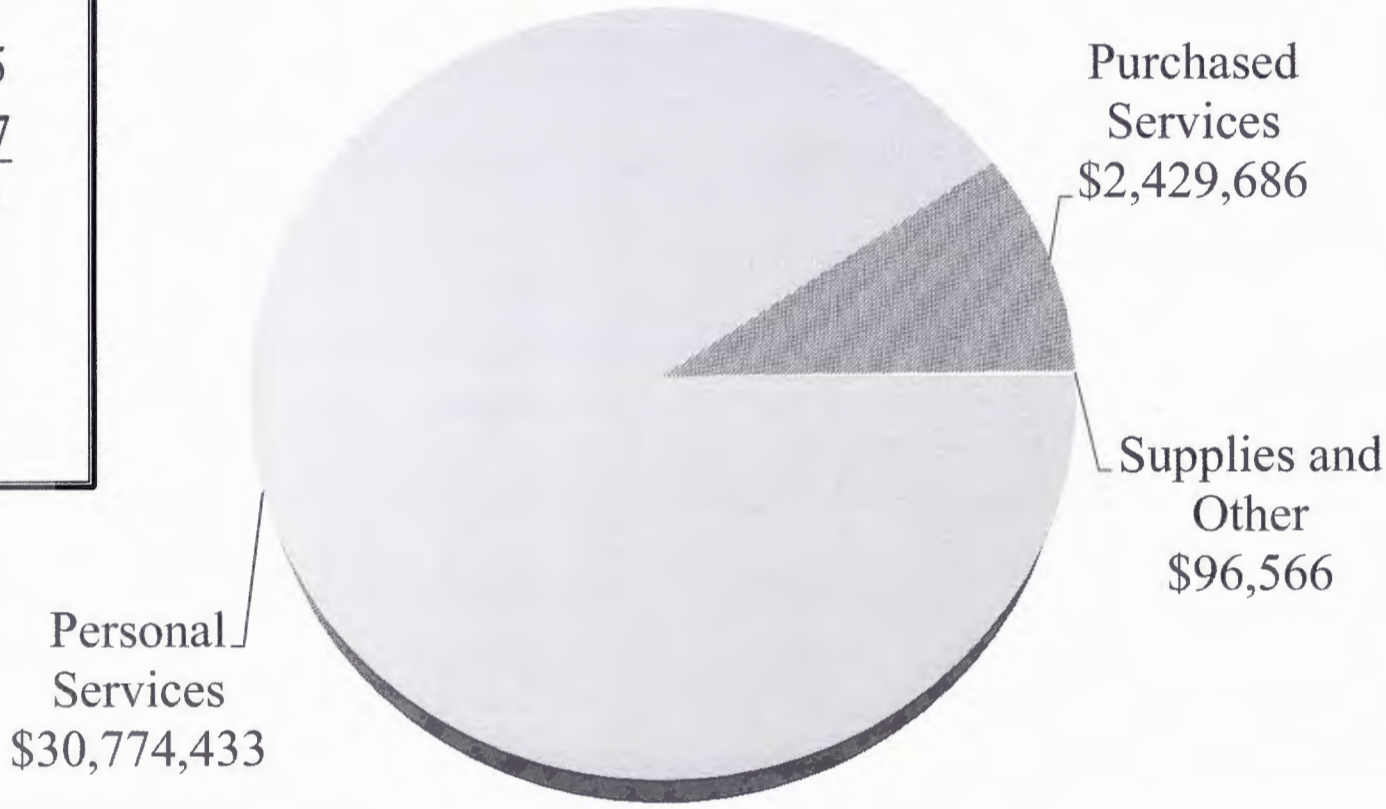
Court Services

Total Budget:

Approp.:	$33,300,985
Receipts:	$ 146,597
Total:	**$33,154,388**

Total FTE:
537.75

FY 2015-16 Base Budget



Source: NC IBIS Worksheet I, 03/2015

Risk/Needs Assessment

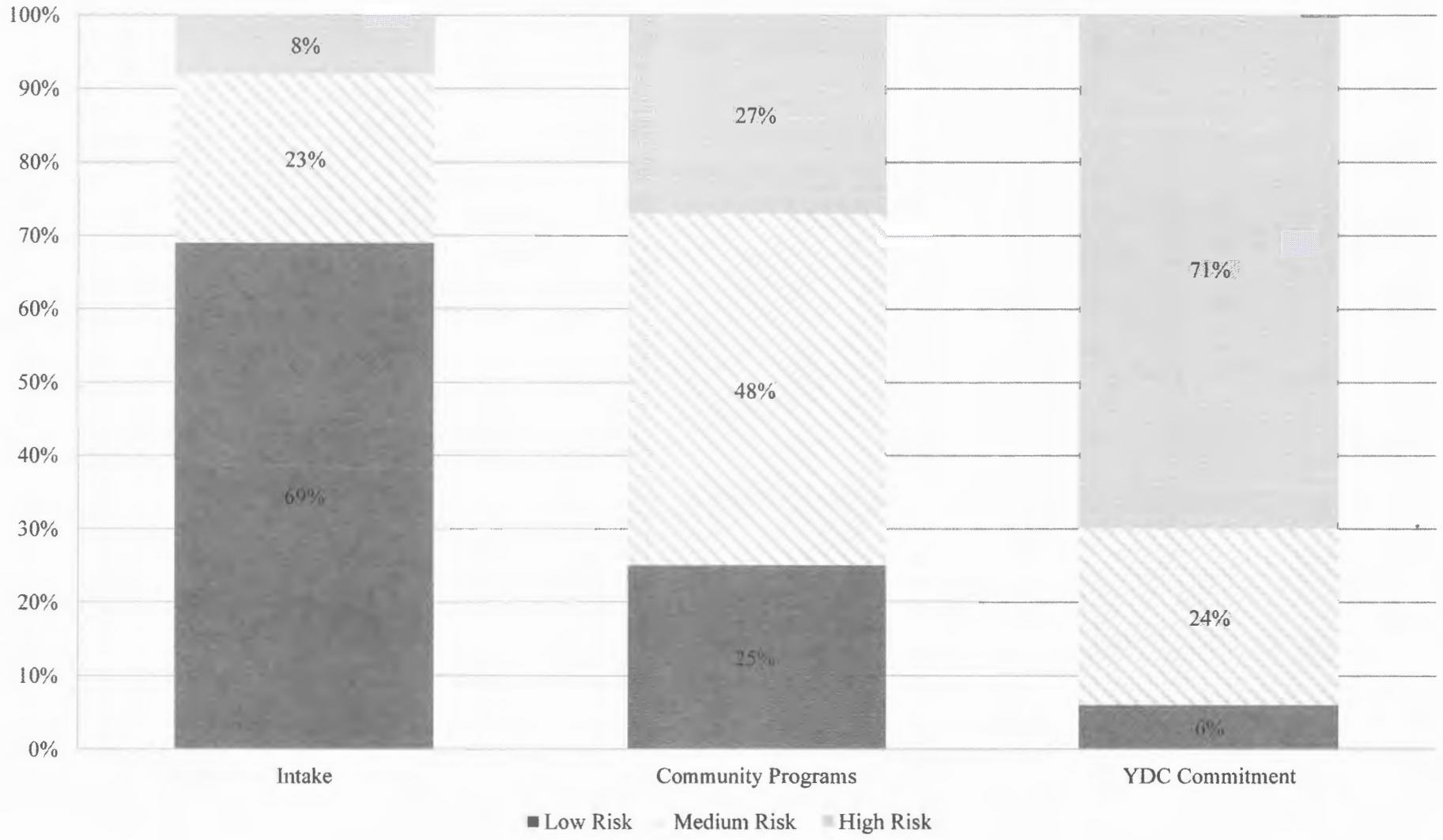
Risk Factors

- First referral before age 12
- Prior intake referrals
- Prior adjudications
- Prior assaults
- Run away
- School behavior problems
- Parents/guardians unwilling/unable to provide supervision

Assessed Needs

- Below grade level
- Has a child
- History of victimization
- Risky sexual behavior
- Mental health needs
- Basic needs unmet
- Impaired functioning
- Conflict in the home
- Parent/guardian with disabilities
- Substance abuse in household
- Family members involved in criminal activity

Risk Level of Juveniles at Intake, Community Program Admission and YDC Commitment



Source: DACJJ

The Process: Sanctions

Level I – Community Disposition (3,287, 63%)

Community based program, substance abuse treatment, restitution, fines, community service, victim/offender reconciliation, probation, license revocation, curfew, intermittent confinement, supervised day program

Level II – Intermediate Disposition (1,829, 35%)

Anything under Community Disposition, plus must include one of the following: intensive probation, residential treatment facility, supervised day program, detention, regimented training program, house arrest, placement in a multipurpose group home

Level III – Commitment (124, 2%)

Placement in a youth development center for at least 6 months

G.S.. 7B-2506-2517; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2014

Offense Classification and Disposition Level

Offense	Disposition Level			
	Level 1 (Community)	**Level 2** (Intermediate)	**Level 3** (Commitment)	**TOTAL**
Violent (A-E felony)	**3** (2%)	**87** (66%)	**42** (32%)	**132** (2.5%)
Serious (F-I felony; A1 misd.)	**374** (31%)	**776** (65%)	**51** (4%)	**1,201** (23%)
Minor (1-3 misd.)	**2,910** (75%)	**966** (25%)	**31** (0.8%)	**3,907** (75%)
TOTAL	**3,287**	**1,829**	**124**	**5,240**

G.S.. 7B-2508; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2014, Table 4

Detention Center Services

G.S.. 143B-820 – State subsidy to county detention facilities

Requires Juvenile Justice to pay the county:

- 50% of cost of caring for a juvenile from within the county
- 100% of cost of caring for juvenile from outside the county

Requires counties to pay Juvenile Justice:

- Pay 50% of cost of caring for a juvenile from within the county to Juvenile Justice when placed outside the county

Counties also pay 50% of cost at State facility

$244/day

Current Rate

Total Net Receipts from Counties: $4.7 million

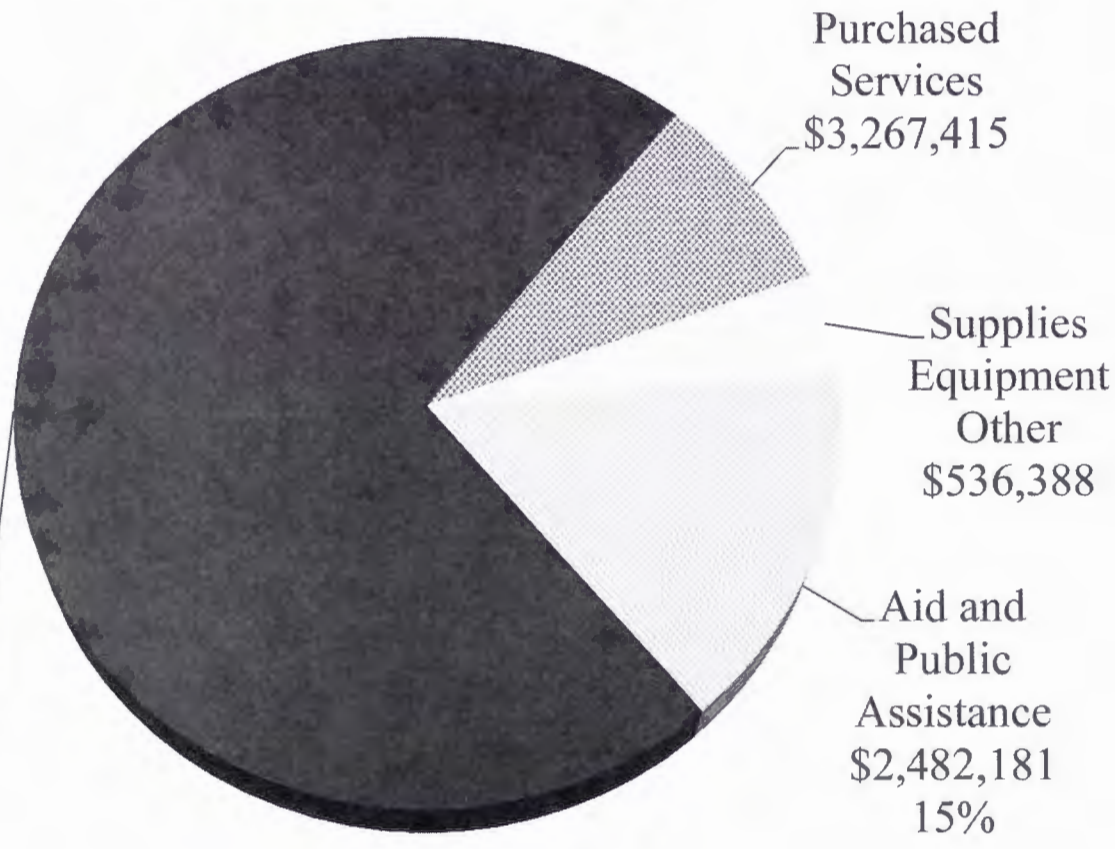
Detention Center Services

Total Budget:

Approp.:	$7,113,893
Receipts:	$ 5,853,114
Total:	**$12,967,007**

Total FTE:
185.5

FY 2015-16 Base Budget



Source: IBIS Worksheet I, 03/2015

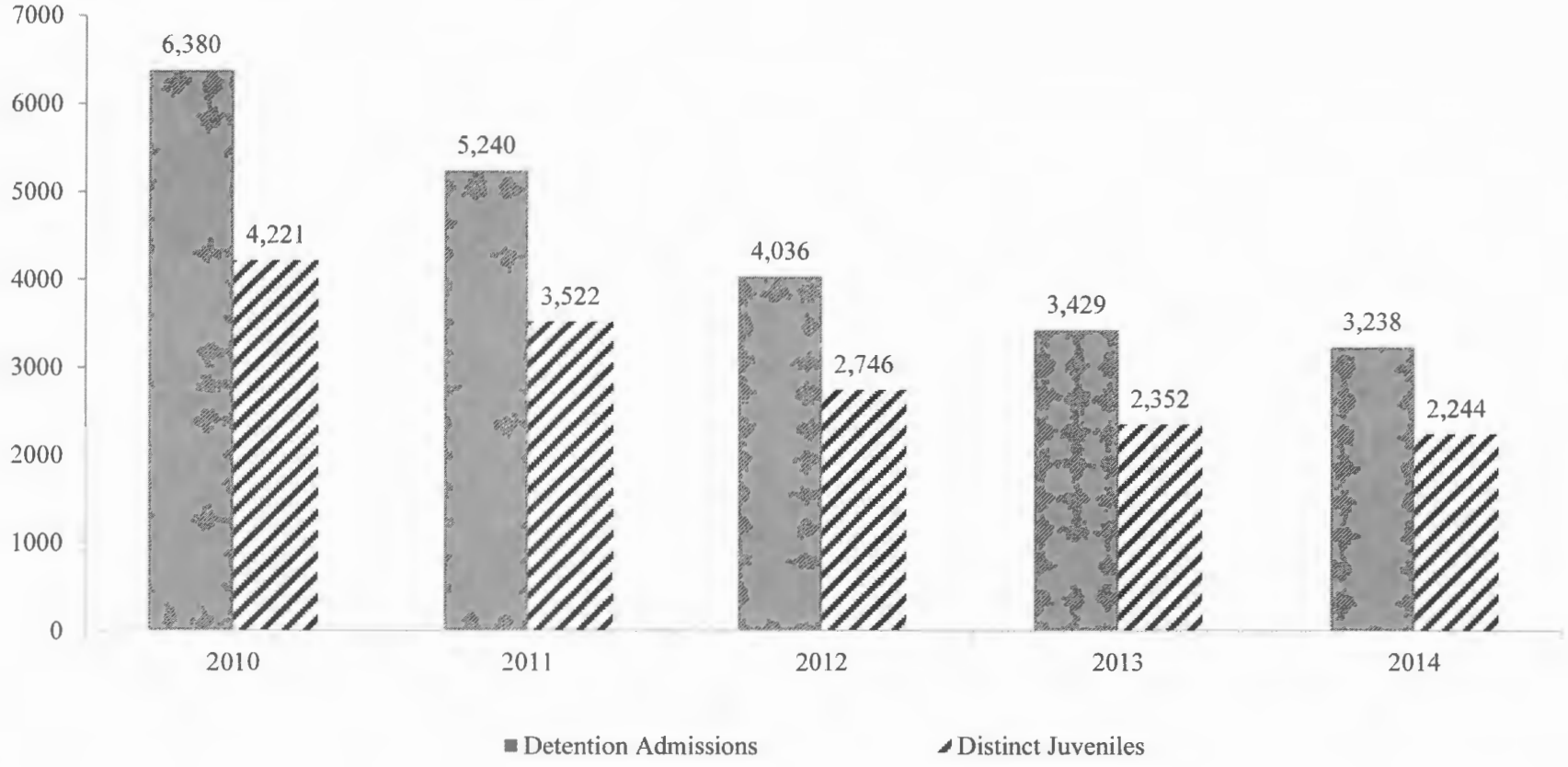
Detention Center Services

State Detention Centers	FY 2013-14 Budget	FTE	Beds	Cost/Bed	ADP Dec. 2014
Alexander	$1,602,512	33	24	$66,771	21
Cumberland	$1,386,095	29	18	$77,005	11
Gaston	$1,246,219	33	24	$51,925	20
New Hanover	$1,119,073	25	18	$62,170	11
Pitt	$1,034,930	26	18	$57,496	11
Wake	$1,387,673	30	24	$57,819	20
Total	**$7,776,502**	**185.5**	**126**	**$62,197**	
County Detention Centers	**FY 2013-14 Budget**	**FTE**	**Beds**	**Cost/Bed**	**ADP Dec. 2014**
Durham	$602,924	21	14	$43,066	10
Forsyth	$716,018	21	16	$44,126	9
Guilford	$1,780,590	36	48	$37,095	22

Richmond and Buncombe Detention Centers were closed in the 2013 budget.

Source: DACJJ

Detention Trend Data, 2010-2014



Source: DACJJ

Process: Level I Disposition

Community disposition

- Probation
- Community-based programs
- Sanctions on behavior (curfew, not associating with certain people, limitations on movement)

Community Programs

G.S.. 143B-845 – Legislative Intent

- Develop *community-based** alternatives to youth development centers
- Provide *community-based* delinquency, substance abuse, and gang prevention strategies and programs
- Provide *non-institutional* dispositional alternatives that will protect the community and the juveniles
- Plan and organize programs and services at the community level and develop in partnership with the State

* Emphasis added

Juvenile Crime Prevention Councils (JCPC) Appropriation

G.S. 143B-1104– Funding for programs

Requires Juvenile Justice to annually develop and implement a funding mechanism for programs that:

- Funds effective programs and not fund ineffective ones
- Uses a formula for the distribution of funds
- Allows and encourages local flexibility
- Combines resources

$22,745,217

FY 2015-16

Base Budget

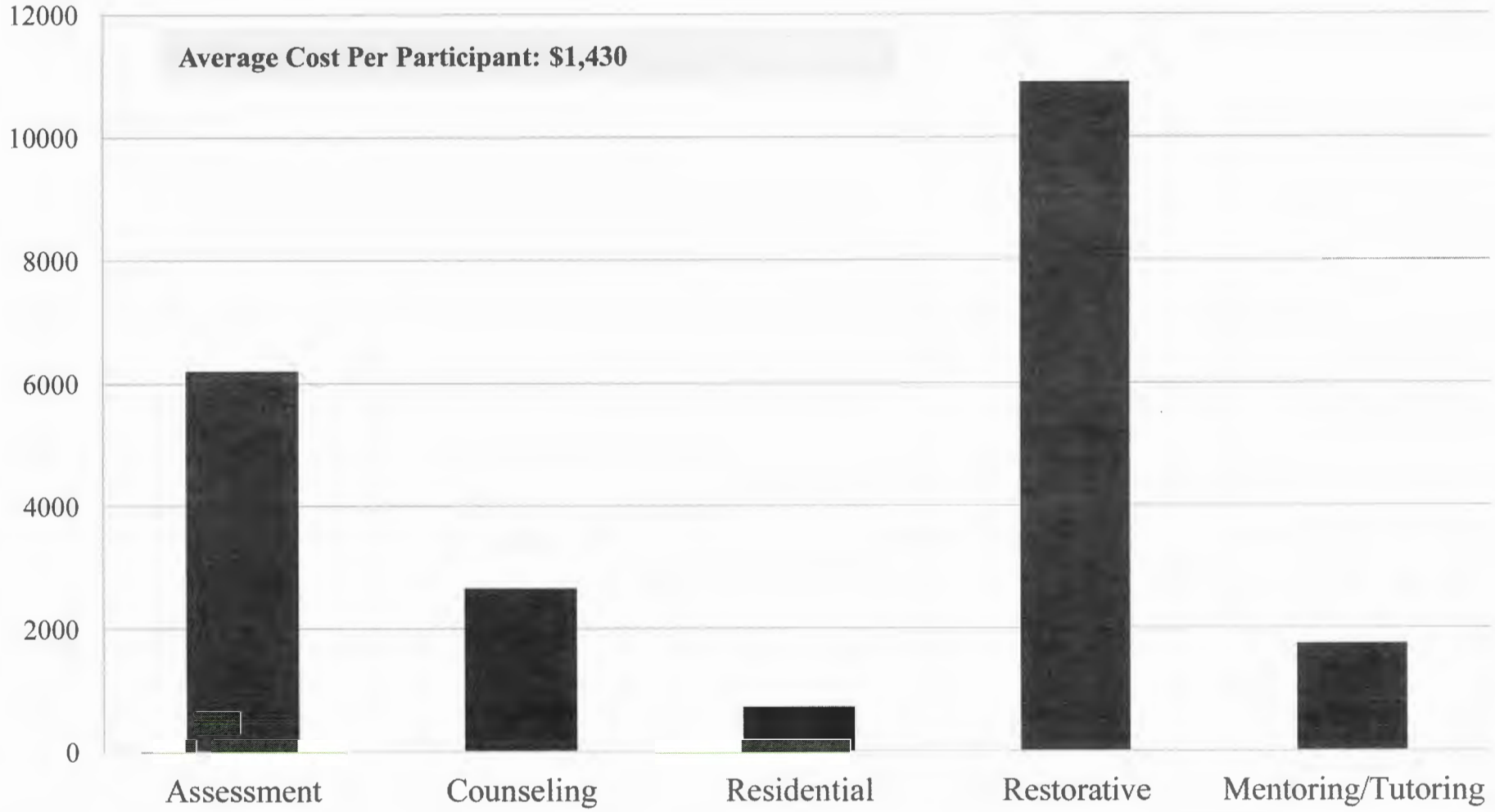
Juvenile Crime Prevention Councils

Make-up of Councils:

- School Superintendent
- Chief of Police
- Sheriff
- District Attorney
- Chief Court Counselor
- Mental Health Director
- Social Services Director
- County Manager
- Substance Abuse Professional
- County Commissioner
- Juvenile Defense Attorney
- 2 persons under 18
- Chief District Judge
- Business Community
- Local Health Director
- United Way/non-profit
- Parks & Recreation
- Members of the Public (7)
- Member of the Faith Community

G.S.. 143B-846

JCPC Programs by Type & Participation



Level II Disposition

Intermediate disposition

- Intensive probation
- Placement in a group home
- House arrest
- Restitution in excess of $500 or up to 200 hours of community service

Community Services Budget

Program	FY 2015-16 Base Budget
Regular JCPC Fund	$22,745,217
JCPC-Endorsed Level II Services	$891,824
Group Homes	$3,168,162
Eckerd & WestCare Residential Programs	$6,150,000
Non-Residential	$4,100,000
	$37,055,203

JCPC-Endorsed Level II Programs

- Community-specific programs designed to address local needs for Level II youth.
- 401 youth served in FY 2013-14
- Cost: $2,224 per child
  - $891,824 total
- Recidivism within 12 months of discharge: 25%

Source: DACJJ, Annual Evaluation of Community Programs, March 1, 2015.

Eckerd Community-Based Programs

- Cognitive behavioral treatment, wrap-around, and aftercare services to Level II offenders.
- 50 Counties
- 402 youth served in FY 2013-14
- $5,423 per child
  - $2.6 million total
- Recidivism within 12 months of discharge: 21%

Source: DACJJ, Annual Evaluation of Community Programs, March 1, 2015.

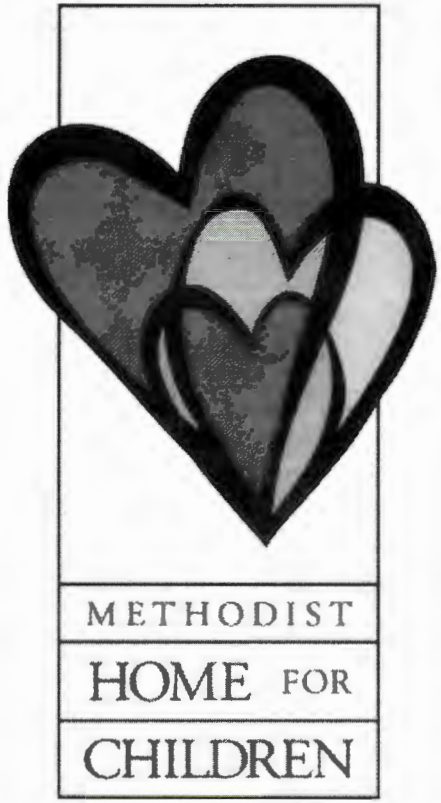
AMIkids

- Functional Family Therapy
- 50 Counties
- 368 youth served in FY 2013-14
- Cost per child: $4,076
  - $1.5million total
- Recidivism within 12 months of discharge: 21%

Source: DACJJ, Annual Evaluation of Community Programs, March 1, 2015.

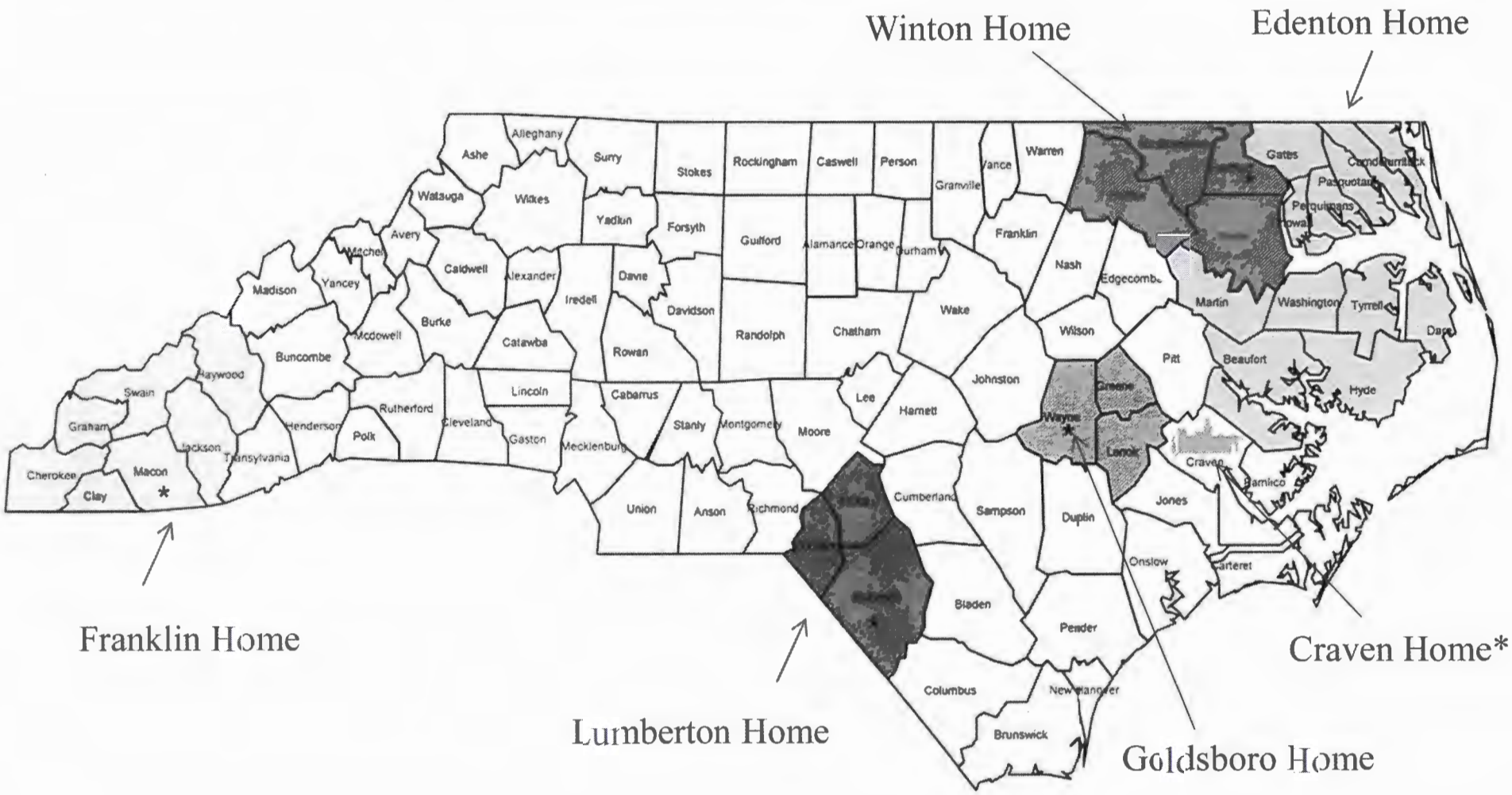
Multipurpose Group Homes

- **Contract with Methodist Home for Children**
- 5 homes--8 beds each; 80 youth served annually
- $3.2 million or $28,542 per child served
- 111 youth served in FY 2013-14
- Recidivism rate within 12 months of discharge: 29%



Source: DACJJ. Annual Evaluation of Community Programs, March 2015

Multipurpose Group Homes



Residential Programs

Eckerd Youth Alternatives (boys)

- $4.7 million contract
- Level II
- 3-month program for 60 boys (201 served in FY 2013-14)
- $23,479 per juvenile

WestCare (girls)

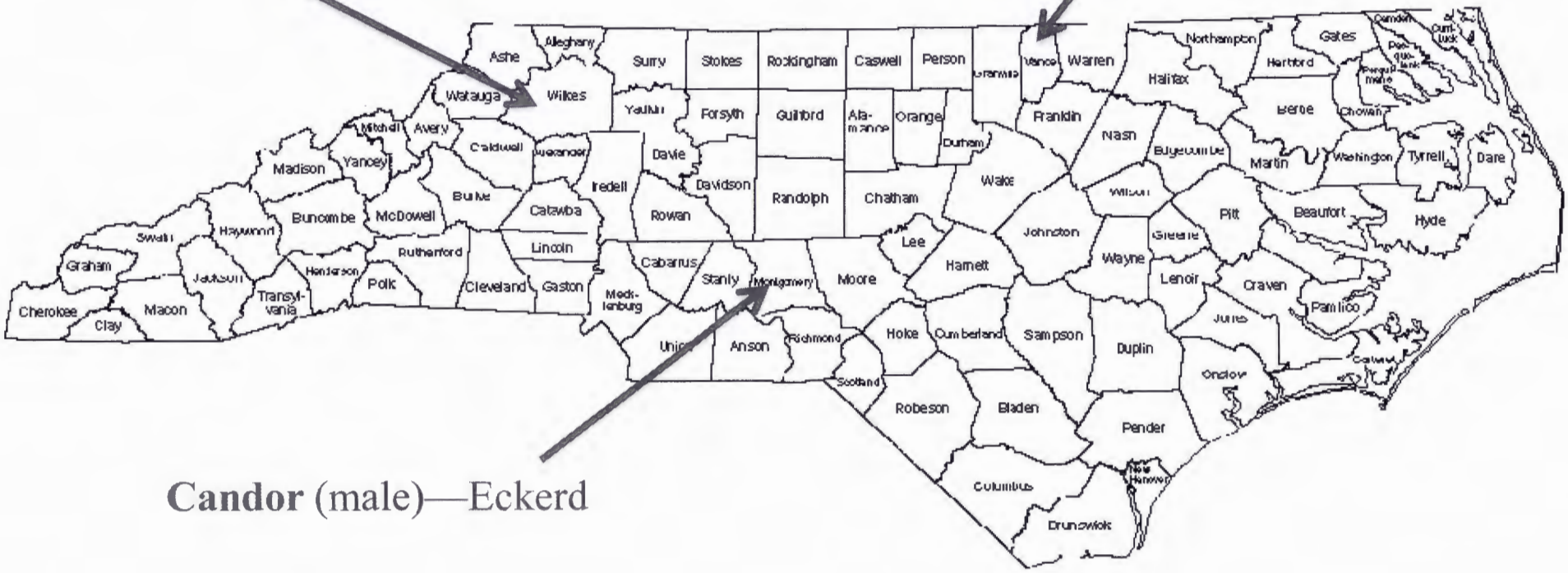
- $1.45 million contract
- Level II
- 3-month program for 16 girls (56 served in FY 2013-14)
- $25,877 per juvenile

Source: DACJJ. Annual Evaluation of Community Programs, March 2015

Residential Programs

Manson (female)—WestCare

Boomer (male)—Eckerd

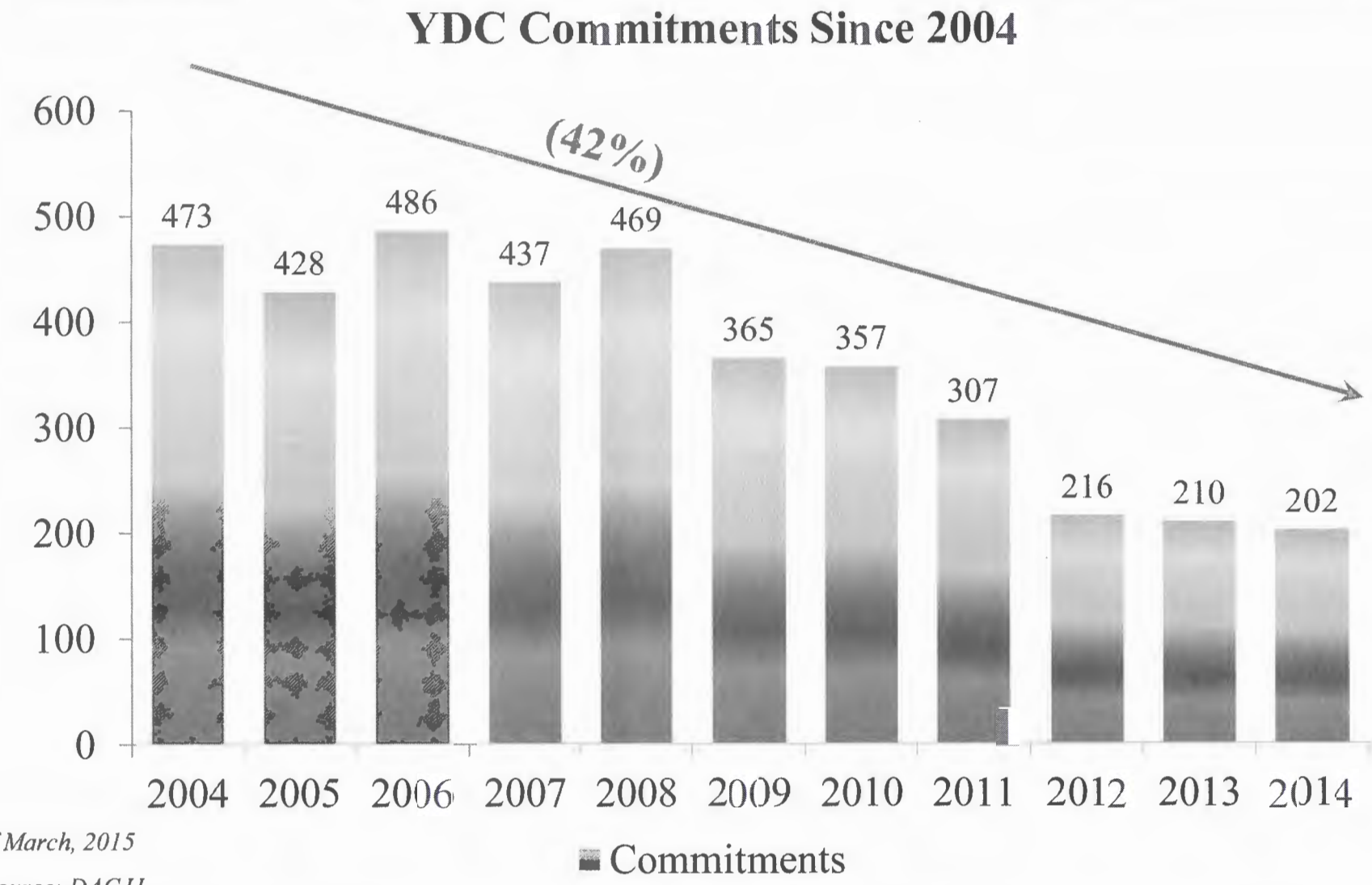


Candor (male)—Eckerd

Level III Disposition

Commitment: a juvenile is committed to DACJJ for placement in a Youth Development Center (YDC). Minimum six months; may be extended.

Youth Development Centers



** As of March, 2015*

Data Source: DACJJ

Youth Development Centers

YDC	Budget Actuals FY 2013-14*	FTE	Capacity	Cost/Bed
Cabarrus/Jackson	$12,448,292	217	112	$111,145
Chatham	$3,357,991	70	32	$121,796
Dillon	$8,026,550	140	90	$89,184
Dobbs/Lenoir	$5,903,695	77	43	$78,716
Total	**$30,276,012**	**504**	**309**	**$97,981**

Source: DACJJ, Annual Report on Youth Development Centers

2011: Closed Swannanoa and Samarkand YDCs
2012: Closed Edgecombe YDC
2013: Closed Lenoir YDC

Re-Entry Services

- Craven Transitional Home
  - Male, 6-12 month residential program
  - 6 beds serving 16 youth annually
  - $30,556 per participant
- North Hills Transitional Home (July 2014)
  - Female, 6 to 12 month residential program
  - 5 beds serving 14 youth annually
  - $32,000 per participant

Source: DACJJ, Annual Report on Community Programs

Recent Budget Actions

2012 Session:

- Closed Edgecombe YDC ($1,707,982)

2013 Session:

- Closed Lenoir YDC ($3,446,154)
- Closed Richmond Detention Center ($1,268,240)
- Closed Buncombe Detention Center ($951,844)
- Funded a new MPGH in the West $500,000
- Provided $1,000,000 in additional funding for community programs
- Funded the Safer Schools Initiative $311,572
- Juvenile Justice joined with Adult Correction to create DACJJ

Strategic Facilities Plan: 2014

- S.L. 2014-100, Sec 36.4(a): Authorized DPS to use $1.77 million in repairs and renovation funds to implement the Strategic Facilities Plan.
- Goals:
  - Phasing out underutilized, unsafe or outdated facilities
  - Reopening Edgecombe YDC and Lenoir YDC with expanded bed capacity
  - Reinvesting savings into community programs
    - Adding 16 new crisis beds
    - Opening 5 new transitional homes
    - Funding expanded re-entry services

Status Update

- July 2015: C.A. Dillon D Cottage has been renovated to provide 12 crisis and assessment beds; operational July 1.
- July 2015: Gaston Detention transferred to Stonewall Jackson (32 bed capacity).
- September 2015: Buncombe detention converted to Western MPGH.
- January 2016: Reopen McWhorter Housing unit at Stonewall Jackson, adding 32 beds to the facility.
- January 2016: C.A. Dillon transition to Edgecombe YDC (44 beds).
- May 2016: Dobbs transition to Lenoir YDC (44 beds).

HOUSE PAGES

NAME OF COMMITTEE Appropriations Justice & Public Safety DATE 3-25-15

1. Name: AMANDA CONE
   County: NASH
   Sponsor: Jeff Collins
2. Name:
   County:
   Sponsor:
3. Name: SEAN CONE
   County: NASH
   Sponsor: Jeff Collins
4. Name:
   County:
   Sponsor:
5. Name: BELLA DEVIVO
   County: WAKE
   Sponsor: ROB BRYAN

SGT-AT-ARM

1. Name: Barry Moore
2. Name: B.H. Powell
3. Name: David Linthicum (Smith)
4. Name:

VISITOR REGISTRATION SHEET

Name of Committee | Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Laura Sayre	NCSU-Social Work

VISITOR REGISTRATION SHEET

House Appropriations Justice & Public Safety — 3-25-15

Name of Committee — Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
JASON TUEW	NC STATE
ROARK WHITEHEAD	NC STATE
Michael Rieder	NCDPS – Juv. Justice
Bruce Stanley	Methodist Home for Children
David Hardesty	NC JJ
Catherine Anderson	DPS AC-JJ | JJ
Diana Kees	NCDPS
Cindy Porterfield	NCDPS - JJ
Mildred Spearman	NCAOC
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Rodney T Beckom	

VISITOR REGISTRATION SHEET

House Appropriations Justice & Public Safety — 3-25-15

Name of Committee — Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Barbara Moore	Conf of Clerks of Sp Ct
Peg Dorer	Conf of DAs
Chris Agnew	DOJ
Lad Rubert	CJK
David Farrell	VB
Andy Brandon	DPS
Joe Bator	DPS
David Guice	DPS
William Lassiter	DPS
Flint Benson	SEANC

House Committee on Appropriations, Justice and Public Safety
Thursday, March 26, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on March 26, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Faircloth, C. Graham, G. Graham, Hurley, R. Johnson, McNeill, Salmon, Speciale, and R. Turner attended.

Representative Jamie Boles, presided and called the meeting to order at 9:35 a.m.

Chairman Boles introduced the pages and the sergeant at arms who were present for the meeting.

John Poteat of the NCGA Fiscal Research Division was recognized to give an overview for the NC Department of Public Safety, Division of Adult Correction and Juvenile Justice where he focused on Prisons, Custody and Security Issues. (See Attachment 1 for a more complete reference) Chairman Boles allowed for questions, answers and discussion during the presentation.

Following the presentation, Chairman Boles asked Commissioner of Adult Correction and Juvenile Justice, David Guice, to introduce his staff members who were present.

The meeting adjourned at 9:52 a.m.

James L Boles Jr.
Rep. James L. Boles, Jr.
Presiding

Kerry Guice
Kerry Guice, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Thursday, March 26, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:20 AM on Wednesday, March 25, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 26, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles, Presiding
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DPS-Prisons Budget
John Poteat, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Tuesday, March 31

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
Rep. Jamie Boles, Co-Chair	X	X		X	X	X		X	X	X	X	X	X	X	X
Rep. Leo Daughtry, Co-Chair	X	X		X	X	X	X	X	X		X		X	X	X
Rep. John Faircloth, Co-Chair	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Rep. Pat Hurley, Co-Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Darren Jackson, Vice Chair		X	X	X	X	X	X	X		X				X	
Rep. Allen McNeill, Vice Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Sarah Stevens, Vice Chair	X	X		X	X	X	X	X	X	X	X		X	X	
Rep. Charles Graham			X	X		X		X	X		X	X	X	X	X
Rep. George Graham	X	X	X	X	X	X		X	X	X	X	X	X	X	X
Rep. Ralph Johnson		X	X	X	X	X	X	X	X	X	X	X	X	X	
Rep. Brad Salmon	X	X		X	X	X	X			X		X	X	X	
Rep. Michael Speciale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rep. Rena Turner	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sen. Stan Bingham, Co-Chair	X	X	X	X	X		X	X	X	X					
Sen. Buck Newton, Co-Chair	X	X			X	X		X		X					
Sen. Shirley Randleman, Co-Chair	X	X	X	X	X	X	X	X	X	X					
Sen. Tom Apodaca, Vice-Chair															
Sen. Valerie Foushee	X	X		X	X	X	X	X	X	X					
Sen. Fletcher Hartsell, Jr.		X							X						
Sen. Jeff Jackson		X	X	X	X	X	X	X	X	X					
Sen. Michael Lee	X	X	X		X	X	X	X							

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	2.10.2015	2.11.2015	2.24.2015	3.3.2015	3.4.2015	3.5.2015	3.11.2015	3.17.2015	3.18.2015	3.19.2015	3.25.2015	3.26.2015	3.31.2015	4.1.2015	4.2.2015
William Childs, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lisa Fox, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Kristine Leggett, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X		X	X
John Poteat, Fiscal Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Becky Bauerband, Clerk	X	X	X	X	X	X	X	X		X	X	X	X	X	X
Kerry Guice, Clerk	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Debbie Holder, Clerk	X		X		X	X	X	X	X	X	X		X	X	X
Jeb Kelly, Clerk	X	X	X	X	X	X	X	X	X	X					
Maria Kinnaird, Clerk	X	X		X	X		X	X							
Carol Wilson, Clerk	X	X	X	X	X	X		X	X	X					
Jason Soper, Speaker's Office		X													
Stephen Ogden, Senate Office	X	X		X		X	X	X	X	X					

House Appropriations Committee on
Justice and Public Safety

Department of Public Safety
Prisons







March 26, 2015

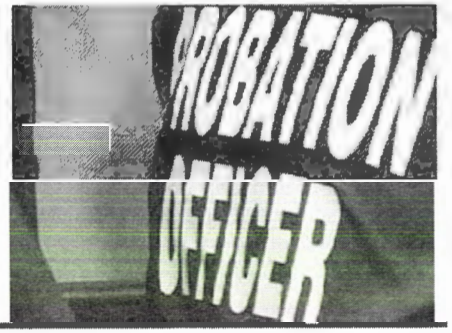
FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

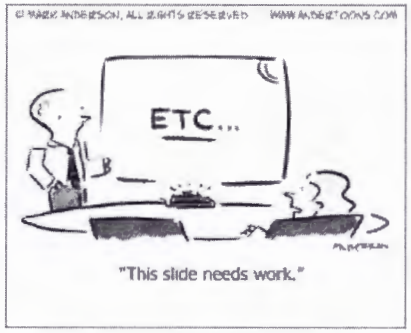
Attachment 1



DACJJ Presentations

- **Today: Custody and Security**
- **Tuesday: Prisons Programs**
- **Wednesday: Inmate Medical**
- **Thursday: Community Corrections**





"This slide needs work."

Today's Presentation

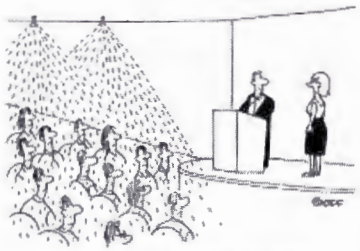
I. Overview

II. Structured Sentencing—Impact on Population

III. Custody and Security Issues

IV. Changes in Misdemeanant Housing

V. Recent Budget Issues & Actions


"You're not allowed to use the sprinkler system to keep your audience awake."





I. Overview



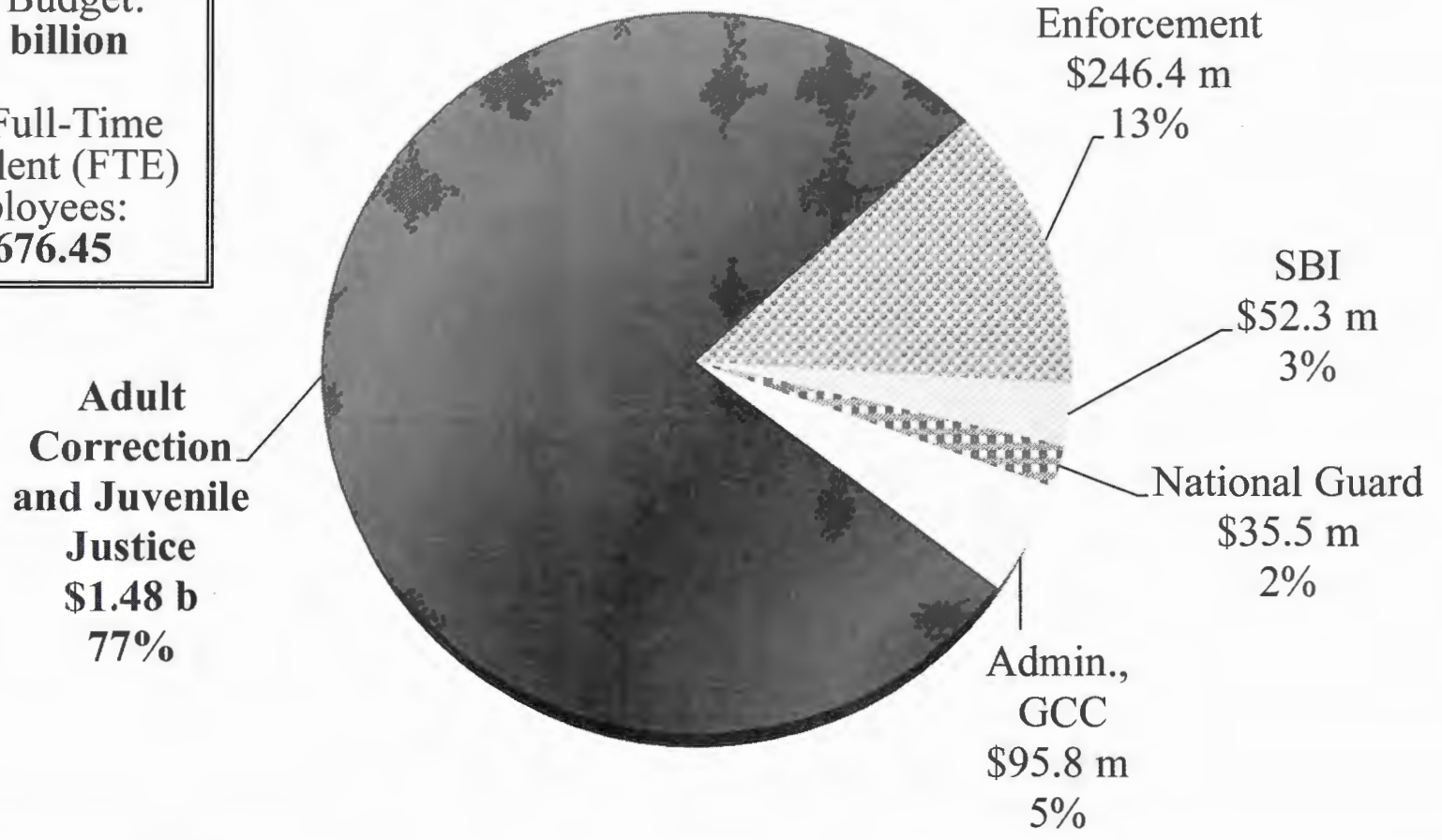


FY 2015-16 DPS Base Budget

Total Budget:
$1.9 billion

Total Full-Time Equivalent (FTE) Employees:
24,676.45

Total General Fund Requirements
FY 2015-16



Source: NCIBIS, Worksheet I, 03/03/2015

Division of Adult Correction

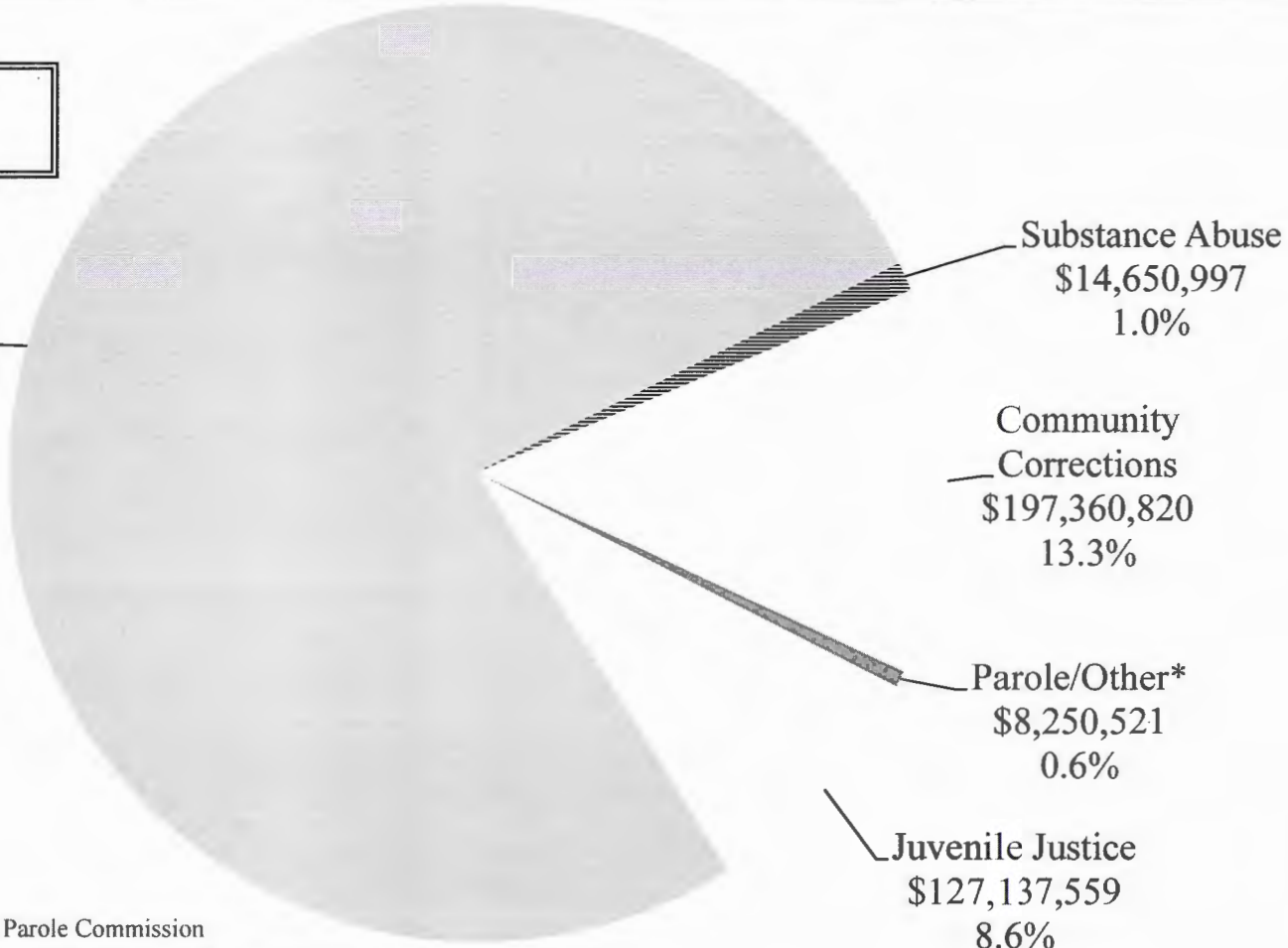
G.S. 143B-701. Division of Adult Correction – duties.

It shall be the duty of the Department to provide the necessary custody, supervision, and treatment to control and rehabilitate criminal offenders and thereby to reduce the rate and cost of crime and delinquency.

- **FY 2015-16 Base Budget**: $1.35 billion
- **FY 2015-16 FTE**: 19,445 positions
- **Prisons**: 57 plus 2 CRVs
- **Offenders under supervision**: 140,201

FY 2015-16 DACJJ Base Budget

Total Budget: $1.48 b



***Parole/Other:**
Post-Release Supervision and Parole Commission
Security Services for Adult Correction and Juvenile Justice Grievance Resolution Board,
Adult Correction Extradition, and Division Wide Operations

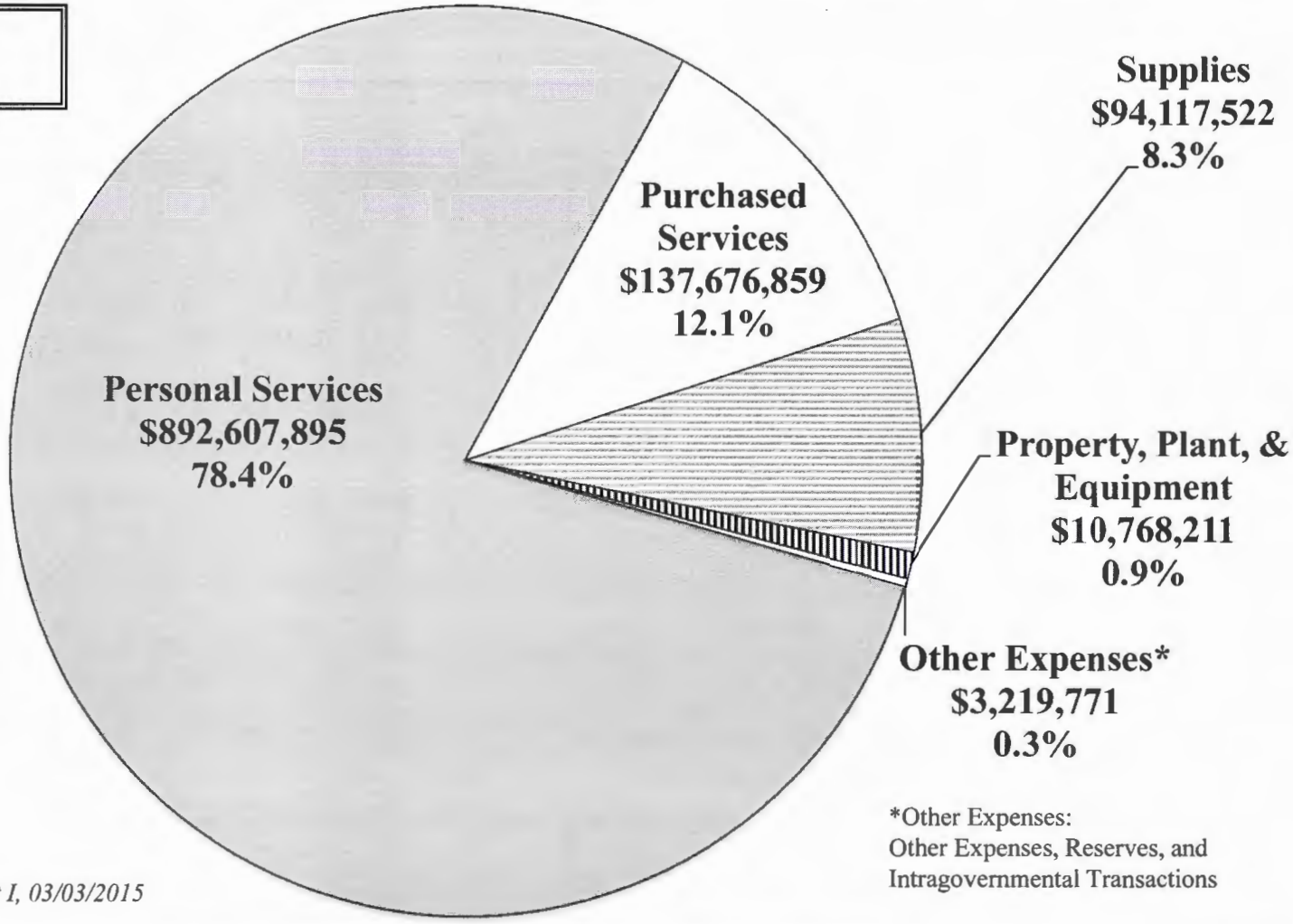
Source: NCIBIS, Worksheet I, 03/03/2015

NC Prison Map



FY 2015-16 Prisons Base Budget

Total Budget:
$1.1 billion



*Other Expenses:
Other Expenses, Reserves, and
Intragovernmental Transactions

Source: NCIBIS, Worksheet I, 03/03/2015

FELONY PUNISHMENT CHART

PRIOR RECORD LEVEL

OFFENSE CLASS	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts
A	Death or Life Without Parole Defendant Under 18 at Time of Offense: Life With or Without Parole					
B1	A *240 - 300* **192 - 240** *144 - 192*	A *276 - 345* **221 - 276** *166 - 221*	A *317 - 396* **254 - 317** *190 - 254*	A *365 - 456* **292 - 365** *219 - 292*	A *Life Without Parole* **336 - 420** *252 - 336*	A *Life Without Parole* **386 - 483** *290 - 386*
B2	A *157 - 196* **125 - 157** *94 - 125*	A *180 - 225* **144 - 180** *108 - 144*	A *207 - 258* **165 - 207** *124 - 165*	A *238 - 297* **190 - 238** *143 - 190*	A *273 - 342* **219 - 273** *164 - 219*	A *314 - 393* **251 - 314** *189 - 251*
C	A *73 – 92* **58 - 73** *44 - 58*	A *83 - 104* **67 - 83** *50 - 67*	A *96 - 120* **77 - 96** *58 - 77*	A *110 - 138* **88 - 110** *66 - 88*	A *127 - 159* **101 - 127** *76 - 101*	A *146 - 182* **117 - 146** *87 - 117*
D	A *64 - 80* **51 - 64** *38 - 51*	A *73 - 92* **59 - 73** *44 - 59*	A *84 - 105* **67 - 84** *51 - 67*	A *97 - 121* **78 - 97** *58 - 78*	A *111 - 139* **89 - 111** *67 - 89*	A *128 - 160* **103 - 128** *77 - 103*
E	I/A *25 - 31* **20 - 25** *15 - 20*	I/A *29 - 36* **23 - 29** *17 - 23*	A *33 - 41* **26 - 33** *20 - 26*	A *38 - 48* **30 - 38** *23 - 30*	A *44 - 55* **35 - 44** *26 - 35*	A *50 - 63* **40 - 50** *30 - 40*
F	I/A *16 - 20* **13 - 16** *10 - 13*	I/A *19 - 23* **15 - 19** *11 - 15*	I/A *21 - 27* **17 - 21** *13 - 17*	A *25 - 31* **20 - 25** *15 - 20*	A *28 - 36* **23 - 28** *17 - 23*	A *33 - 41* **26 - 33** *20 - 26*

DISPOSITION

Aggravated Range

PRESUMPTIVE RANGE

Mitigated Range

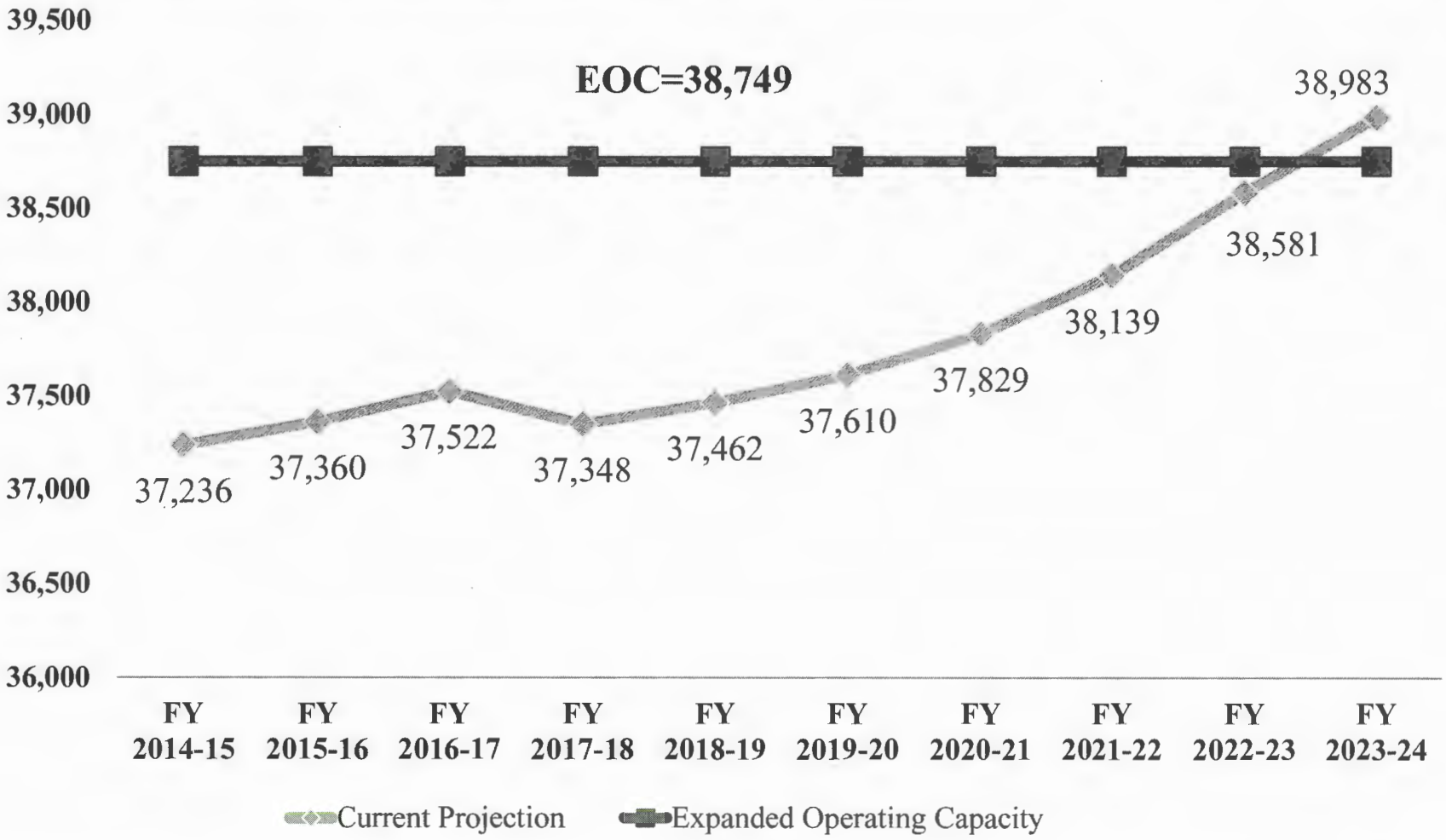
II. Structured Sentencing and Projections

Structured Sentencing

S.L. 1993-538 (House Bill 277)

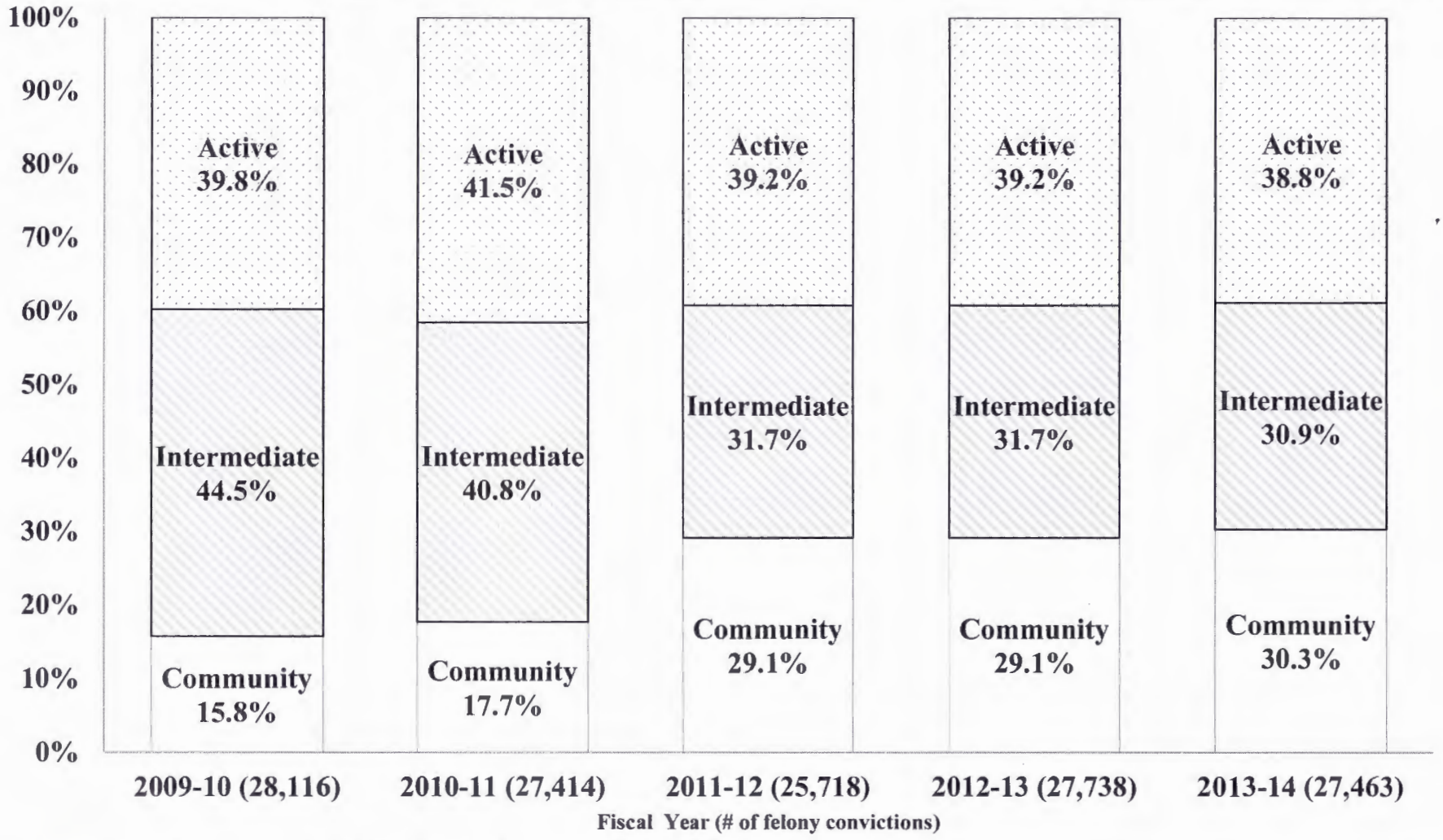
- Truth in Sentencing: Time Served = Sentence
- Early parole release **abolished**
- Sentence for same offense should be similar
- Sentence fits severity of crime and prior offenses
- Set resource priorities:
  - Most violent and serious offenders in prison for longer time
  - More non-violent offenders on probation and parole
- Sentencing policies should be balanced with resources

Sentencing Commission 10-Year Projections



Source: Sentencing and Policy Advisory Commission, Prison Population Projections: Fiscal Year 2015 to Fiscal Year 2024

Type of Felony Sentence, FY 2009-10 to FY 2013-14



Source: Sentencing Commission, Annual Structured Sentencing Statistical Reports

Do Structured Sentencing Inmates Drive the Prison Population?

Stacking effect: Most serious offenders take up prison beds for a long time

A-D Violent felons:

- 58% of population
- Average time served 8 years in FY 2013-14

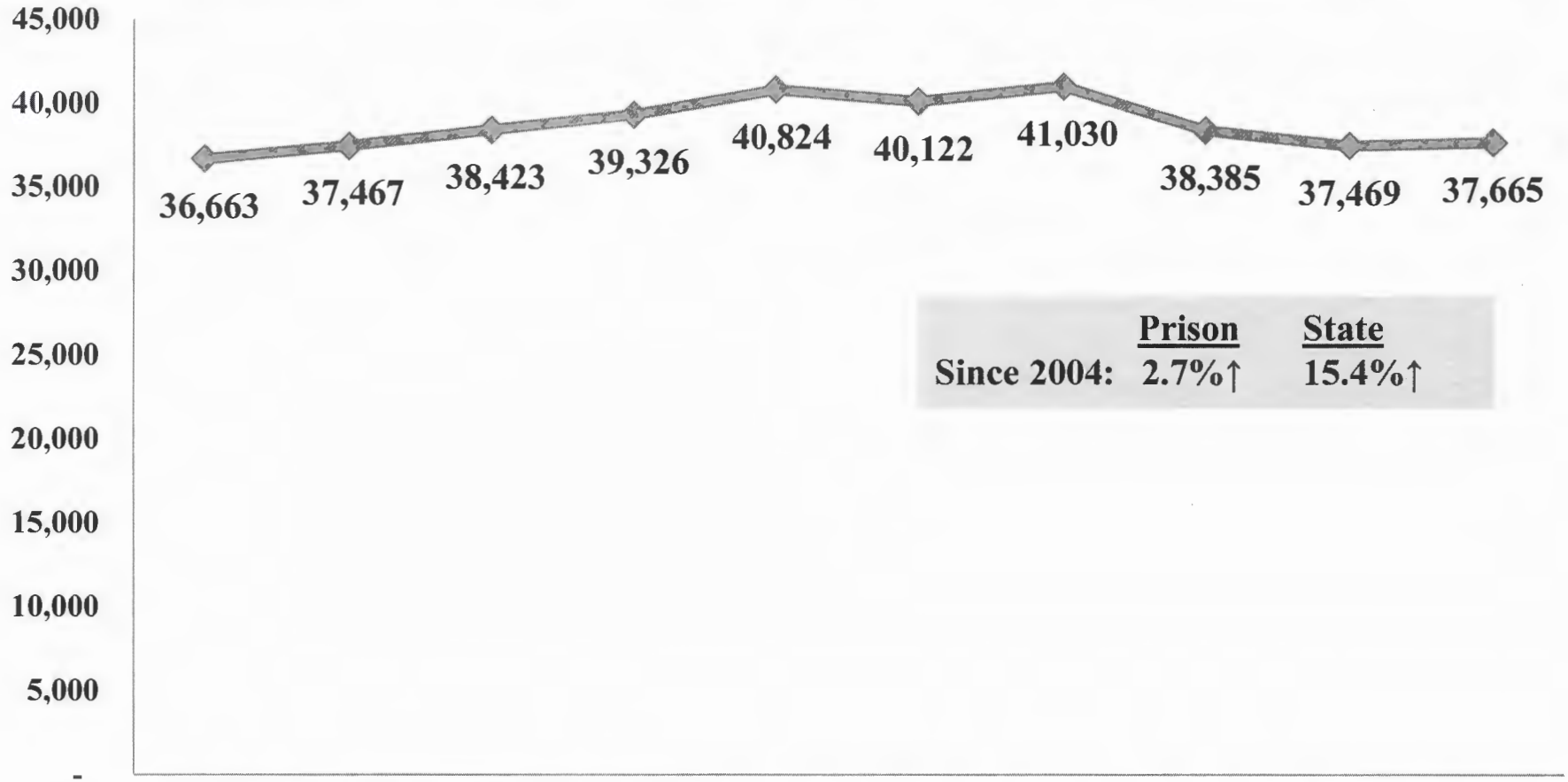
Class C Felons:

- 21% of population
- Average time served 6.5 years in FY 2013-14
- Habitual Felons account for 15% of population

Time served all felons:

- Average Time Served: 20 months in mid 90's
- Average Time Served: 30 months in FY 2013-14

NC Prison Population



Source: OSBM and Division of Adult Correction

FY 2013-14 NC Prison Population

Admissions: 22,759 **Exits: 22,560**

Direct: 57% **Probation Revocations**: 43%

Felony Class	A-D	E-G	H-I
Convictions	8%	28%	64%
Current Population*	57%	24%	16%
Average Length of Stay	8 years	19 months	9 months
% Receiving an Active Prison Sentence	100%	48%	27%

***Remaining 5%:** Misdemeanants, Non-Class (DWI), Safekeepers, and Other

Source: SPAC and DPS



III. Custody and Security Issues



Prisons Section

- **Budget**: $1.1 billion
- **Prisons**: 57
- **Beds**: 38,397
- **Employees**: 16,424.9 employees
- **Facilities**: 10.6 million square feet
- **Miles Driven**: 8,521,692.21 miles in 103,515 trips

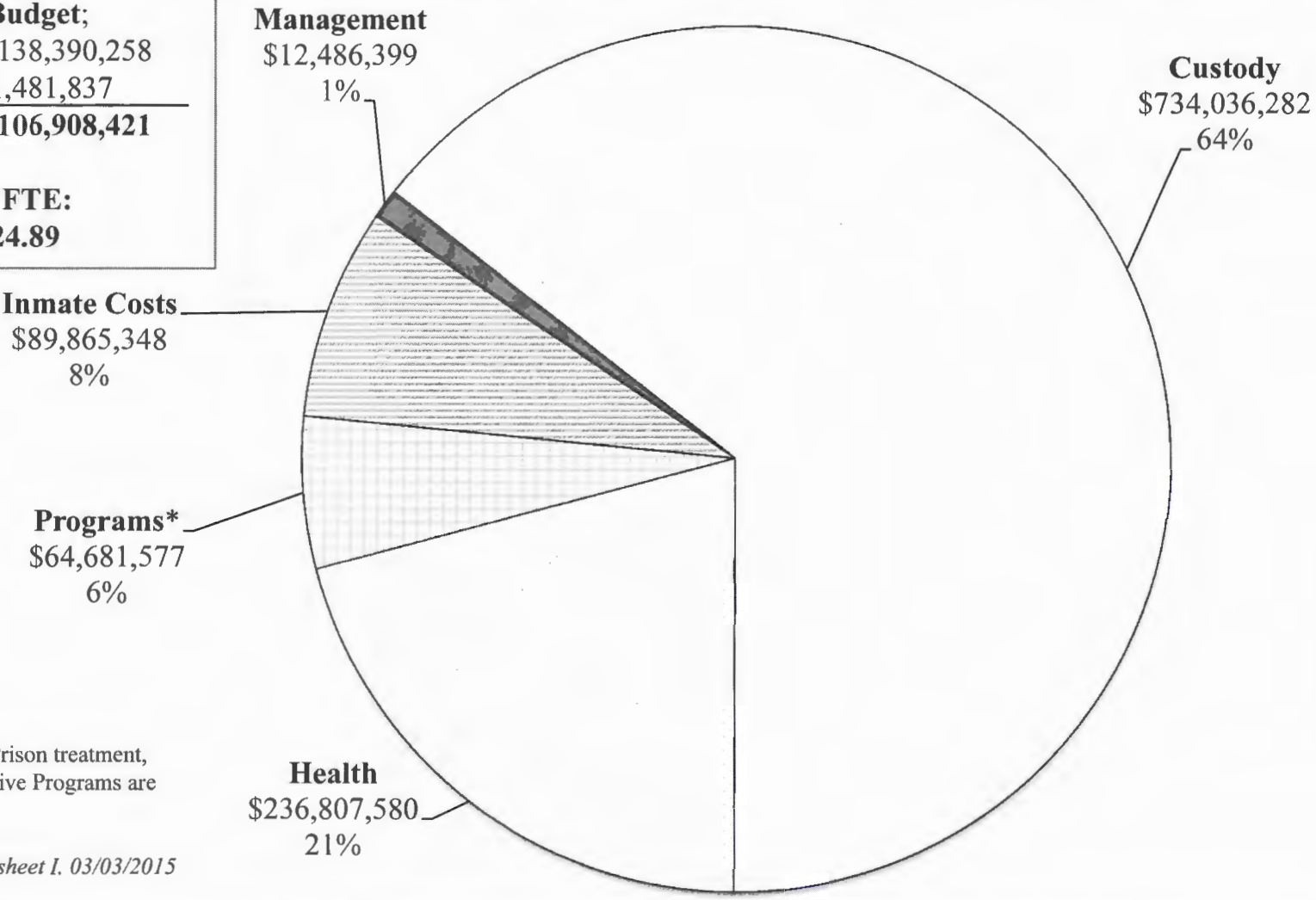
23rd largest "city" in NC

Source: DOP

FY 2015-16 Prisons Budget

Total Budget;	
Req.:	$1,138,390,258
Receipts:	$31,481,837
Approp:	**$1,106,908,421**

Total FTE:
16,424.89



*Substance Abuse In-Prison treatment, Academic, and Corrective Programs are combined

Source: NCIBIS, Worksheet I. 03/03/2015

2015-16 Prison FTE Positions

Area	#
Custody and Security	**12,801.8**
Custody and Security	12,618.8
Road Squads and Litter Crews	183.0
Inmate Costs: Food Services and Cleaning	**483.0**
Inmate Programs	**1,096.47**
Gang Unit and SOAR*	10.0
Inmate Education	60.0
Corrective Programs	899.1
Work Release	19.4
In-Prison Substance Abuse Treatment	104.0
Inmate Health	**1,874.50**
General Health	1,346.0
Mental Health	339.0
Dental Health	107.0
Pharmacy Services	82.5
Management	**169.1**
Total	**16,424.9**

Source: NCIBIS, Worksheet I, 03/03/2015 *SOAR=Sex Offender Accountability Program @ Harnett CI and Gang Unit Management @ Foothills CI

FY 2013-14 Prison Bed Costs

Average=$79.89 per day/$29,160 annually

Custody Type (%)	Number of beds	Percentage by type	Per Bed Daily Operating Cost	Per Bed Annual Cost
Close (23%)	Single Cell: 8,674	22.6%	$95.78	$34,960
Medium (48%)	Single Cells: 3,037 Double Cells: 1,950 Dorm: 13,613	7.9% 5.1% 35.5%	$82.14	$29,981
Minimum (29%)	Single Cell: 54 Double Cell: 486 Dorm: 10,583	0.1% 1.3% 27.6%	$70.18	$25,616

Source: DOP and DAC, Controller's Office

Custody and Security

FTE: 12,782.58

FY 2015-16: $724,996,282

88% of Budget is Personal Services

57 Prisons in 4 Regions

Custody Staff: 11,604.48 FTE (90.8%)

Administrative Services: 430.25 FTE (3.4%)

Facilities Maintenance: 399 FTE (3.1%)

Source: *NCIBIS, Worksheet I, 03/03/2015 and* Beacon BO 149 Report (03/08/15)

Prison Closures Since 2009

Wilmington Residential Facility for Women (36 beds)
Gates CC (96 beds)
Umstead CC (114 beds)
Union CC (82 beds)
Guilford CC (168 beds)
Cleveland CC (136 beds)
Anson CC (Consolidated with Brown Creek CI)
Rowan CC (Consolidated with Piedmont CI)
McCain Correctional Hospital (411 beds)
Durham CC (216 beds)
Haywood CC (128 beds)
Cabarrus CC (198 beds)
Charlotte CC (256 beds)
Mary Frances (100-bed private treatment provider)
Evergreen (100-bed private treatment provider)
Duplin CC (328 beds)
Robeson CC (276 beds)
Bladen CC (172 beds)
Wayne CC (428 beds)
Western Youth Institution (708 beds)
Buncombe CC (Consolidated with Craggy CC)
Raleigh CCW (Consolidated with NCCIW)
Tillery CC (Consolidated with Caledonia CI)
North Piedmont CCW (136 beds)
Fountain CCW (531 beds)

Closure Total=4,620 beds **Beds Added at 1,000-bed prisons=2,772**

Total Change in Capacity=(1,848)

Prison Position Changes

FY 2009-10:	**(973)**	**Closed 7 prisons, eliminated vacant positions, work crews**
FY 2010-11	**704**	**Provided medical positions at new hospitals**
FY 2011-12	**(352)**	**Closed 4 prisons, eliminated vacant positions; add-on positions**
FY 2012-13	**53**	**Provided positions at add-on facilities**
FY 2013-14	**(775)**	**Closed 5 prisons**
FY 2014-15	**(383)**	**Closed 2 prisons, removed misdemeanants**

Total Net Change: (1,726) FTE

Prison Food Service and Cleaning

FTE: 483

FY 2015-16 Base Budget Requirements: $72,815,524

Personal Services: 33.4% **Supplies:** 63.4%

Meals Served: 42,490,380 **Cups of Coffee:** 0

Menus: Rotate on a five-week cycle three times a year

WINTER Date: 03/26/2015 Thursday Diet: REGULAR DIET Week: 2 Day: 5

Total Cost: $2.82

BREAKFAST	LUNCH	SUPPER
1% MILK	FLAVORED DRINK	SWEETENED TEA
ORANGE JUICE	GARLIC BREAD	HOT DOGS W/BUN & CHILI
BISCUITS	SPAG W/MEAT SAUCE	ALT: PEANUT BUTTER SANDWICH
BUTTERED GRITS	ALT: SPAGH W/KIDNEY BEANS	COLESLAW
SCRAMBLED EGGS	GARDEN VEGETABLE SALAD	BOSTON BAKED BEANS
PEPPER	ORIENTAL VEGETABLE MIX	SEASONAL FRUIT
SALT	CHOCOLATE CAKE	CATSUP
MOLASSES	PEPPER	MUSTARD
	SALT	PEPPER

Source: Beacon BO 149 Report (03/08/15)

Prison Food Service and Cleaning

Food software: menus, recipes, forecasting to reduce waste

Correction Enterprises: 99.9% of the food

Diet Types: 25 different diets; 78% Regular diet

Card swipe system: Implemented October 2013; helps manages food cost and lowered specialty diet orders 30%

Prison Inmate Clothing and Bedding

Budget: $17,049,824

Bedding and Textiles	$2,144,368
Laundry Services and Supplies	$6,143,559
Clothing and Uniform	$8,462,880

Clothing Issued: 1,797,223

Sheets Issued: 166,056

Cost per inmate: $210

Clothing change: 2x week

Bedding: weekly

Towels: 2x week

Safekeepers

G.S. 162-39. Transfer of prisoners when necessary for safety and security; application of section to municipalities.

Major Reasons to transfer a prisoner to the Safekeeper program:

- Escape risk
- Violently aggressive behavior
- Protection from other inmates
- Female or 18 years or younger and jail cannot house them
- Medical or mental health treatment

FY 2013-14 Entries: 957 **Feb 28, 2015 population**: 193

Counties pay $40 plus cost of "extraordinary medical care incurred"

March 2015—15 counties are past due by 150 days or more: $1.7 million

NC Department of Public Safety, Prisons Facilty Listing



Mountain Region

2	Alexander Correctional Institution	4870
	***(Close/Minimum)	
	/Minimum)	
5	Caldwell Correctional Center	4625
6	Catawba Correctional Center	4555
8	Foothills Correctional	3720
	***(Close/Minimum)	
9	Gaston Correctional Center	4515
10	Lanesboro Correctional Institution	4805
	***(Close/Medium)	
11	Lincoln Correctional Center	4525
13	Marion Correctional Institution	3720
	***(Close/Minimum)	
14	Rutherford Correctional Center	4625
15	Swannanoa Correctional Center for Women	4525
45	Wilkes Correctional Center	4805

Central Region

18	Davidson Correctional Center	4430
19	Forsyth Correctional Center	4430
23	New Hanover Correctional Center	4170
	/Minimum)	
26	Randolph Correctional Center	4445
28	Scotland Correctional Institution	4805
	***(Close/Medium/Minimum)	
29	Southern Correctional Institution	1800
	***(Close/Medium/Minimum)	
30	Tabor Correctional Institution	4805
	***(Close/Medium)	

Triangle Region

32	Central Prison	3180
	***(Close/Medium/Minimum)	
33	Dan River Prison Work Farm	3080
35	N.C. Correctional Institution for Women	3010
	***(Close/Medium/Minimum)	
38	Nash Correctional Institution	3080
41	Polk Correctional Institution	3080
42	Sanford Correctional Center	4080
43	Wake Correctional Center	4265
44		

Coastal Region

45	Bertie Correctional Institution	4080
	***(Close/Medium)	
47	Carteret Correctional Center	4130
49	Edgecombe Correctional Institution	3400
50	Greene Correctional Institution	4140
1		
52	Maury Correctional Institution	4875
	***(Close/Medium)	
53	Odom Correctional Institution	3310
55	Pasquotank Correctional Institution	3740
	***(Close/Medium)	
56	Tyrrell Prison Work Farm	3070

LEGEND

Sandy Ridge Boo Terminal

Private Contract Facilities

P Center for Community Transitions

Correctional Custody Levels

Minimum

Close

* Housing both Male/Female

** Multiple Custody Levels

Female Facilities

Confinement Response Violation Facilities

C1 Burke CRV

C2 Robeson CRV

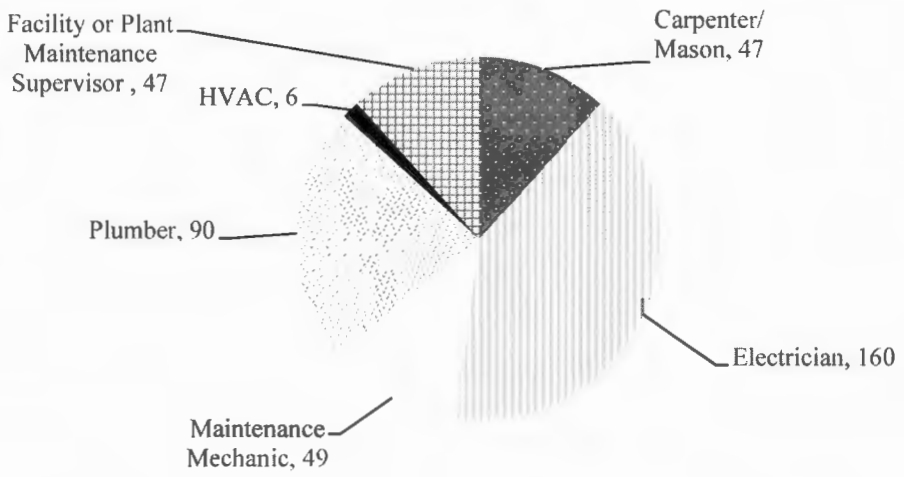
Source: NCDPS

Facilities Maintenance

Corrective and Preventative: 56 facilities ranging in age from 3 to 131

FTE: 399

- **Facility Staff**: 33 Prisons (includes 3 private maintenance facilities)
- **Regional Staff Maintenance Yards**: 4 regions support 24 prisons
  - Support Electronic Intrusion System (EIS), Telephone, Electronic, Camera, and Fire Alarm Maintenance at ***ALL 56 prisons, 12 juvenile facilities, 2 DACDP facilities, and 2 CRVs***
- Provide construction crews which cover small to medium projects and work with Inmate Construction Program in 3 regions



Private Maintenance

2006: Private Maintenance Contracts awarded to Keith and Keith Corrections at 3 new 1,000-bed prisons (Maury, Bertie, and Tabor CI)

2014-2015: Two-year fixed contract with one-year renewals. Contract expiration: December 31, 2014 for two facilities; April 30, 2015 for the third

FY 2011-12—present: Department responsible for repairs over $5,000

January 1, 2012: Removed vendor responsibility for EIS, Video Surveillance, Telephones

Current Contract Amount: $2.99 million

Correctional Officer Issues

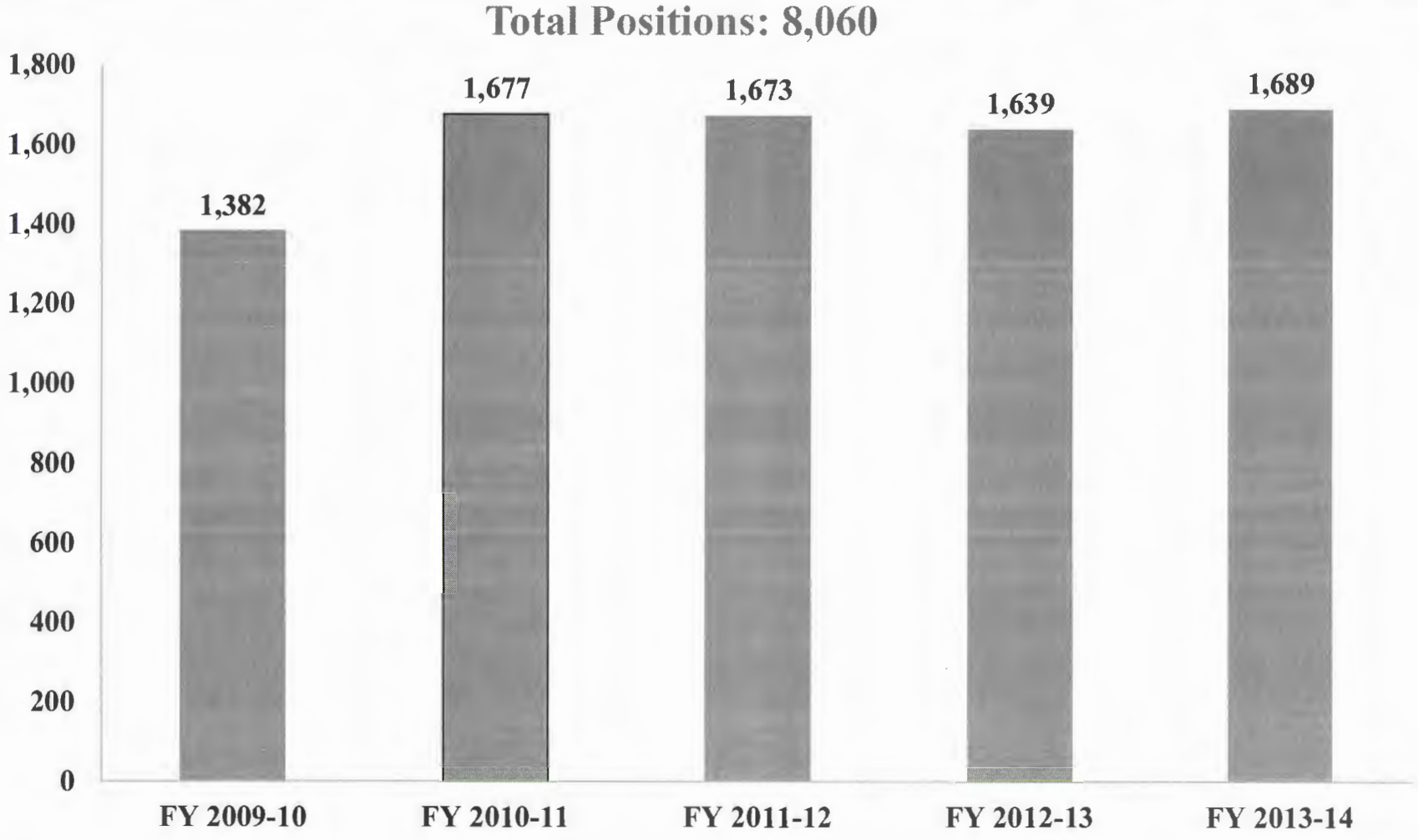
- **Total Number of Correctional Officers**: 9,459
- **Starting Salary**: $29,826
- COs work 12-hours shifts; 171 hours in 28-days
- **Special Pay: Overtime**—FY 2013-14 Actual=$16,012,938
- **Special Pay: Shift Premium**—FY 2013-14 Actual=$20,610,699
  - Additional 10% on evening and night shifts
  - Additional 10% on weekend evening and night shifts
- **Special Pay: Holiday Pay**—FY 2013-14 Actual =$6,030,408
  - 75% over regular hourly wage

Correctional Officer Issues

- **Vacancies**: 1,252 Vacant Custody Positions
- **Number of CO applications processed**: 12,000 annually
- **Time Between Hiring and Basic Training**: 137 days
- **Training**: COs complete 160 Hours of Basic; train 1,864 in FY 2013-14
- **Certified by Criminal Justice Training and Standards**: 1,297 new COs in FY 2013-14
- **Samarkand Training Academy**: $10.4 million appropriation

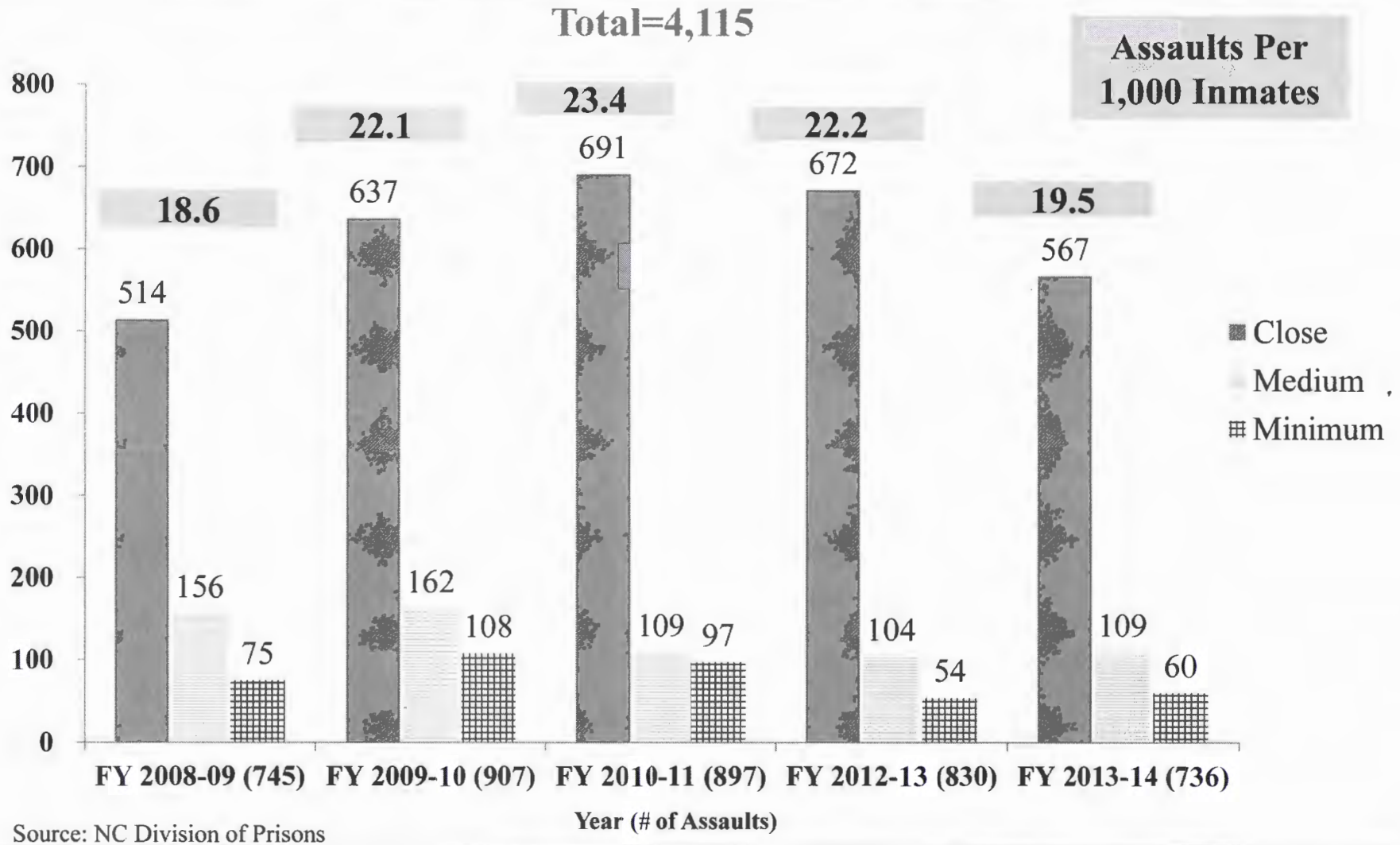
  Phase I: Commuter school for CO Training (July 2015)
- **Worker's Compensation**: FY 2013-14—$21,626,8370

Custody Staff Turnover



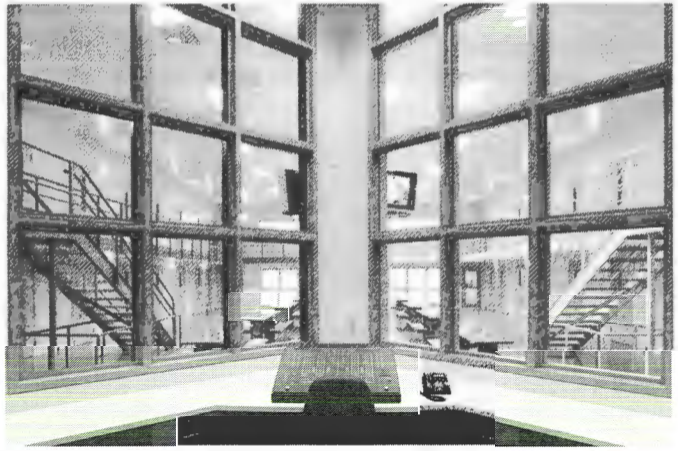
Source: Beacon, BO 43--Employee Turnover Report

Assaults on Custody Staff



Source: NC Division of Prisons

IV. Changes in Misdemeanant Housing



Statewide Misdemeanant Confinement Program (SMCP)

- S.L. 2011-192 (H.B. 642) Justice Reinvestment Act (JRA) created SMCP
- Fund pays counties to house misdemeanants (91-180 days)
- Administered by the NC Sheriffs' Association (NCSA)
- **Voluntary participation**: Sending and Receiving counties
- **Court costs effective**: August 1, 2011
- **Misdemeanants effective**: January 1, 2012
  - District Court cost: $18 (53% of revenue)
  - Improper Equipment: $50 (47% of revenue)

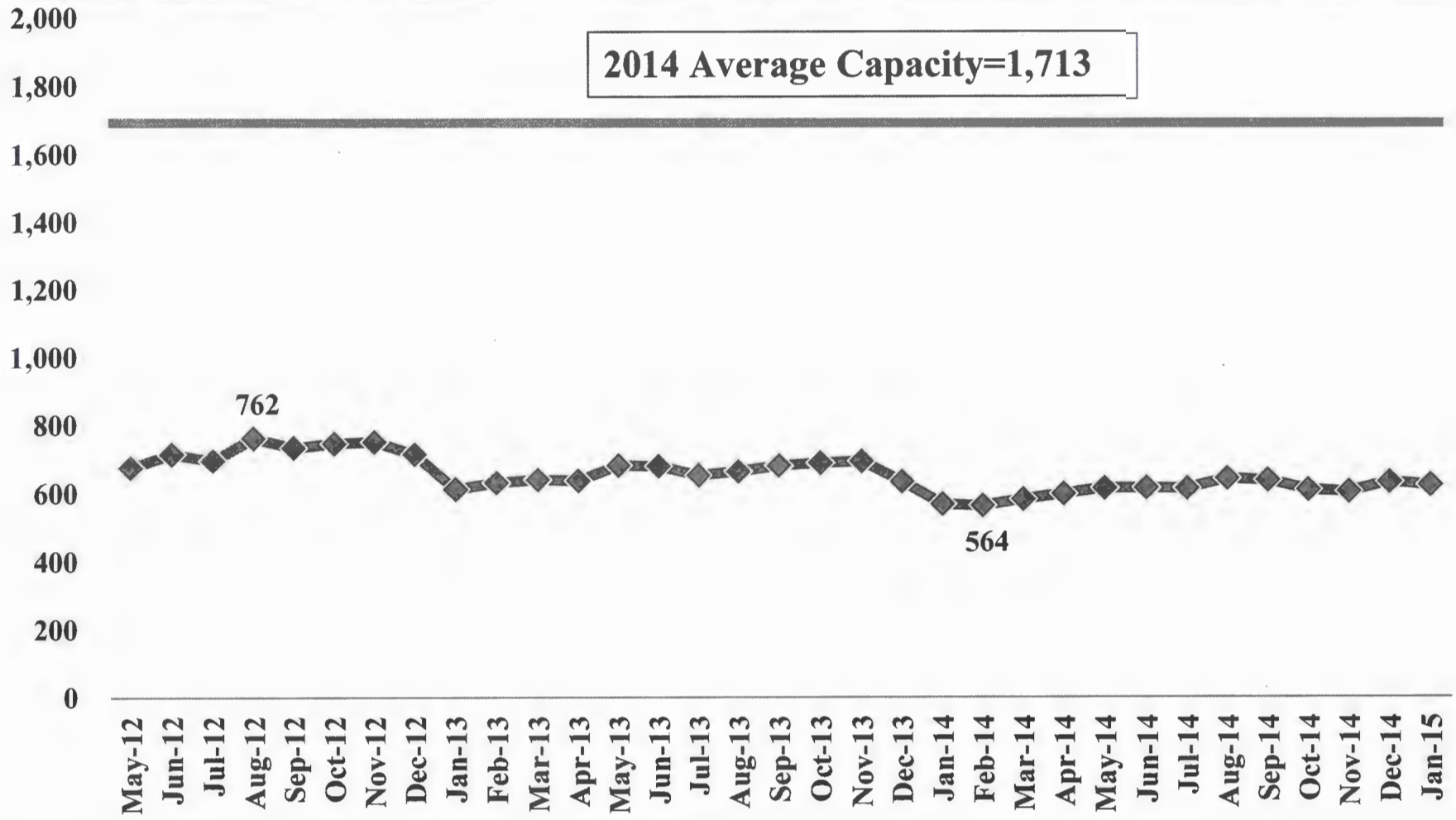
Statewide Misdemeanant Confinement Program (SMCP)

S.L. 2014-100 , Section 16C.1 (Appropriations Act of 2014)

- Expanded the program to include ALL misdemeanants—October 1, 2014
- Expanded the program to include DWI offenders—January 1, 2015

OSBM/DAC Projections: 1,034 additional inmates

SMCP Monthly Population



Source: NC Sheriffs' Association SMCP Monthly Status Reports

Statewide Misdemeanant Confinement Program (SMCP)

Program	FY2011-12*	FY 2012-13	FY 2013-14
Average Population	4,988	8,291	7,564
Housing ($40/day)	$1,687,837	$11,969,272	$9,592,194
Medical (Actual)	$74,321	$193,677	$149,080
Transportation ($.55/mile)	$25,829	$343,850	$269,879
TOTAL	**$1,787,987**	**$11,969,272**	**$10,011,153**

*Counties began receiving SMCP inmates January 1, 2012
Source: Division of Adult Correction, AOC, and NC Sheriffs' Association SMCP monthly and annual reports

Statewide Misdemeanant Confinement Program (SMCP)

Administrative Costs	FY 2011-12	FY 2012-12	FY 2013-14	Total
NC Sheriffs' Association ▪ 10% of revenue ▪ FY 2013-14: up to $1 m	$1,886,024	$3,096,794	$1,000,000	**$5,982,818**
DAC ▪ 1% of revenue	$188,602	$309,679	$341,949	**$840,230**
Transfers to General Fund	-	$5,000,000 NR	$13,450,000 NR $1,000,000 R	**$18,450,000**

SMCF: Sending and Receiving Counties



	Volunteered beds - received inmates = 56
	Not volunteered beds = 44

Source: NC Sheriffs' Association December 2014 Status Report



V. Recent Budget Issues & Actions



Private Maintenance

S.L. 2011-412, Section 1.2—DPS shall study maintenance contracts and report its findings to the 2013 General Assembly. No expansion unless authorized.

S.L. 2014-100, Section 16C.5.—MAINTENANCE OF PRISONS

DPS may expand private maintenance contracts if savings can be realized and safety can be maintained. Report to Governmental Operations on anticipated savings and on safety considerations **prior** to entering any prison maintenance contract under this section.

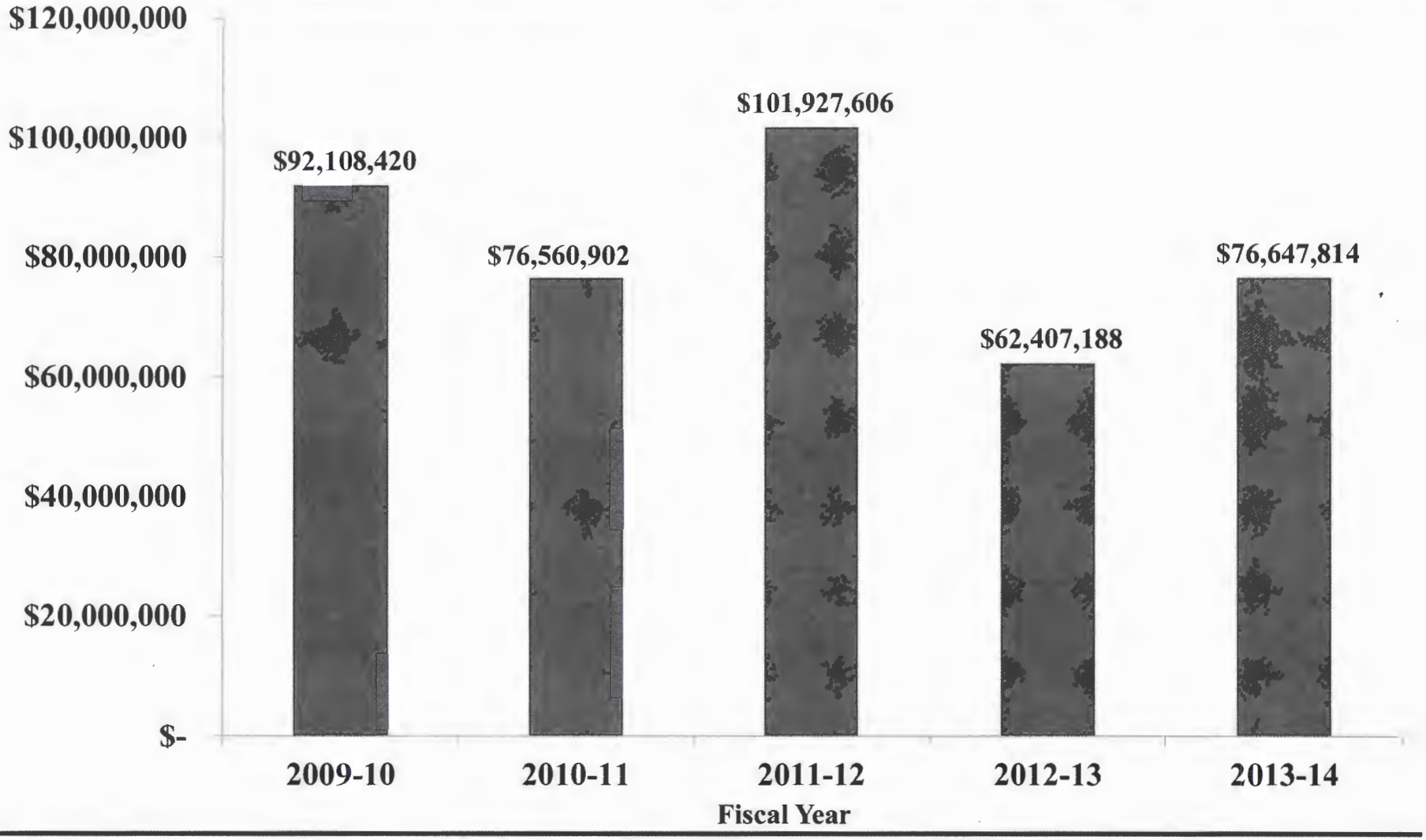
Report's Findings:

"No conclusive evidence that privatized maintenance produces significant savings over in-house departmental maintenance" FY 2009-10—FY 2011-12 : Department maintenance cost less than private maintenance

Update:

- **December 31, 2014**: DPS extended the contract for one more year
- DPS did not consult the Joint Legislative Commission on Governmental Operations

Adult Correction Lapsed Salary



FY 2012-13 and FY 2013-14 Major Lapsed Salary Expenditures

Workers Comp	$25,997,190
Temporaries - Nursing Agencies	$20,156,097
Overtime	$13,400,279
Receipts Shortages (Litter Crews, Child Nutrition, SCAAP, etc.)	$10,138,478
Transfer to Disaster Reserve	$10,000,000
Prescription Drugs	$8,414,960
DCC and SHP Vehicles*	$8,042,835
Special Pay	$3,716,802
Unemployment Compensation	$3,349,794
Food	$3,248,510

Source: DAC, annual lapsed salary reports

*Transferred to DOA to purchase Probation Officer vehicles: $5,067,161
Provided State Highway Patrol funds for vehicle purchases: $2,975,674

Annualization of FY 2013-15 Major Budget Items



Budget Item	Annualized Amount	FTE
Reduce Inmate Health Care	($9,000,000)	
Close Duplin CC	($16,451,462)	
Close Bladen CC	($2,499,168)	(62.00)
Close Wayne CC	($7,234,666)	(150.00)
Close Western Youth Institution	($16,312,132)	(323.00)
Convert Johnston CI	($2,600,000)	(50.00)
Consolidate Tillery CC	($1,565,182)	(32.00)
Remove Misdemeanants from State Prison	($2,662,357)	
Close Fountain CCW	($4,397,312)	(175.00)
Close North Piedmont CCW	($1,965,095)	(44.00)
Covert Eastern CI	($2,560,955)	(102.00)

FY 2016-17 Governor's Budget Proposal

Item	FY 2015-16	FY 2016-17
Restoration of Non-recurring budget reduction	$11,957,001	
Correctional Officer Reclassification		$20,790,000
Start-up funding for Training Academy staff	$283,024 $80,926 NR 2.0 FTE	$1,811,298 $965,060 29.0 FTE
Management Flexibility Reduction	($15,000,000)NR	
Harnett CI Electronic Intrusion System	($127,838) $74,050 (14.0) FTE	($511,219) (14.0) FTE

Correctional Officer Reclassification Plan

- **August 2013**: DPS requested Office of State Humans Resources (OSHR) assistance in reviewing CO class.
- **Challenges**: Low pay, salary compression, and lack of career progression
- **Findings**: Roles of COs have changed because of changes in:
  - Sentencing laws
  - Inmates with mental health issues
  - More felons in minimum custody
  - Larger facilities
  - Increase in the number and types of contraband—CY 2013: 748 cell phones

Correctional Officer Reclassification Plan

Proposal:

- Three levels of COs (I-minimum, II-medium, and III-close)
- Example: CO I (minimum custody)—Grade 62 to 63

  CO III (close custody)—Grade 62 to 66
- Supervisory Custody staff progress on custody of facility
- Managerial staff progress on factors in addition to custody (e.g., # of staff, complexity of inmates)

- OSHR Recommendations will be presented to State HR Commission in April
- **Total Cost: $55.8 million** (with a phase-in over 3 years)
- FY 2016-17 Governor's Recommendation: $20.79 million


WHO
WHAT
WHERE
WHEN
WHY
HOW
QUESTIONS
ANSWERS

HOUSE PAGES

NAME OF COMMITTEE House Com. Justice PS DATE 3/26/15

1. Name: Amanda Comb
   County: Nash
   Sponsor: Rep. Jeff Collins
2. Name: Amy Clemmons
   County: Wake
   Sponsor: Rep. Paul Stam
3. Name: _____
   County: _____
   Sponsor: _____
4. Name: _____
   County: _____
   Sponsor: _____
5. Name: _____
   County: _____
   Sponsor: _____

SGT-AT-ARM

1. Name: Barry Moore
2. Name: BH Powell
3. Name: David Lithicum
4. Name: _____

VISITOR REGISTRATION SHEET

JPS — 3-26-15

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Kenneth Carlton	NCDPS
George Solomon	NCDPS
W. David Guice	NCDPS
Tim Moose	NCDPS
Gwen Norville	NCDPS
~~Joel Ellis~~	NCDAS
ANNE PRECYTHE	NCDPS
Cindy Brandon	DPS
Lauren Coley	Gov office/Policy
Erica Nelson	NCHA

JPS

VISITOR REGISTRATION SHEET 3-26-15

Judiciary I — 25 MAR 2015

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Law Rubric	CYPC
Mildred Spearman	NCAOC
Peg Dorer	NC Conf of DAs
Anna Roberts	Public Sector Group
Tom Mann	NCAOC
Eddie Caldwell	NC Sheriffs' Assn.
Keenan M. James	NC Sheriffs' Association
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Ken Pike	NC ALE
Ryan Combs	DPS
Nicole Sullivan	DPS

House Committee on Appropriations, Justice and Public Safety
Tuesday, March 31, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on March 31, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, Faircloth, C. Graham, G. Graham, Hurley, R. Johnson, McNeill, Salmon, Speciale, Stevens, and R. Turner attended.

Representative John Faircloth, Chair, presided. He called the meeting to order at 8:32 AM. Chairman Faircloth introduced the Sergeant at Arms staff and pages present for the meeting.

Chairman Faircloth introduced John Poteat, Fiscal Research Division, to give an overview of the DPS-Prisons Program Budget. A copy is attached as Exhibit "A".

The meeting adjourned at 9:03 AM.

Representative John Faircloth, Chair
Presiding

Rebecca Bauerband, Committee Clerk

Becky Bauerband (Rep. John Faircloth)

From: Becky Bauerband (Rep. John Faircloth)
Sent: Thursday, March 26, 2015 10:17 AM
To: Becky Bauerband (Rep. John Faircloth)
Subject: <NCGA> House Appropriations, Justice and Public Safety Committee Meeting Notice for Tuesday, March 31, 2015 at 8:30 AM
Attachments: Add Meeting to Calendar_LINC_.ics

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Tuesday, March 31, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Representative John Faircloth, Chair**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:15 AM on Thursday, March 26, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Rebecca Bauerband (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

March 31, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth, Presiding
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DPS-Prisons Program Budget
John Poteat, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Wednesday, April 1

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	03/31/15														
Rep. Jamie Boles, Co-Chair	✓														
Rep. Leo Daughtry, Co-Chair	✓														
Rep. John Faircloth, Co-Chair	✓														
Rep. Pat Hurley, Co-Chair	✓														
Rep. Darren Jackson, Vice Chair															
Rep. Allen McNeill, Vice Chair	✓														
Rep. Sarah Stevens, Vice Chair	✓														
Rep. Charles Graham	✓														
Rep. George Graham	✓														
Rep. Ralph Johnson	✓														
Rep. Brad Salmon	✓														
Rep. Michael Speciale	✓														
Rep. Rena Turner	✓														
Sen. Stan Bingham, Co-Chair															
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair															
Sen. Tom Apocaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson															
Sen. Michael Lee															

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	03/31/15														
William Childs, Fiscal Research	✓														
Lisa Fox, Fiscal Research	✓														
Kristine Leggett, Fiscal Research															
John Poteat, Fiscal Research	✓														
Becky Bauerband, Clerk	✓														
Kerry Guice, Clerk	✓														
Debbie Holder, Clerk	✓														
Jeb Kelly, Clerk															
Maria Kinnaird, Clerk															
Carol Wilson, Clerk															
Jason Soper, Speaker's Office															
Stephen Ogden, Senate Office															

Exhibit A

House Appropriations Committee on
Justice and Public Safety

Department of Public Safety
Division of Adult Correction—Prisons

Custody Wrap-Up

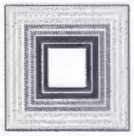
In-Prison Programs

Alcoholism and Chemical Dependency Programs

Correction Enterprises

March 31, 2015

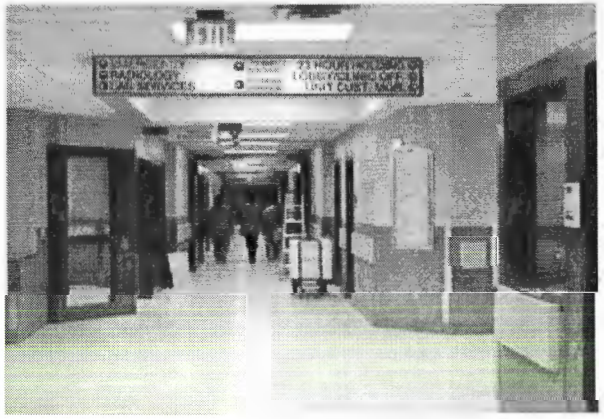
Exhibit A



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Upcoming Presentations

- **Wednesday**: Inmate Medical
- **Thursday**: Community Corrections





Wrap-Up: Custody Presentation



Safekeepers

G.S. 162-39. Transfer of prisoners when necessary for safety and security; application of section to municipalities.

Major Reasons to transfer a prisoner to the Safekeeper program:

- Escape risk
- Violently aggressive behavior
- Protection from other inmates
- Female or 18 years or younger and jail cannot house them
- Medical or mental health treatment

FY 2013-14 Entries: 957 **Feb 28, 2015 population**: 193

Counties pay $40 plus cost of extraordinary medical care incurred

March 2015—15 counties are past due by 150 days or more: $1.7 million



V. Recent Budget Issues & Actions



Private Maintenance

S.L. 2011-412, Section 1.2—DPS shall study maintenance contracts and report its findings to the 2013 General Assembly. No expansion unless authorized.

S.L. 2014-100, Section 16C.5.—MAINTENANCE OF PRISONS

DPS may expand private maintenance contracts if savings can be realized and safety can be maintained. Report to Governmental Operations on anticipated savings and on safety considerations **prior** to entering any prison maintenance contract under this section.

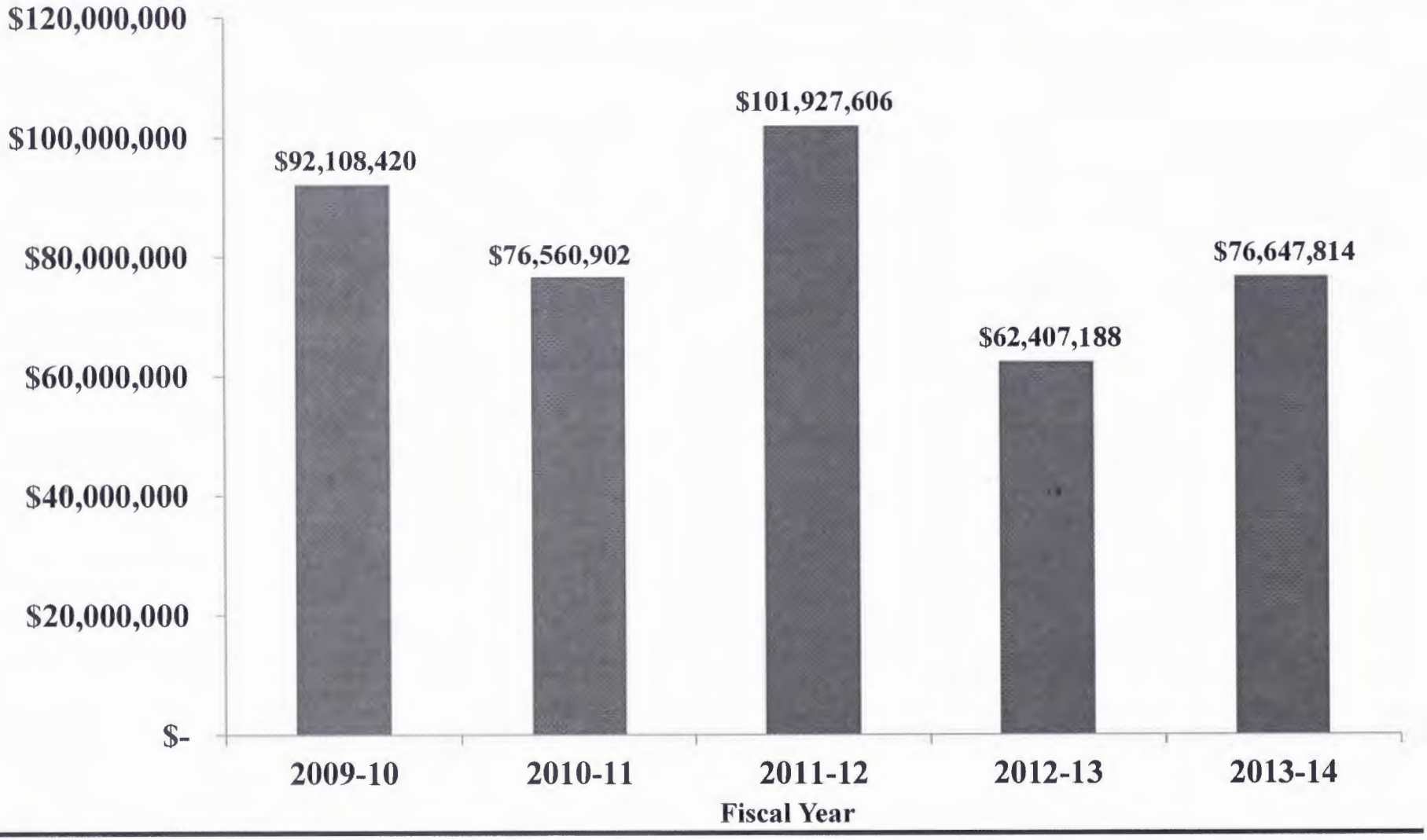
Report's Findings:

"No conclusive evidence that privatized maintenance produces significant savings over in-house departmental maintenance" FY 2009-10—FY 2011-12 : Department maintenance cost less than private maintenance

Update:

- **December 31, 2014**: DPS extended the contract for one more year
- DPS did not consult the Joint Legislative Commission on Governmental Operations

Adult Correction Lapsed Salary



FY 2012-13 and FY 2013-14 Major Lapsed Salary Expenditures

Category	FY 2012-13	FY 2013-14	Total
Workers Comp	$13,914,465	$12,082,725	**$25,997,190**
Temporaries - Nursing Agencies	$8,400,575	$11,755,522	**$20,156,097**
Overtime	$5,710,946	$7,689,333	**$13,400,279**
Receipts Shortages (Litter Crews, CN, SCAAP, etc.)	$4,882,398	$5,256,080	**$10,138,478**
Transfer to Disaster Reserve	$10,000,000	-	**$10,000,000**
Prescription Drugs	$1,432,353	$6,982,607	**$8,414,960**
DCC & SHP Vehicles*	-	$5,067,161	**$8,042,835**
Special Pay	$1,845,757	$1,871,045	**$3,716,802**
Unemployment Compensation	$2,059,894	$1,289,900	**$3,349,794**
Food	$1,962,556	$1,285,954	**$3,248,510**

*Transferred to DOA to purchase Probation Officer vehicles: $5,067,161
Provided State Highway Patrol funds for vehicle purchases: $2,975,674

Source: DAC, annual lapsed salary reports

FY 2013-15 Major Budget Items



Budget Item	Annualized Amount	FTE
Reduce Inmate Health Care	($9,000,000)	
Close Duplin CC	($16,451,462)	
Close Bladen CC	($2,499,168)	(62.00)
Close Wayne CC	($7,234,666)	(150.00)
Close Western Youth Institution	($16,312,132)	(323.00)
Convert Johnston CI	($2,600,000)	(50.00)
Consolidate Tillery CC	($1,565,182)	(32.00)
Remove Misdemeanants from State Prison	($2,662,357)	
Close Fountain CCW	($4,397,312)	(175.00)
Close North Piedmont CCW	($1,965,095)	(44.00)
Covert Eastern CI	($2,560,955)	(102.00)

FY 2016-17 Governor's Budget Proposal

Item	FY 2015-16	FY 2016-17
Restoration of Nonrecurring Budget Reduction	$11,957,001	
Correctional Officer Reclassification		$20,790,000
Start-up Funding for Training Academy Staff	$283,024 $80,926 NR 2.0 FTE	$1,811,298 $965,060 29.0 FTE
Management Flexibility Reduction	($15,000,000)NR	
Harnett CI Electronic Intrusion System	($127,838) $74,050 (14.0) FTE	($511,219) (14.0) FTE

Correctional Officer Reclassification Plan

- **August 2013**: DPS requested Office of State Humans Resources (OSHR) assistance in reviewing CO class.
- **Challenges**: Low pay, salary compression, and lack of career progression
- **Findings**: Roles of COs have changed because of changes in:
  - Sentencing laws
  - Inmates with mental health issues
  - More felons in minimum custody
  - Larger facilities
  - Increase in the number and types of contraband—CY 2013: 748 cell phones

Correctional Officer Reclassification Plan

Proposal:

- Three levels of COs (I-minimum, II-medium, and III-close)
- Example: CO I (minimum custody)—Grade 62 to 63

  CO III (close custody)—Grade 62 to 66
- Supervisory Custody staff progress on custody of facility
- Managerial staff progress on factors in addition to custody (e.g., # of staff, complexity of inmates)

- OSHR presented and State HR Commission approved the plan in February
- **Total Cost: $55.8 million** (with a phase-in over 3 years)
- FY 2016-17 Governor's Recommendation: $20.79 million

Today's Presentation

I. In-Prison Programs

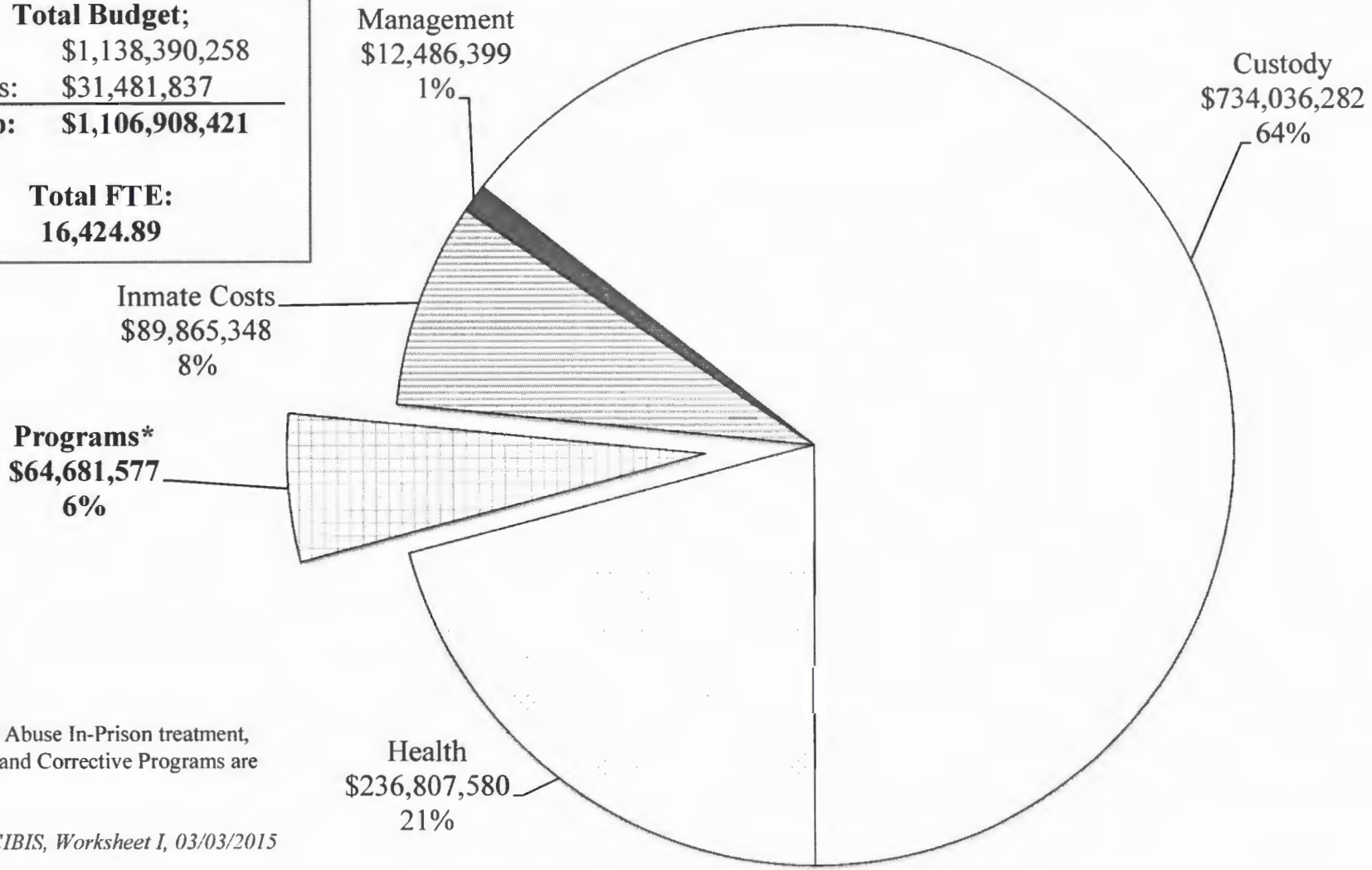
II. Alcoholism and Chemical Dependency Programs (ACDP)

III. Correction Enterprises

FY 2015-16 Prisons Budget

Total Budget;	
Req.:	$1,138,390,258
Receipts:	$31,481,837
Approp:	**$1,106,908,421**

Total FTE:
16,424.89



*Substance Abuse In-Prison treatment, Academic, and Corrective Programs are combined

Source: NCIBIS, Worksheet I, 03/03/2015

I. In-Prison Programming

95% of inmates in State prison will be released

G.S. 143B-701. Division of Adult Correction – duties.

It shall be the duty of the Department to provide the necessary custody, supervision, and treatment to control and *rehabilitate criminal offenders and thereby to reduce the rate and cost of crime and delinquency.**

*Emphasis added

In-Prison Programs



2015-16 Base Budget : $64.7 million

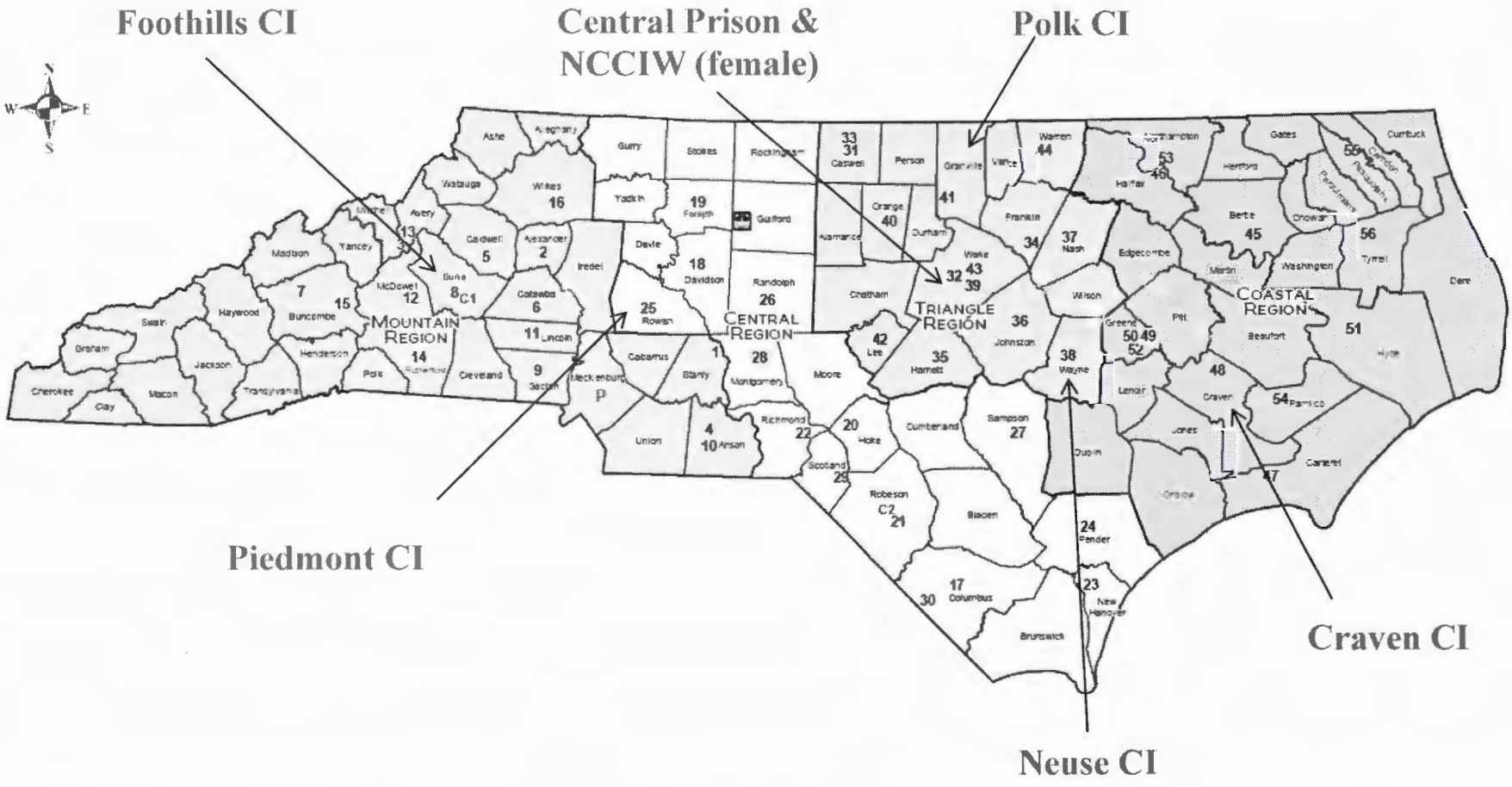
FTE: 1,213.77

Major Programs

- Diagnostic Centers
- Case Management
- Inmate Education
- Work Assignments
- Chaplains



NC Prisons & Diagnostic Centers



Diagnostic Centers

FTE: 102

7 centers for intake and assessment to determine proper custody classification, work, and program assignments

Physical, mental health and educational assessment

Case Completion: 15-day turnaround

Processing Total: 28 days

Assigned to one of 56 prisons

Inmates processed in 2015: 21,395

Average cases processed monthly: 1,893

Case Management & Programs

FTE: 907.91

50% of the positions are Case Managers (455)

All inmates are assigned a Case Manager

Case Managers plan, coordinate and facilitate the delivery of programs and services to inmates while incarcerated and assist in transition planning

Meet with inmates *at least* every other calendar month

Education Programs

FY 2015-16 Budget: $10. 8 m

FTE: 60

Teachers: 46 Principals: 5 Guidance/Psychologists: 5

Youth Facilities require GED/HS diploma courses as part of case management

Inmates with less than 6th grade reading level required to be in Adult Basic Education (ABE)

33% of prison entrants have less than a 6th grade education

Education Programs

Inmate Tuition funding: $4.1 million*

Inmate participation: 27,536 inmates participated

Continuing Education (47.3%): Human Resource Development, Computer Applications, Commercial Cleaning, Electrical

Basic Education (37.9%): Adult Basic Education and GED

Curriculum (14.8%): Horticulture, Masonry, Food Service Tech., Electronics, Basic Carpentry, Barbering, Cosmetology

* Curriculum & Continuing Education programs

Inmates Working

G.S. 148-26. State policy on employment of prisoners.

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

***emphasis added**

Inmate Work Assignments

Assignment	Average Daily	Daily Pay
Prison Units	6,430	$.40, $.70, $1.00
Food Services	3,263	$.40, $.70, $1.00
Correction Enterprise	2,029	$1.04, $1.60, $2.16
Prison Maintenance	1,807	$1.00
Road Squads	1,532	$1.00
Other Jobs	1,534	$.40, $.70, $1.00
State Agency/ Local Government	643	$1.00
Inmate Construction Program	307	$3.00
Work Release	797	Minimum of federal wage

Source: DACJJ, FY 2013-14 Annual Statistical Report

Inmate Construction

Budget: $1,262,466

FTE: 4 + 63 staff from Central Engineering

Currently: six major projects and many repair and renovation activities

FY 2012-13 & FY 2013-14: **61 Projects involved 9,576 inmates**

Central Prison Dining Renovation

Stonewall Jackson YDC

Samarkand Training Academy

Morrison CI Fence

Tabor CI Minimum Dorm

Registered Apprentices: 35 in FY 2013-14



State Penitentiary, Raleigh, N. C.



Inmate Labor Contracts

- State and local governments contract for inmate labor from minimum custody facilities
- 176 entities employed 939 inmates from 38 facilities
- Supervision: certified custodial agents
- Typically work 4-5 days per week and pay $1 per day/inmate
- Program affected by minimum custody closures



Work Release

Budget: $966,108

FTE: 19.36

Minimum Custody Level III inmates

Inmates paid wage of job (minimum is federal minimum wage)

Examples: restaurants and construction firms

899 inmates participate

Inmates Pay $23 per day ($20 per diem and $3 transportation fee)

Road Squads

Budget: $9,250,394

FTE: 199

Receipts from DOT: $9.04 million

49 minimum custody litter crews from 49 facilities

66 medium custody road squads from 12 facilities

1,532 inmates worked 707,627 hours

- Litter Pick-up: 80.7%
- Manual Clearing of Right-of-Ways: 5.7%
- Clearing and Grubbing: 4.5%

Inmate Welfare

Budget: $13,528,563

FTE: 31

Funds Inmate programs, personnel, education, supplies, equipment, and miscellaneous items for indigent inmates

Receipts: $7.6 million Inmate Phone System

$5.3 million Inmate Canteen System

Expenditures:

Transfers: General Fund- $708,103

Victim's Compensation Fund- $600,288

Canteen-$5,263,840

Chaplaincy Program

FTE: 21 GF + 18 Receipt Supported

Religious programs are offered at all prison facilities

Chaplains coordinate all religious programs and outside groups

Chaplains are not clergy to ensure freedom of religion

2011: Eliminated 25 Chaplains; maintained positions at 14 close custody facilities

32,284 inmates participated in 15 religious practices

24 Community-Funded Chaplains at 17 prisons

7,771 volunteers volunteered in prisons in FY 2013-14

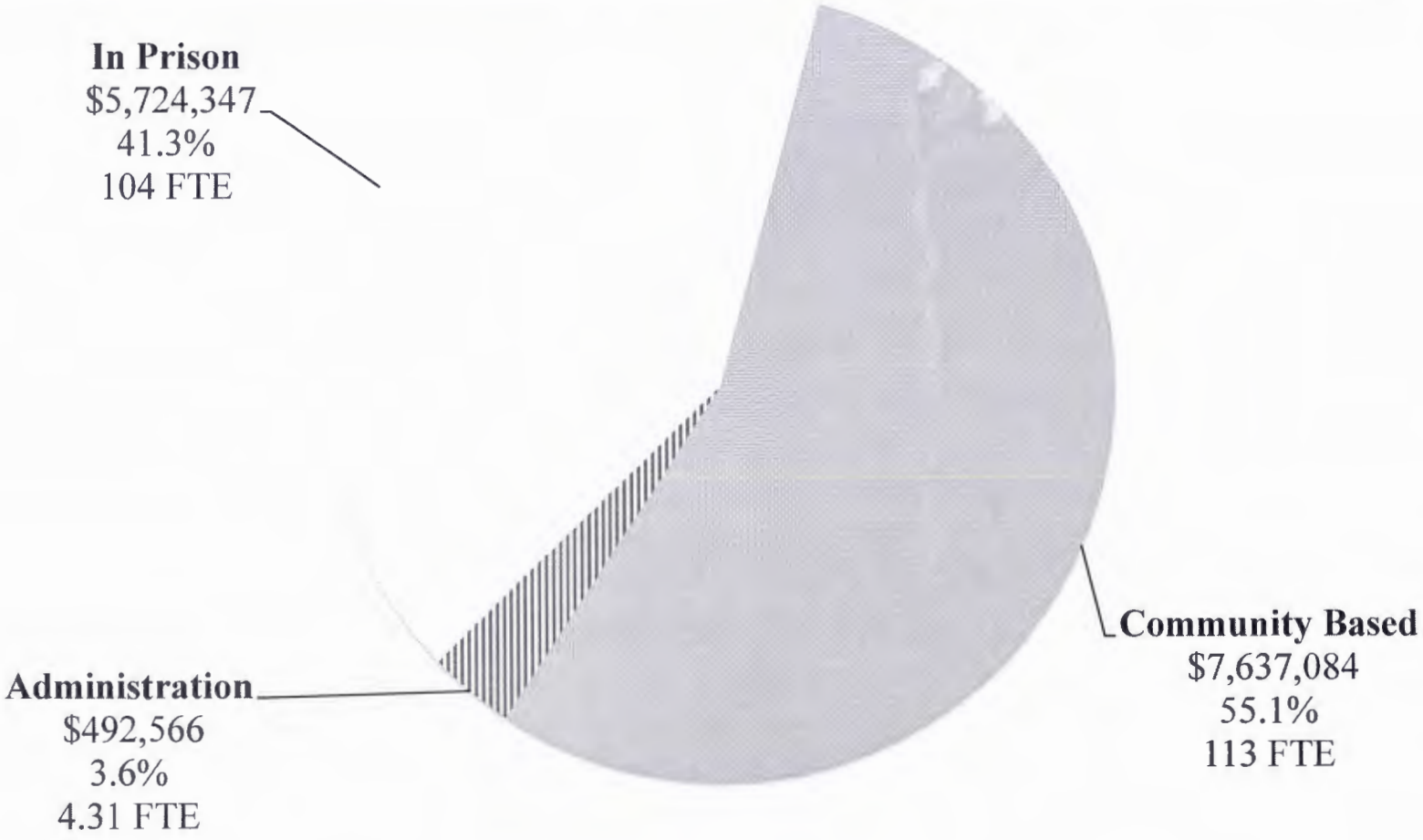
II. Alcoholism and Chemical Dependency Programs

G.S. 143B-704. Division of Adult Correction – functions.

(d) The Division shall establish an alcoholism and chemical dependency treatment program. The program shall consist of a continuum of treatment and intervention services for male and female inmates, established in medium and minimum custody prison facilities, and for male and female probationers and parolees, established in community-based residential treatment facilities.



ACDP 2015-16 Base Budget



Substance Abuse Treatment Programs

Budget: $6.5 million
FTE: 104
Enrollment: 4,510
Daily Cost: $15.90

- **Intermediate Residential Treatment Prison Beds (90 day)**
  - 11 programs (9 male & 2 female)

- **Long -Term Residential Treatment Prison Beds (180-365 days)**
  - 6 programs (2 male, 1 Youth, & 3 female)

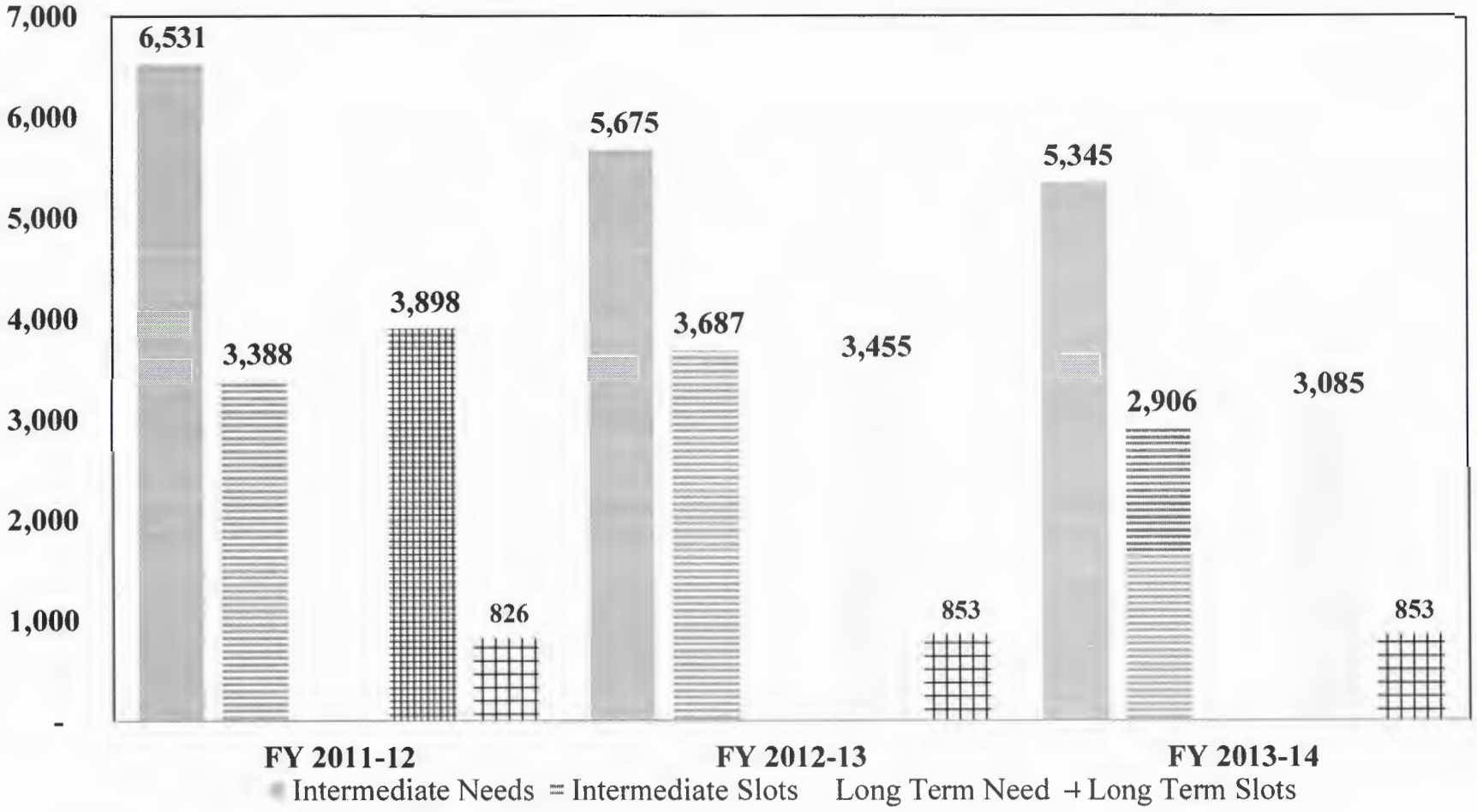
Source: FY 2013-14 data from ACDP Annual Report and DPS Controller

FY 2013-14 Prison Entries & SASSI Scores

Inmate Group	SASSI Score				
	1 (No Treatment)	2	3	4	5 (Long-Term)
Female	266 (14%)	332 (18%)	427 (25%)	479 (26%)	358 (19%)
Male - Adult	2,171 (17%)	484 (25%)	4,659 (36%)	1,891 (15%)	756 (6%)
Male - Youth	340 (17%)	3,342 (20%)	550 (35%)	334 (17%)	343 (17%)
Total	**2,777 (17%)**	**3,951 (24%)**	**5,636 (34%)**	**2,704 (16%)**	**1,457 (8%)**

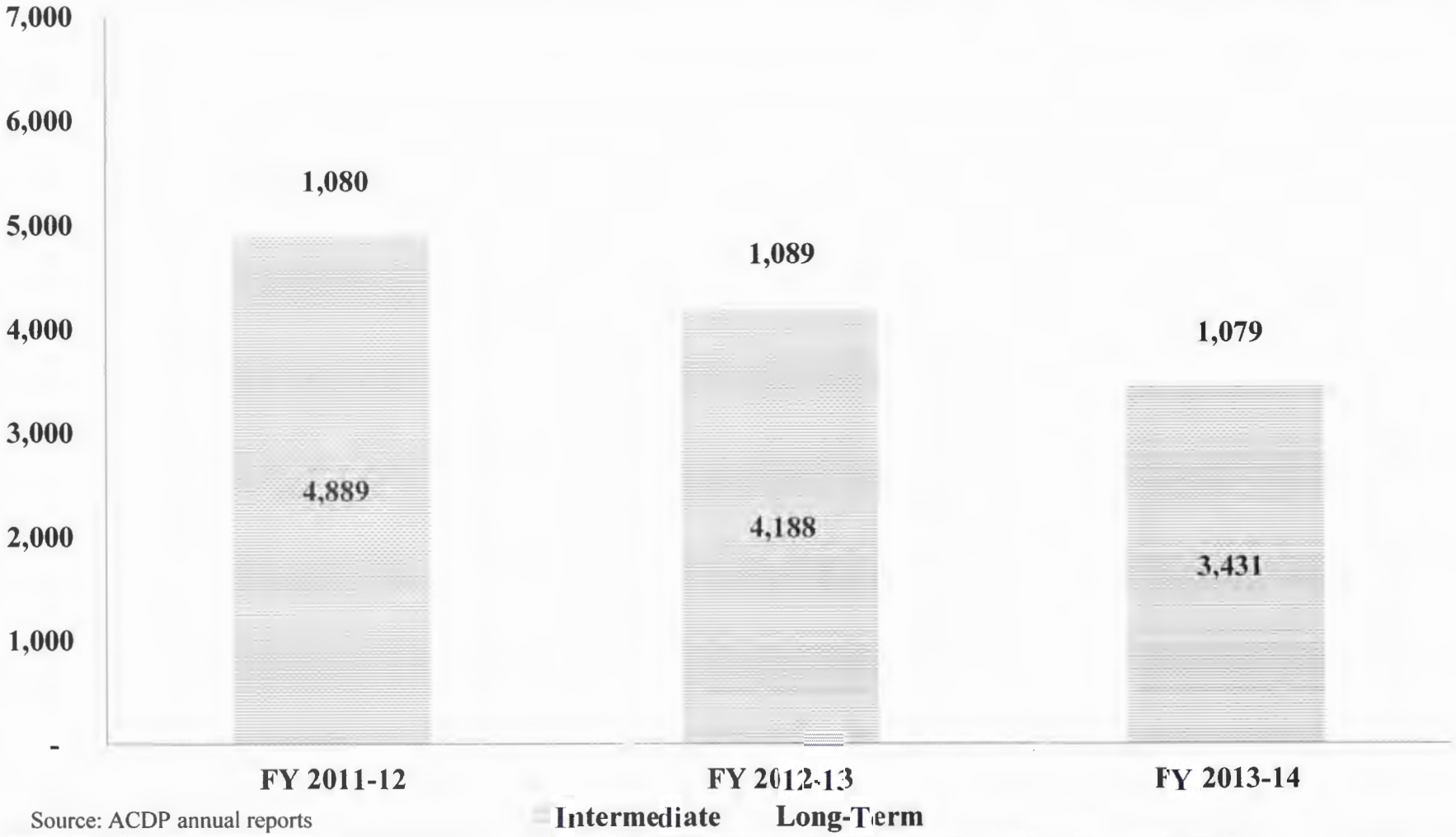
*16,525 inmates took the SASSI=Substance Abuse Subtle Screening Inventory

Substance Abuse Treatment Needs and Slots



Source: DAC, ACDP Annual Reports

Annual Enrollment



Source: ACDP annual reports

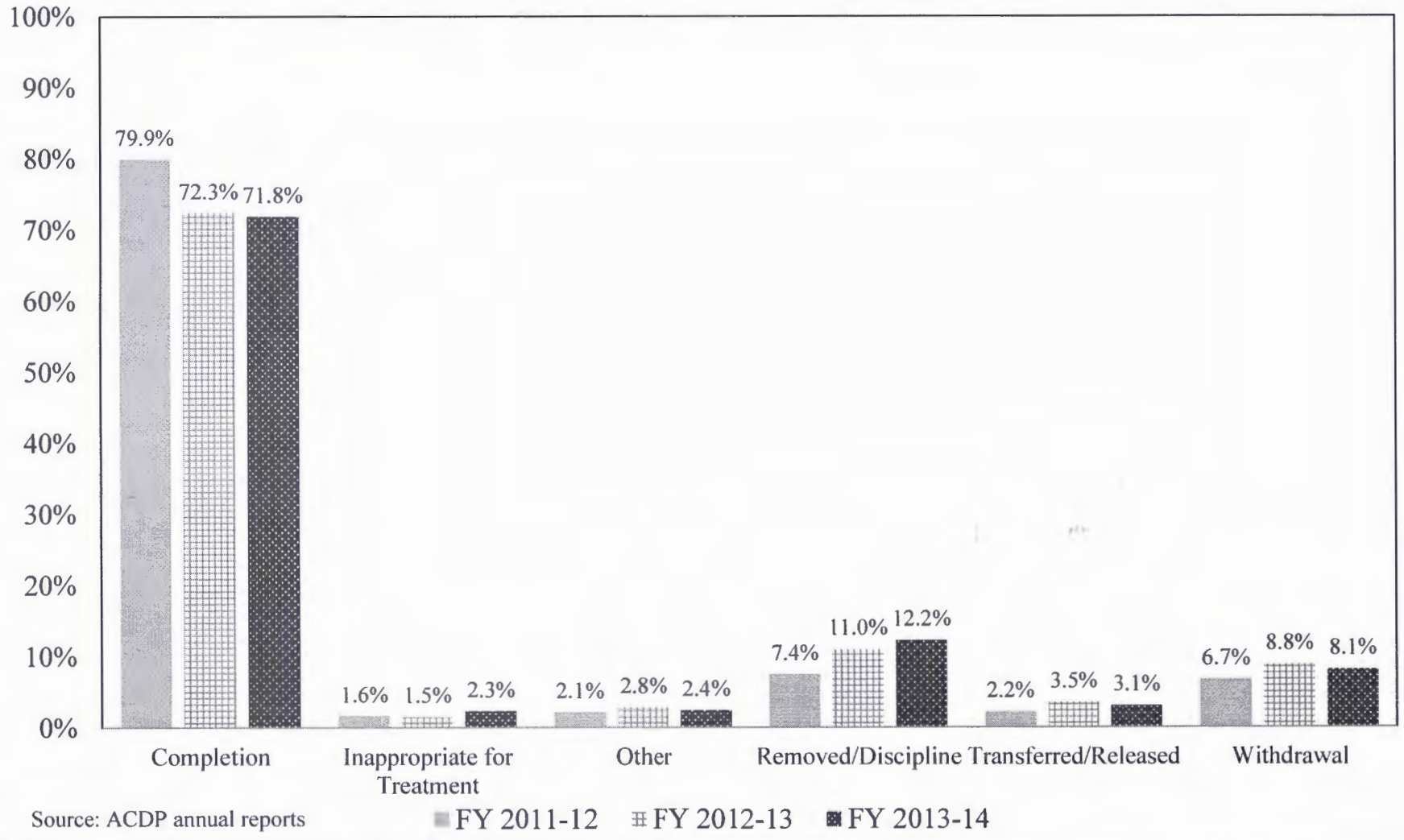
FY 2013-14 In-Prison Treatment Beds

Program	Slots	Length (days)	Enrolled	Capacity Utilization*	Completion
Intermediate Treatment (11 prisons)	785	90	3,341	78%	72%
Long-Term Residential (7 prisons)	324	180-365	1,079	89%	46%
Intervention Program* (1 prison)	32		236	94%	90%
Total	**1,353**		**4,656**		

*Note: The Intervention Program was a pilot program and was phased out as misdemeanants left the system.

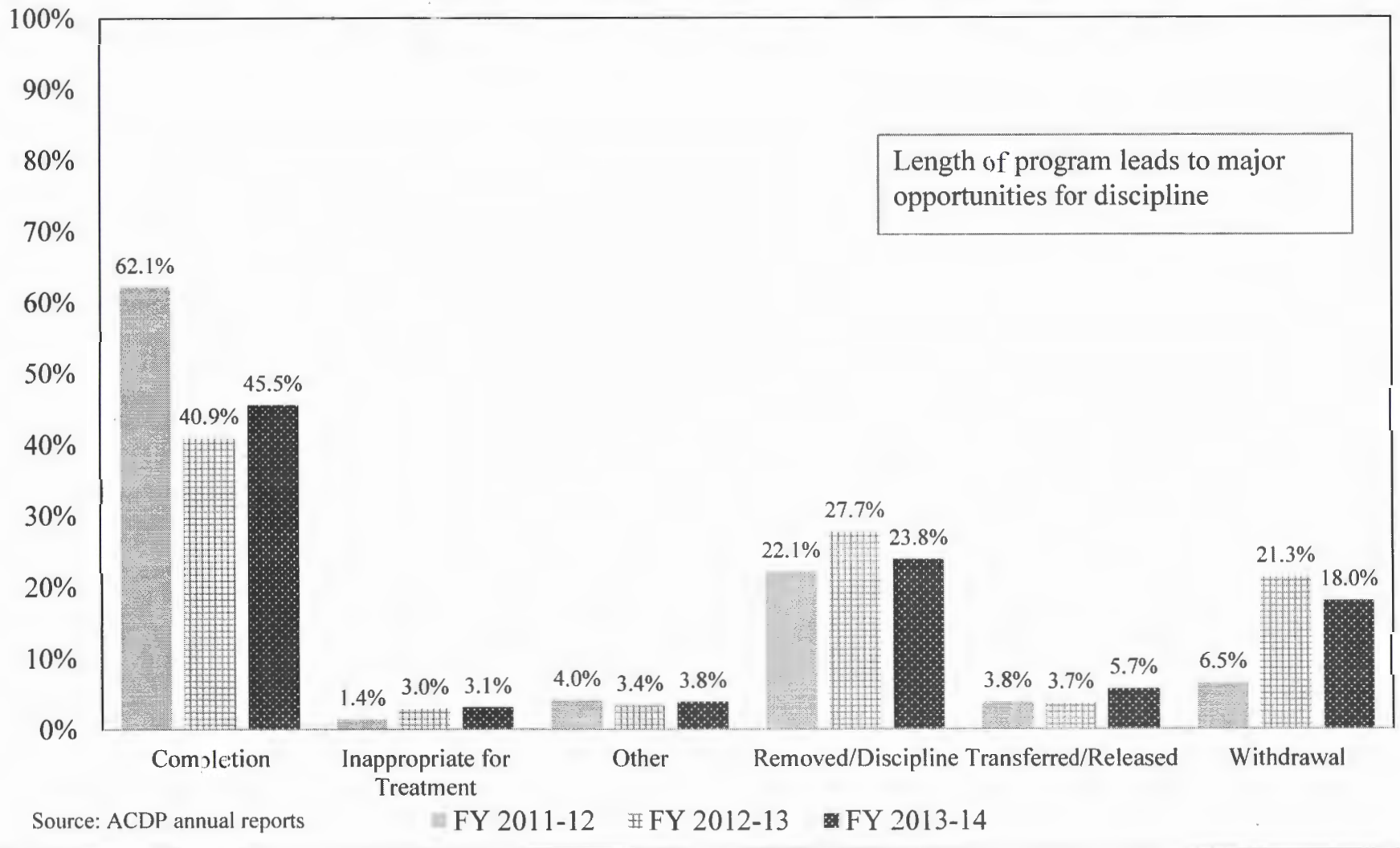
Source: DAC, ACDP FY 2013-14 Annual Report

Exits from Intermediate Treatment Programs



Source: ACDP annual reports

Exits from Long-Term Treatment Programs



Source: ACDP annual reports

Program Changes

Facility	Program
Southern CI	32-bed mental illness/substance abuse
Neuse CI	32 beds (DWI offenders)
Harnett CI	33 beds (substance abuse & sex offenses)
Alexander CI	41 beds + 41 part-time beds
Johnston CI	68 beds
Wayne CC	142 beds—moved to Johnston CI
Western Youth	48 beds—moved to Alexander CI
Fountain CCW	42 beds—DOP selecting facility

* Source: ACDP FY 2013-14 annual report

Treatment Challenges

- Not enough treatment slots
- Inmates in close custody not treated
- General medical and mental health issues
- Operational demands of prisons
- Single purpose unit/facilities for substance abuse



Community-Based Residential Treatment



Probation and Parole Residential Program

DART Cherry

Budget: $5 million
FTE: 82
Enrollment: 1,545
Daily Cost: $60.37

- 300 Treatment Slots
  - 89% Probationers and 11% Parolees
- 82% Completion rate
- Identified 5 priority beds for individuals experiencing severe substance abuse problems and needing immediate admission

Probation and Parole Residential Program

Black Mountain Substance Abuse Center

Budget: $2.3 million
FTE: 40
Enrollment: 303
Daily Cost: $128.12

- 60 Treatment Slots
  96% Probationers and 4% Parolees

- 82% Completion rate

CORRECTION ENTERPRISES

Not Just Making It Right. Making It Better.

III. Correction Enterprises









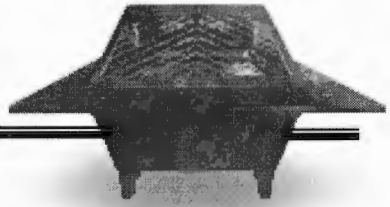
Correction Enterprises

- **2nd largest** prison industry in the nation
- 15 industries at 34 plants
- $91.9 million in revenue
- 391 employees and 2,483 inmate employees
- Largest Customers

  DPS: 62% DOT: 20% Other State Agencies: 10%



Correction Enterprises

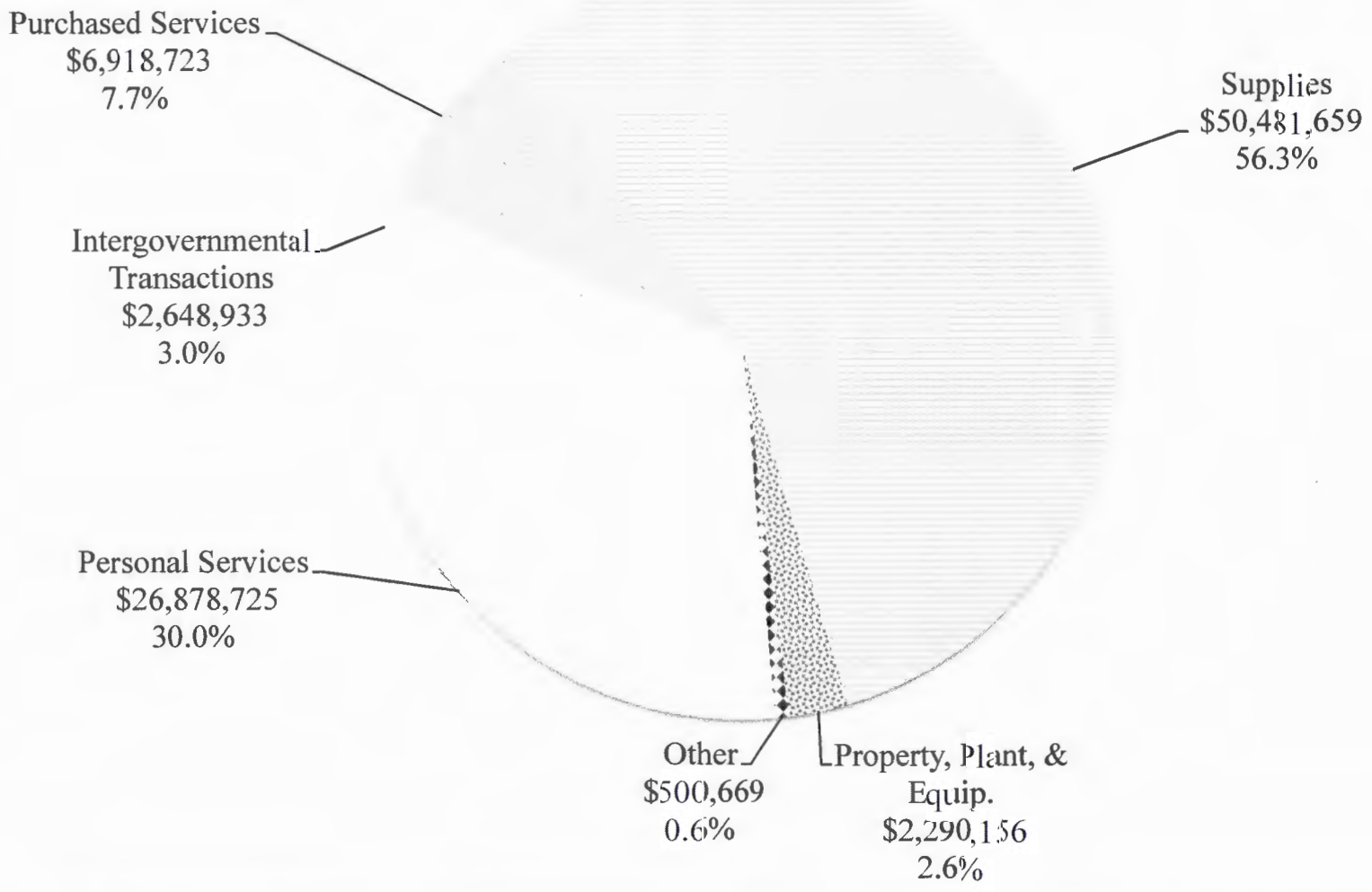


Facts…

- Produce 16,000 license & 1,000 specialty license plates daily
- Raise 36,000 chickens which lay 1 million eggs per month
- Process 303,596 cases of food from 22 different products
- Wash 14,421 tons of laundry
- Produce 189,500 pairs of inmate pants
- Produce 19.4 million copies

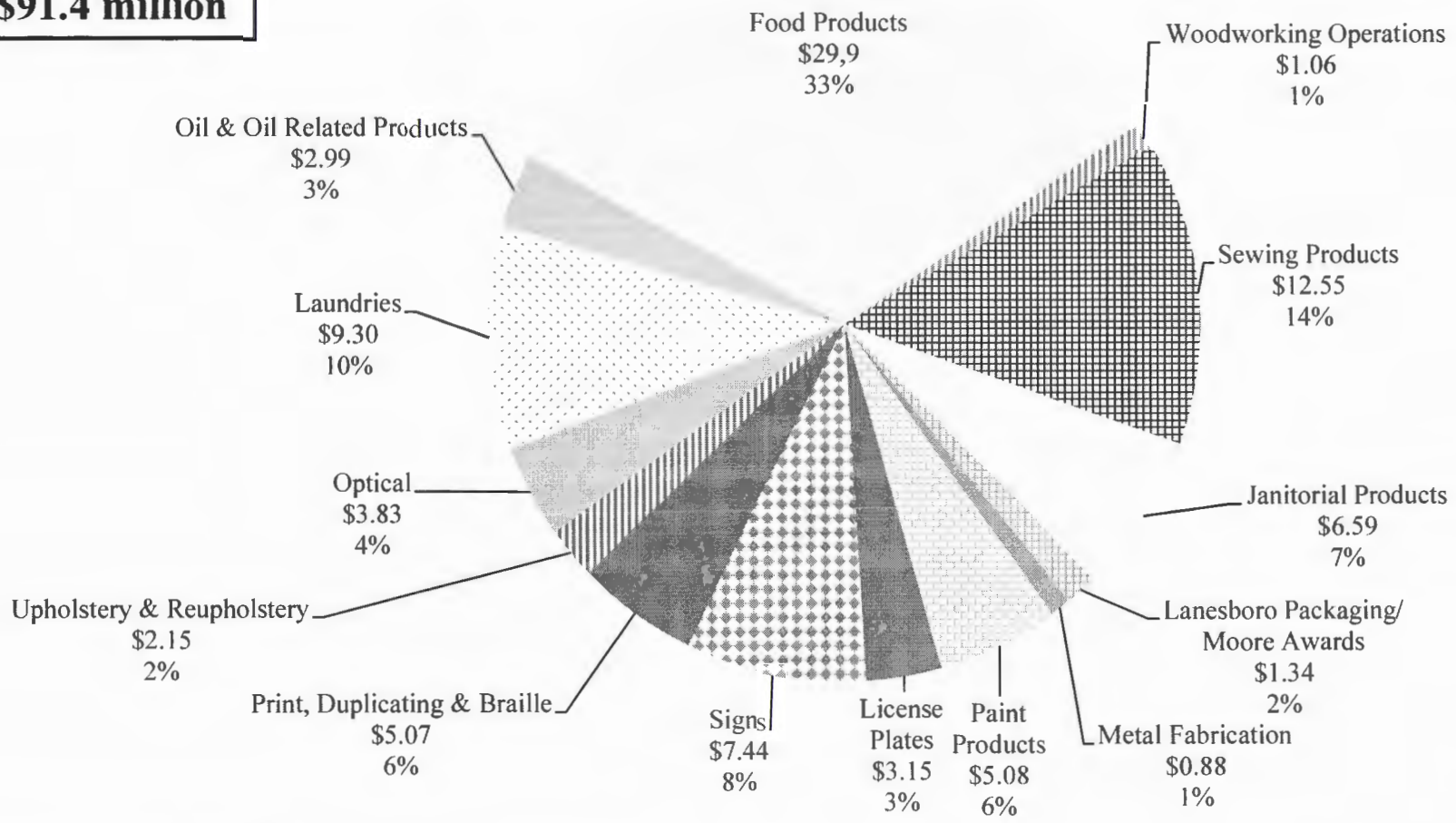
Source: Correction Enterprises FY 2013-14 annual report

Correction Enterprises FY 2015-16 Base Budget



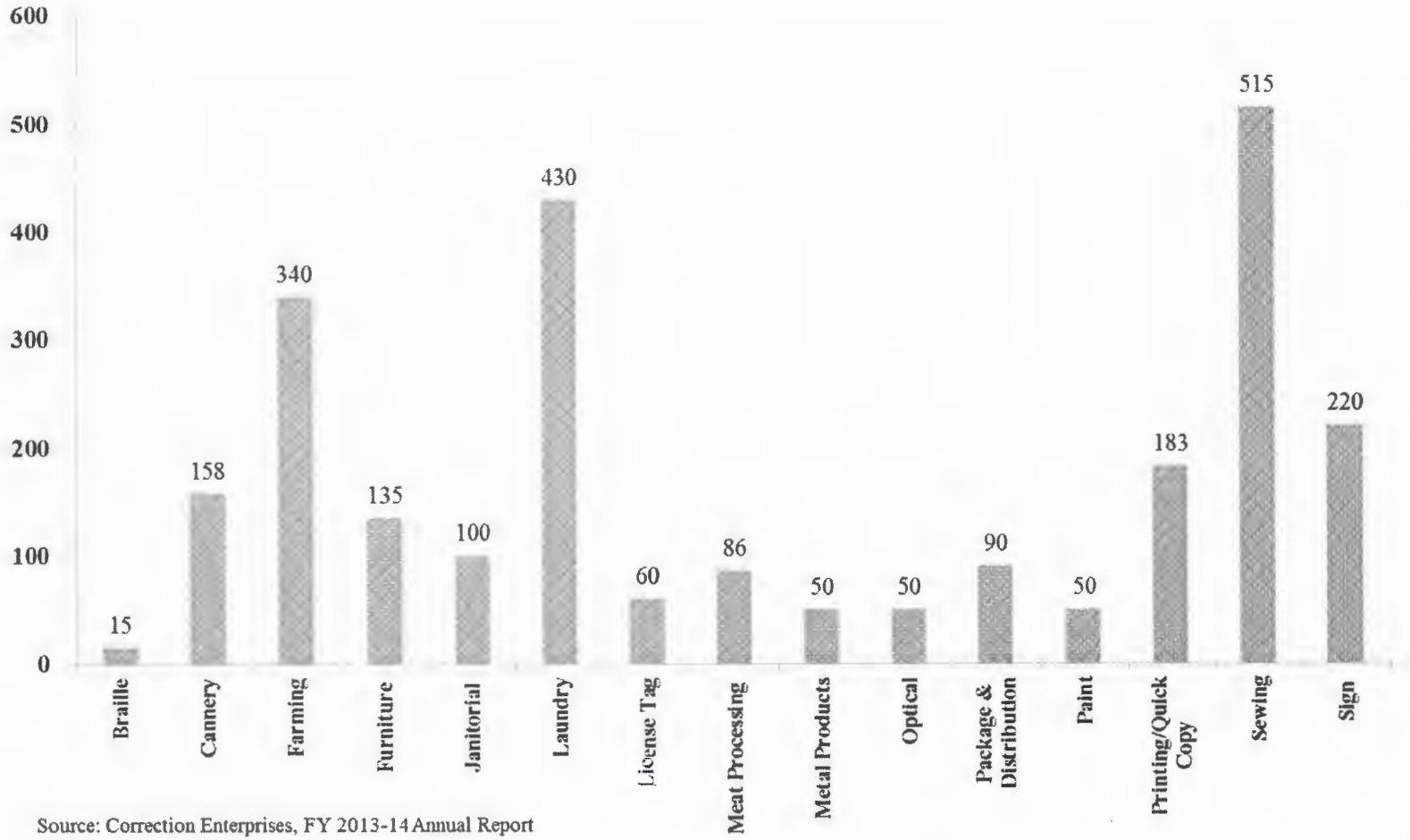
FY 2013-14 Correction Enterprises Sales

Total: $91.4 million



Note: Figures are in millions of dollars
Source: Correction Enterprises, FY 2013-14 Annual Report

Offender Jobs



Source: Correction Enterprises, FY 2013-14 Annual Report

Correction Enterprises Transfers and Payments

Intergovernmental Transfers: $2,648,933

- General Fund: $500,000
- Crime Victims: $88,933
- Custody/Prison Costs: $2.06 million

Inmate Labor: $4,959,094 million

- Incentive Wages: $2.8 million
- Correction Enterprise: $2.15 million



"Harris, when I said 'any questions' I was using only a figure of speech."

VISITOR REGISTRATION SHEET

House Justice & Public Safety — 3-30-15

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
[signature]	NCDPS / ACDP
M. Crabtree	NCDPS / ACDP
Keenon M. James	NC Sheriffs' Association
Eddie Caldwell	NC Sheriffs' Assn.
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Kay Castillo	NASW-NC
Mildred Spearman	NCAOC
Flint Benson	SEANC
Tom Murry	NC AOC
Karen Brown	NCDPS / Correction Enterprises
Barbara Moore	Conf. of Clerks of Sp Ct

VISITOR REGISTRATION SHEET

House - Justice & Public Safety — 3-30-15

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jan Kennedy	CSC - New Hanover
Peg Dorn	Conf. of D.A.S
Lee Rupert	CJPC
Nicole Sullivan	DPS
George Solomon	DPS
David Guice	DPS
Tim Moose	DPS
Kenneth Lassiter	DPS
Joe Prater	DPS
Andy Brandon	DPS
Anne Precythe	DPS

House Committee on Appropriations, Justice and Public Safety
Wednesday, April 1, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on April 1, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, C. Graham, G. Graham, Hurley, Jackson, R. Johnson, McNeill, Salmon, Speciale, Stevens and R. Turner, attended.

Representative Pat B. Hurley, Chair, presided and called the meeting to order at 8:35 AM.

Chair Hurley introduced the Pages and Sergeants at Arms.

Chair Hurley introduced John Poteat, Research Division, for a Power Point Presentation on DPS-Prisons Inmate Medical Budget.

Members of the Committee were given the opportunity for questions and answers of Mr. Poteat during his presentation.

There being no further business, the meeting adjourned at 9:22 AM.

Pat B. Hurley
Representative Pat B. Hurley, Chair
Presiding

Debbie Holder
Debbie Holder, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Wednesday, April 1, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Rep. Hurley, Chairing**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 6:34 AM on Tuesday, March 31, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Deborah Holder (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

April 1, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley, Presiding

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DPS-Prisons Inmate Medical Budget
John Poteat, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: April 2, 2015

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	3-4-15	3-5-15	3-11-15	3-17-15	3-18-15	3-19-15	3-25-15	3-31-15	4-1-15	4-2-15	5-14-15 8:30	5-14-15 12:15pm	6-30-15		
Rep. Jamie Boles, Co-Chair	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Leo Daughtry, Co-Chair	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓			
Rep. John Faircloth, Co-Chair	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓		
Rep. Pat Hurley, Co-Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Darren Jackson, Vice Chair	✓	✓	✓	✓		✓			✓		✓	✓			
Rep. Allen McNeill, Vice Chair	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Sarah Stevens, Vice Chair	✓	✓	✓	✓	✓	✓		✓	✓		✓	✓			
Rep. Charles Graham		✓		✓	✓		✓	✓	✓	✓	✓	✓			
Rep. George Graham	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓		
Rep. Ralph Johnson	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓		✓		
Rep. Brad Salmon	✓	✓	✓			✓		✓	✓		✓	✓	✓		
Rep. Michael Speciale	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Rep. Rena Turner	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Sen. Stan Bingham, Co-Chair	✓		✓	✓	✓	✓	—	—	—	—	—	—	—	—	—
Sen. Buck Newton, Co-Chair	✓	✓		✓		✓	—	—	—	—	—	—	—	—	—
Sen. Shirley Randleman, Co-Chair	✓	✓	✓	✓	✓	✓	—	—	—	—	—	—	—	—	
Sen. Tom Apocaca, Vice-Chair							—	—	—	—	—	—	—	—	—
Sen. Warren Daniel							—	—	—	—	—	—	—	—	—
Sen. Valerie Foushee	✓	✓	✓	✓	✓	✓	—	—	—	—	—	—	—	—	—
Sen. Fletcher Hartsell					✓		—	—	—	—	—	—	—	—	—
Sen. Michael Lee	✓	✓	✓	✓			—	—	—	—	—	—	—	—	—
Sen. Jeff Jackson	✓	✓	✓	✓	✓	✓	—	—	—	—	—	—	—	—	—

	3-4-15	3-5-15	3-11-15	3-17-15	3-12-15	3-19-15	3-25-15	3-31-15	4-1-15	4-2-15	5-14-15 8:30 5:14-15 5:15 PM		6-30-15		
William Childs, Fiscal Research	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Lisa Fox, Fiscal Research	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Kristine Leggett, Fiscal Research	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓		
John Poteat, Fiscal Research	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Becky Bauerband, Committee Clerk	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		
Kerry Guice, Committee Clerk	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Debbie Holder, Committee Clerk	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Jeb Kelly, Committee Clerk	✓	✓	✓	✓	✓	✓									
Maria Kinnaird	✓		✓	✓											
Carol Wilson	✓	✓		✓		✓									

Jason ~~Saine~~ Soper ✓ ✓

Other Staff ?

House Appropriations Committee on
Justice and Public Safety

Department of Public Safety
Prisons—Inmate Medical







April 1, 2015

FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Today's Presentation

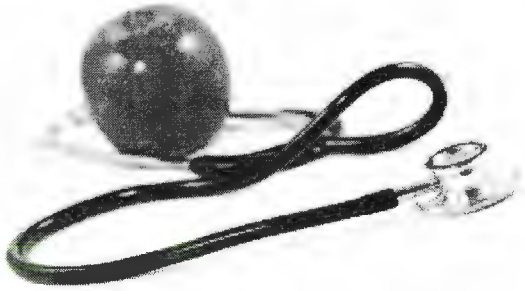
I. Prison Programs Wrap-Up

II. Statutory Requirements

III. Budget Drivers

IV. Cost Containment Efforts

V. New Hospitals





Community-Based Residential Treatment



Probation and Parole Residential Program

DART Cherry

Budget: $5 million
FTE: 82
Enrollment: 1,545
Daily Cost: $60.37

- 300 Treatment Slots
  - 89% Probationers and 11% Parolees
- 82% Completion rate
- Identified 5 priority beds for individuals experiencing severe substance abuse problems and needing immediate admission

Probation and Parole Residential Program

Black Mountain Substance Abuse Center

Budget: $2.3 million
FTE: 40
Enrollment: 303
Daily Cost: $128.12

- 60 Treatment Slots
  96% Probationers and 4% Parolees

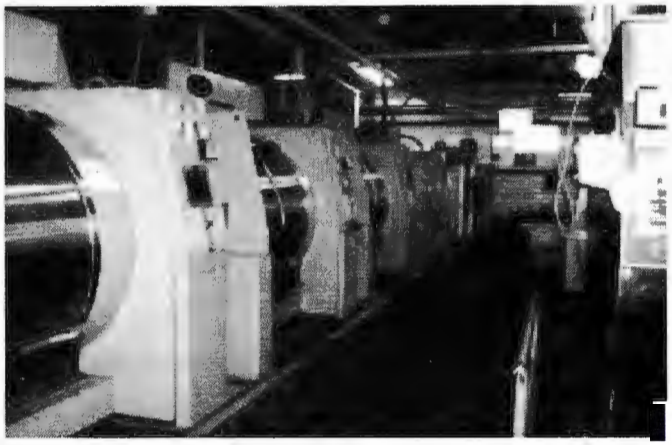
- 82% Completion rate

CORRECTION ENTERPRISES

Not Just Making It Right. Making It Better.

Correction Enterprises









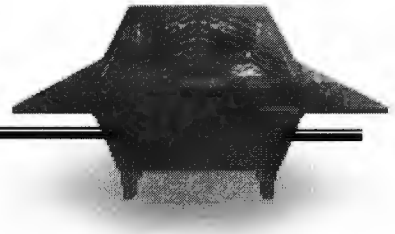
Correction Enterprises

- **2nd largest** prison industry in the nation
- 15 industries at 34 plants
- $91.9 million in revenue
- 391 employees and 2,483 inmate employees
- Largest Customers

  DPS: 62% DOT: 20% Other State Agencies: 10%



Correction Enterprises

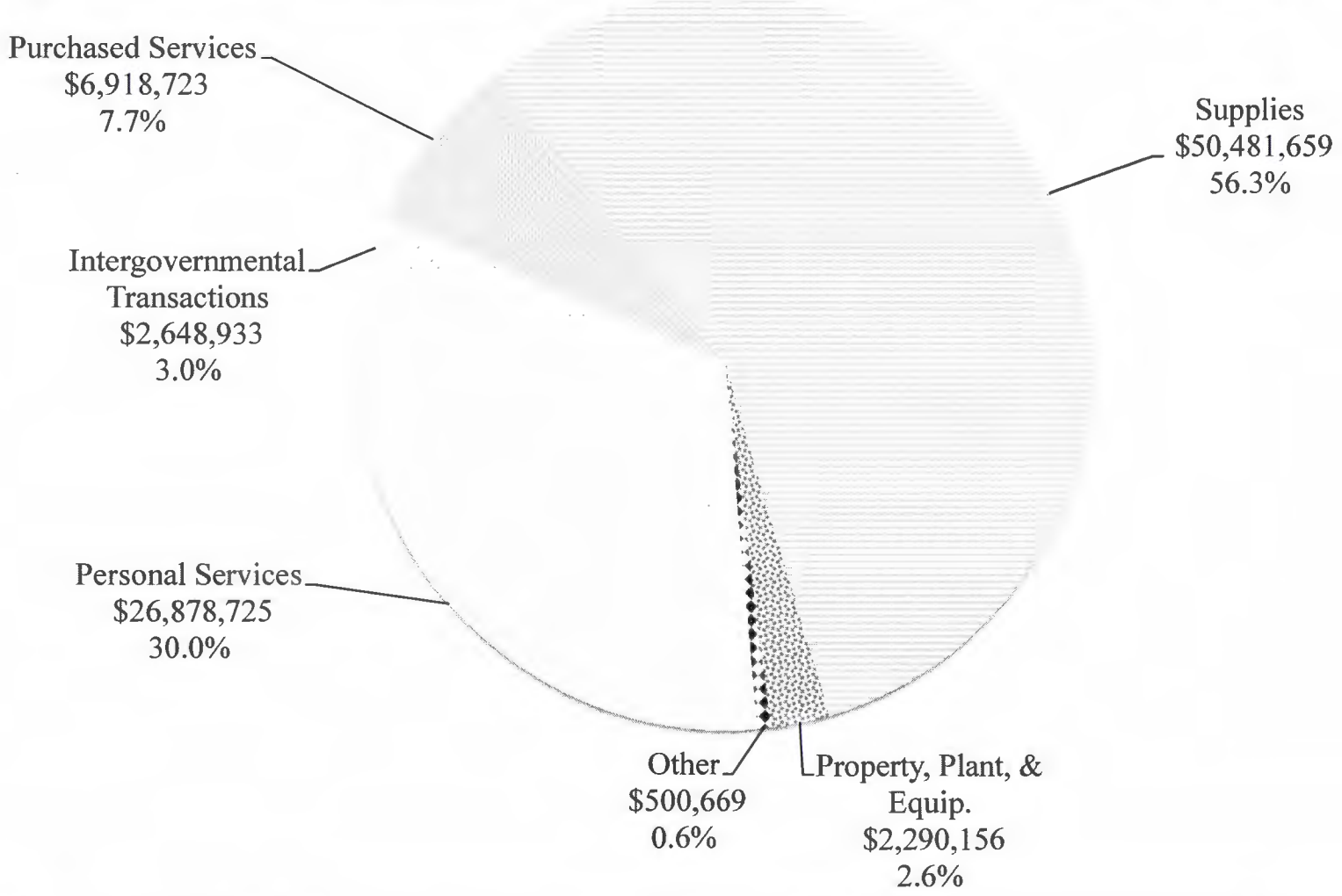


Facts…

- Produce 16,000 license & 1,000 specialty license plates daily
- Raise 36,000 chickens which lay 1 million eggs per month
- Process 303,596 cases of food from 22 different products
- Wash 14,421 tons of laundry
- Produce 189,500 pairs of inmate pants
- Produce 19.4 million copies

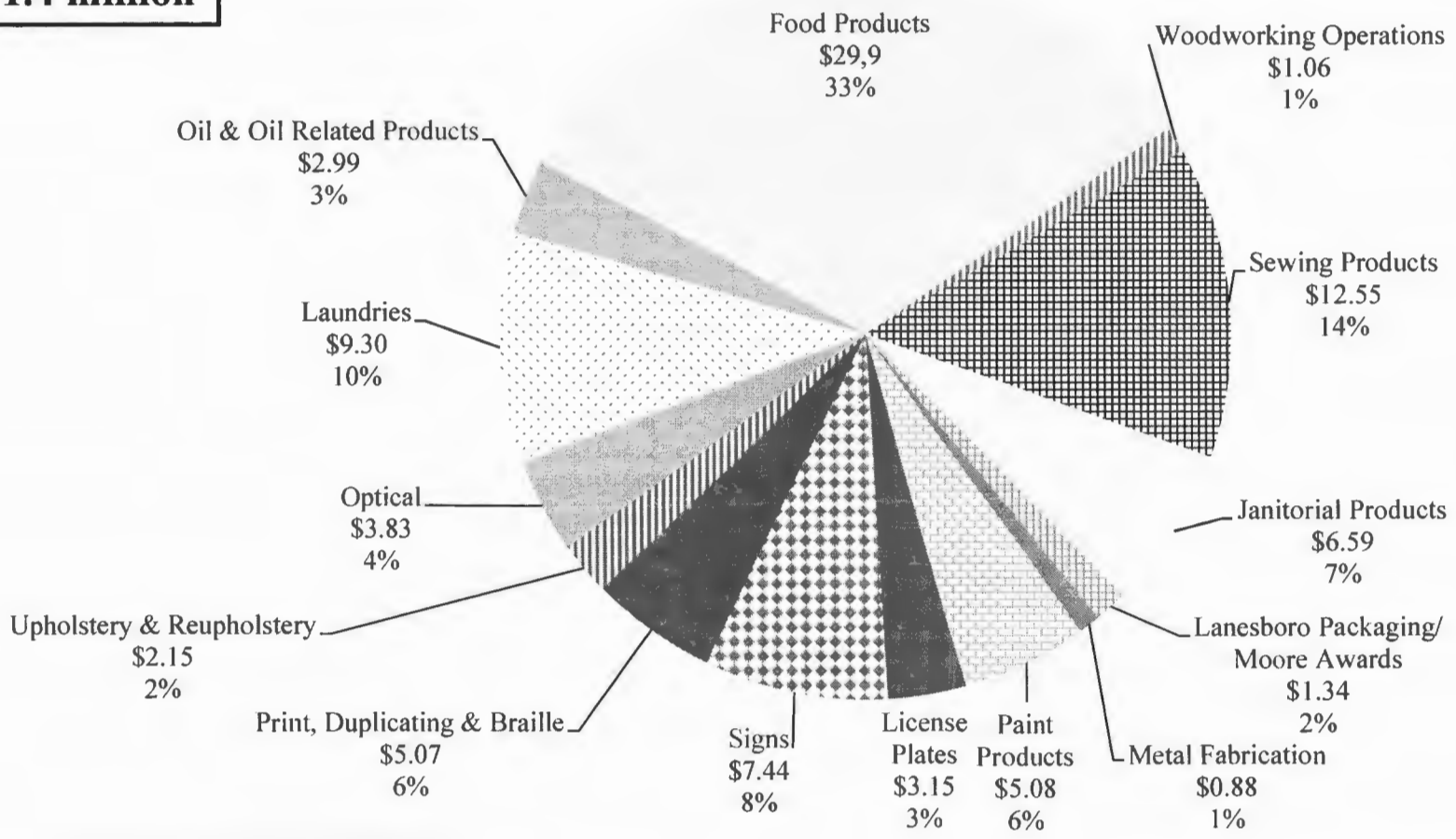
Source: Correction Enterprises FY 2013-14 annual report

Correction Enterprises FY 2015-16 Base Budget



FY 2013-14 Correction Enterprises Sales

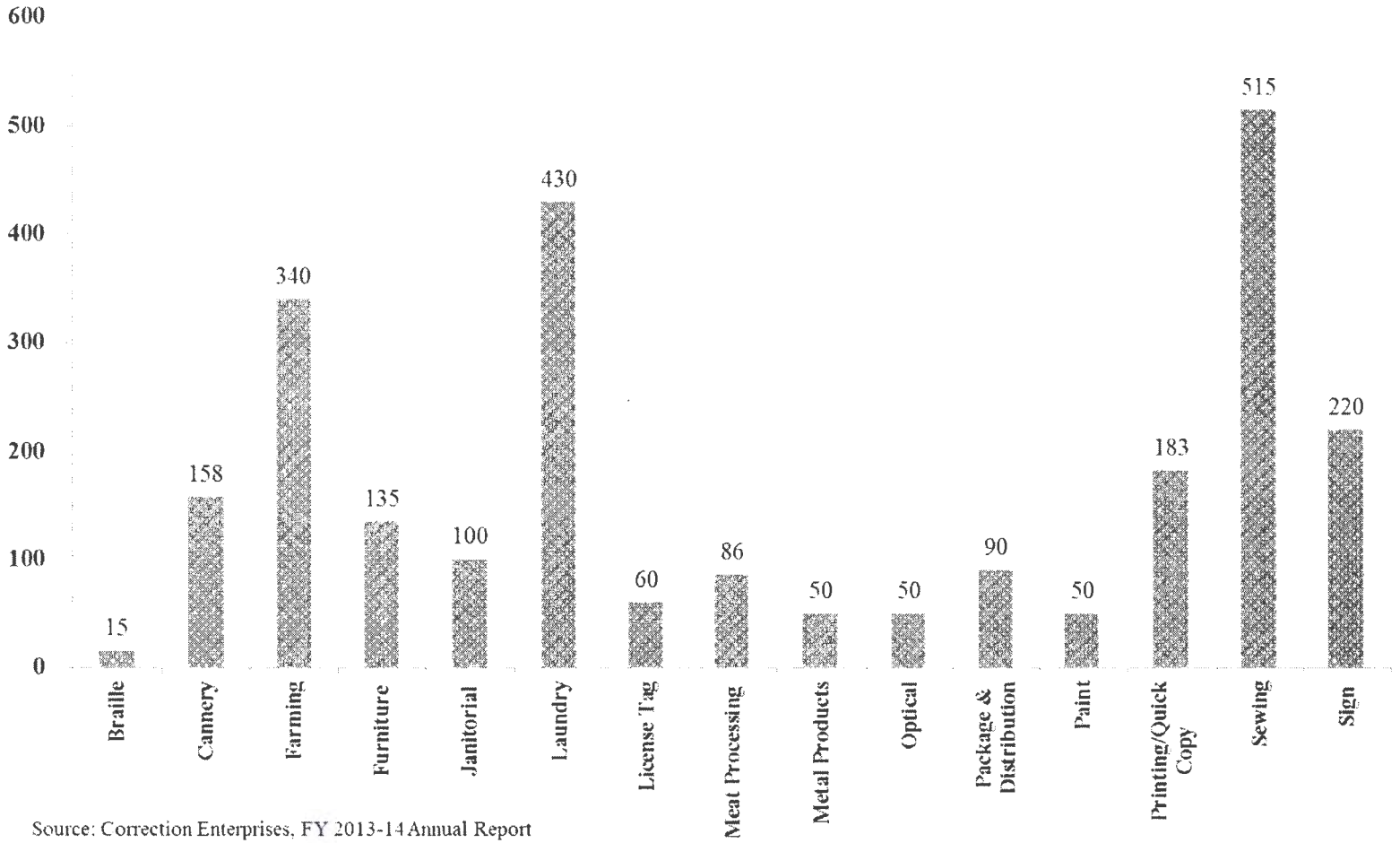
Total: $91.4 million



Note: Figures are in millions of dollars

Source: Correction Enterprises, FY 2013-14 Annual Report

Offender Jobs



Source: Correction Enterprises, FY 2013-14 Annual Report

Correction Enterprises Transfers and Payments

Intergovernmental Transfers: $2,648,933

- General Fund: $500,000
- Crime Victims: $88,933
- Custody/Prison Costs: $2.06 million

Inmate Labor: $4,959,094 million

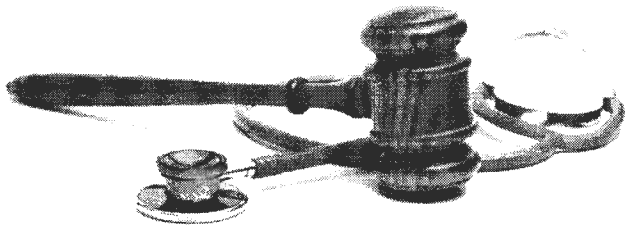
- Incentive Wages: $2.8 million
- Correction Enterprise: $2.15 million



"Harris, when I said 'any questions' I was using only a figure of speech."

Statutory Requirements

G.S. 148-19. Health services. The general policies, rules and regulations of the Division of Adult Correction of the Department of Public Safety shall prescribe standards for health services to prisoners, which shall include preventive, diagnostic, and therapeutic measures on both an outpatient and a hospital basis, for all types of patients.



Community Standard of Care

DAC is required to provide level of health care necessary to diminish pain and suffering, not elective surgery

- Standard follows guidelines and protocols that experts would agree with as most appropriate, also called "best practice."
- 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."

Health Services

- **Budget**: $236.8 million
- **Hospital and Mental Health Beds**: 1,253
- **Employees**: 1,875 employees
- **Ibuprofen Dispensed**: 2,283,800
- **Procedures Performed**: 6,735*
- **Tummy Tucks**: 0

*Central Prison Hospital—July 2014 to February 2015

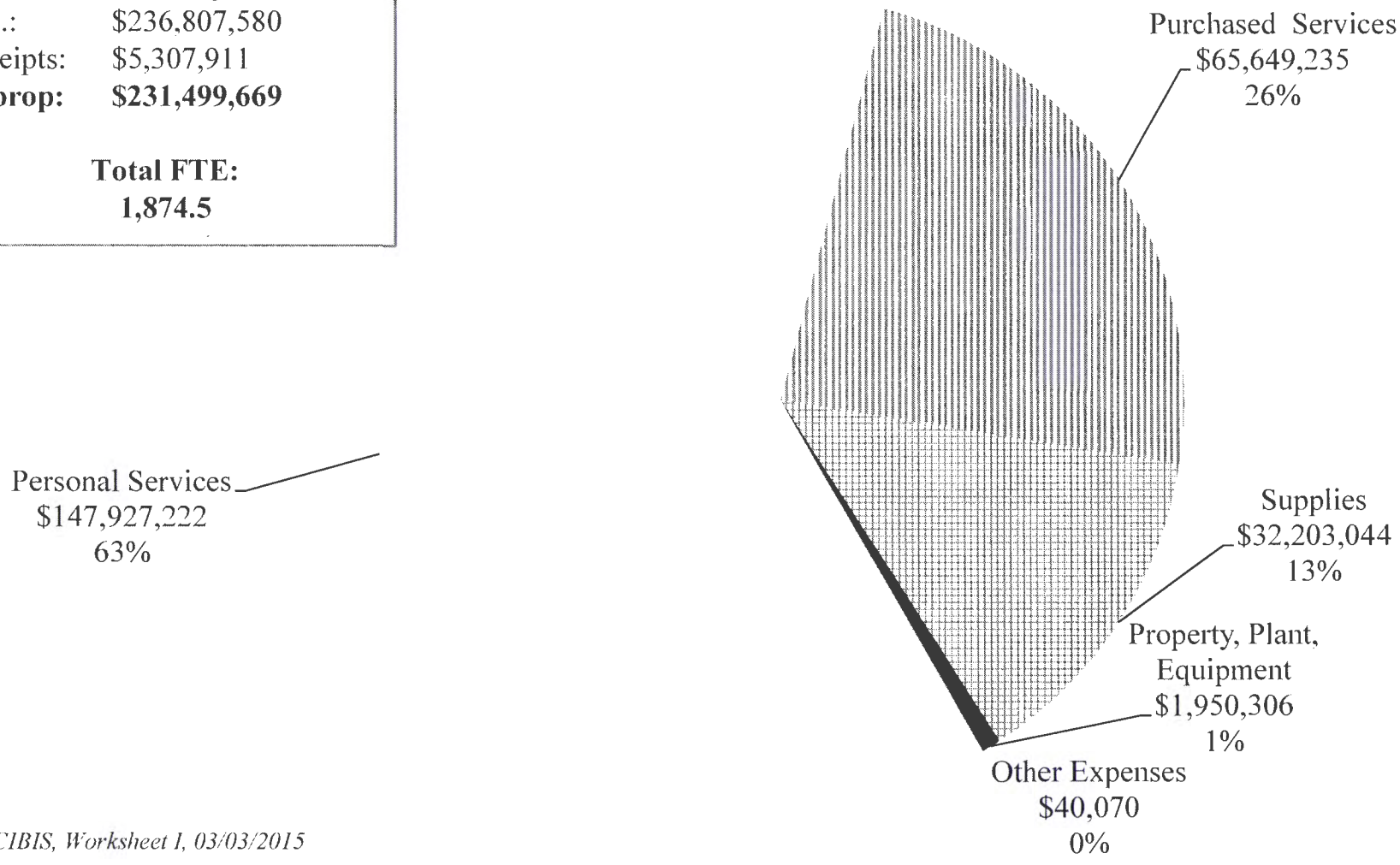
Source: NCIBIS, Worksheet I, 03/03/2015 and DOP

2015-16 Health Base Budget

Total Budget;

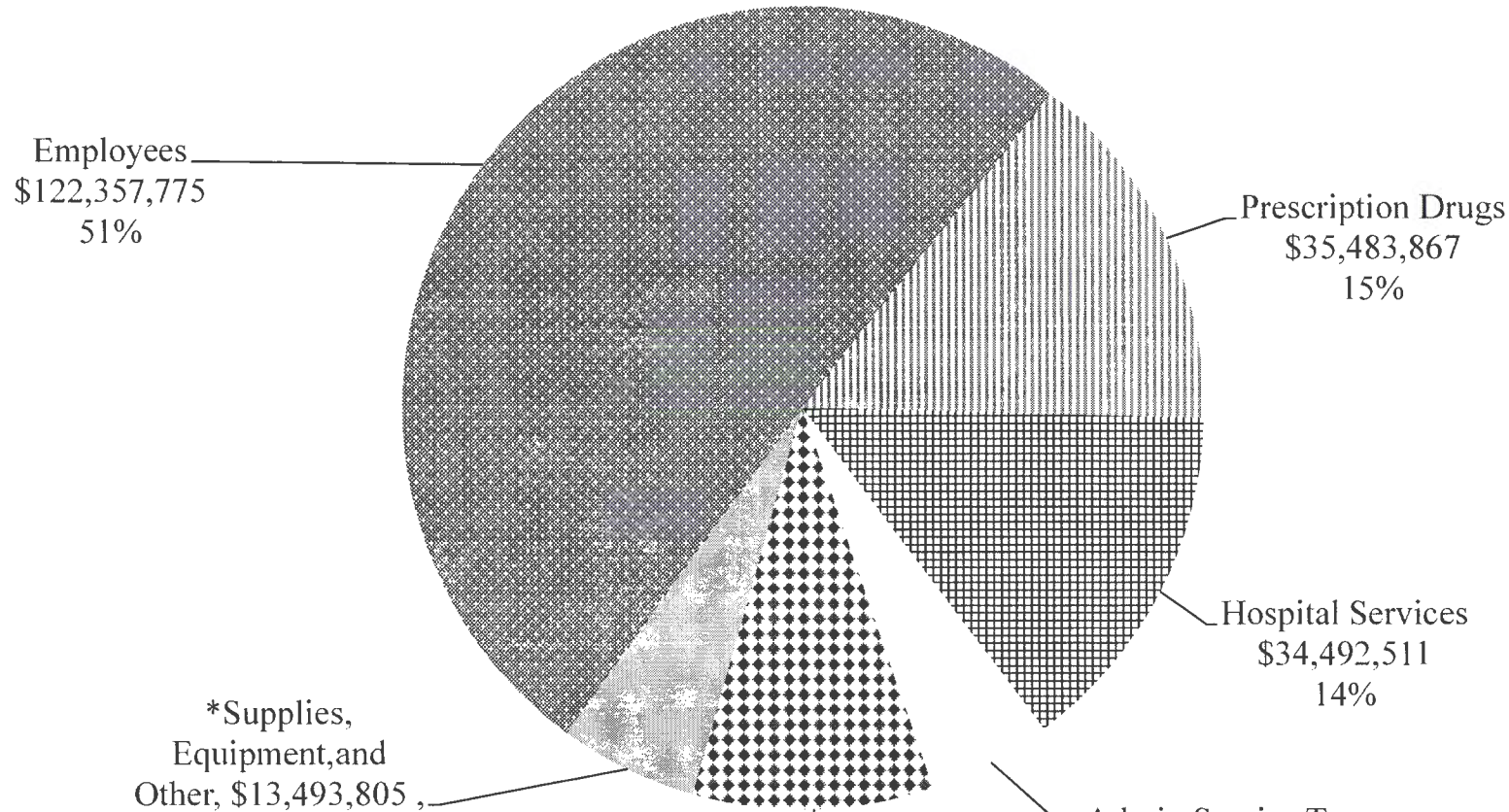
Req.:	$236,807,580
Receipts:	$5,307,911
Approp:	**$231,499,669**

Total FTE:
1,874.5



Source: NCIBIS, Worksheet I, 03/03/2015

FY 2013-14 Health Expenditures



*Supplies, Equipment, and Other also includes Contractual and Other Expenses

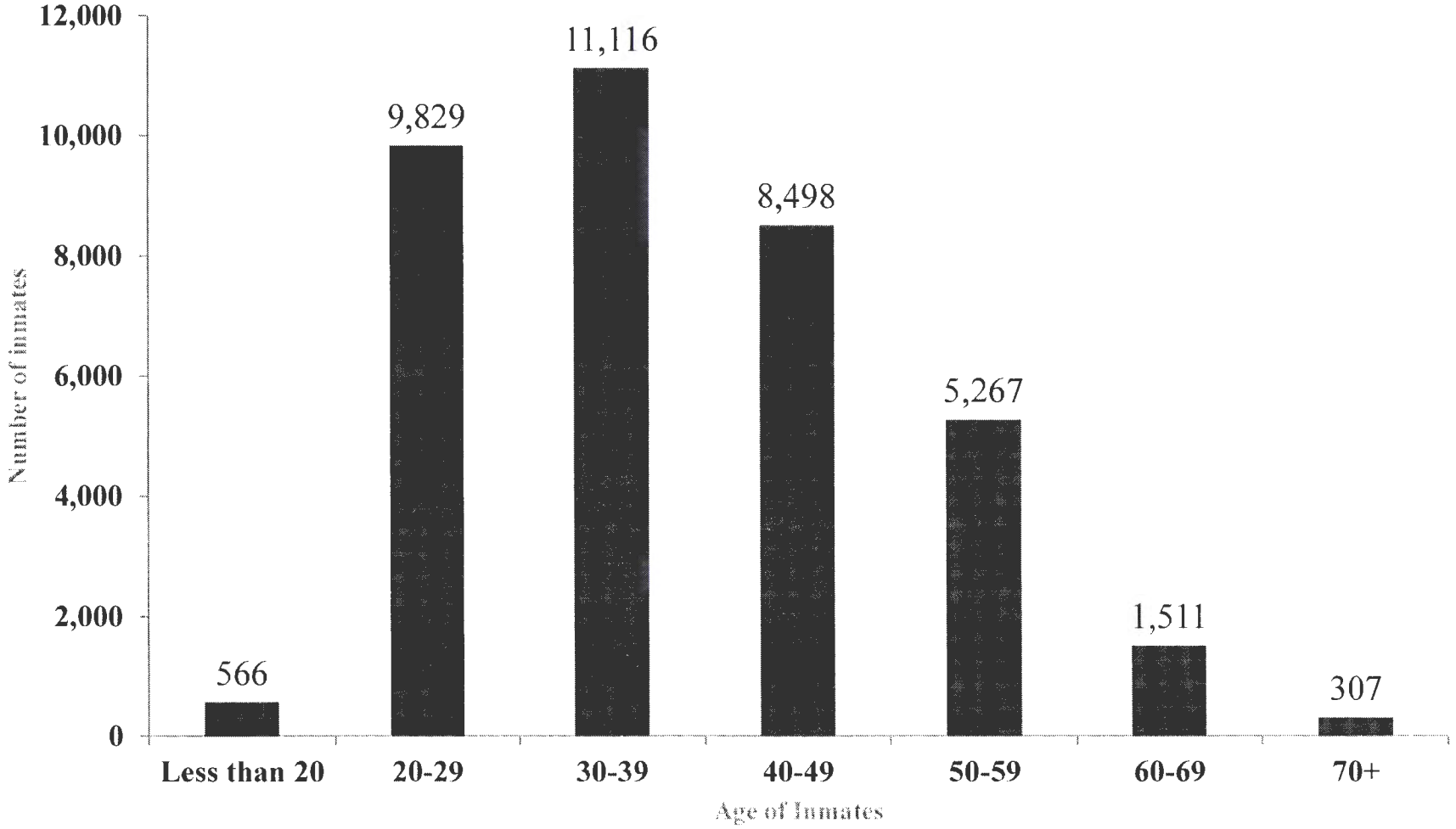
Source: Prisons, Health Services Expense Report FY 2013-14



III. Budget Drivers

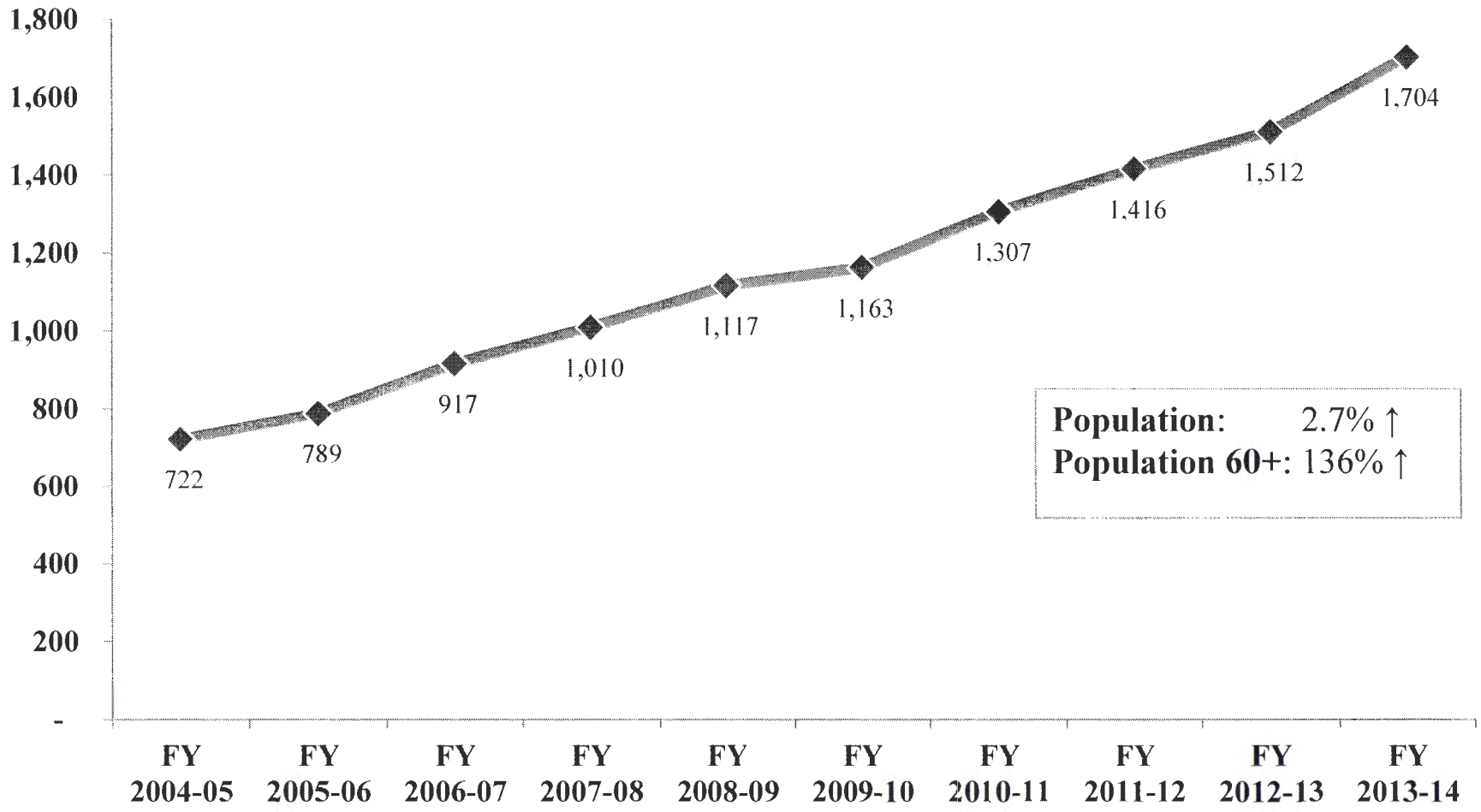


Inmate Age



Source: DPS, ASQ data as of February 28, 2015

Aging of the Inmate Population

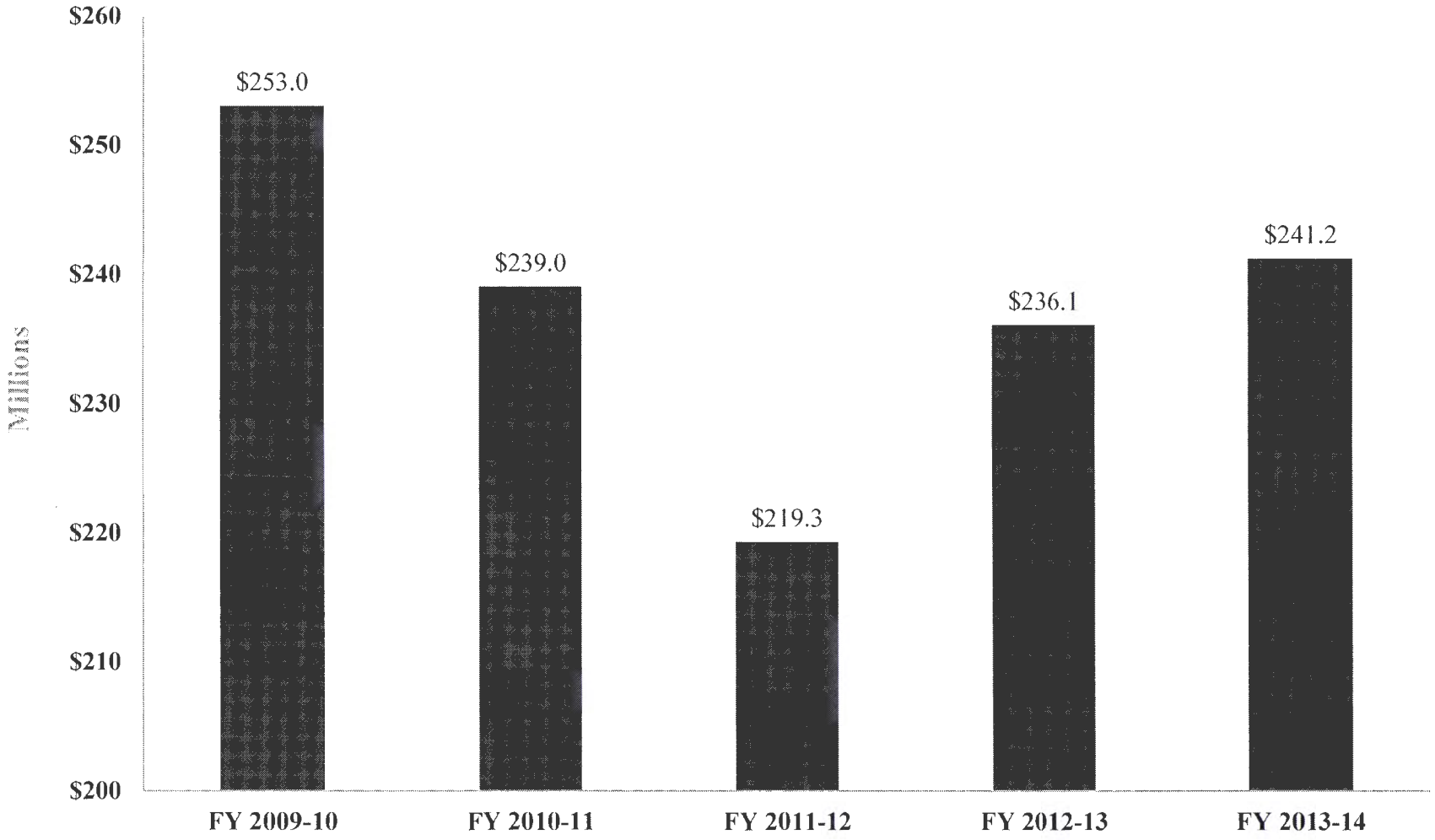


Source: DPS, June 30 ASQ reports

Health Care Cost Drivers

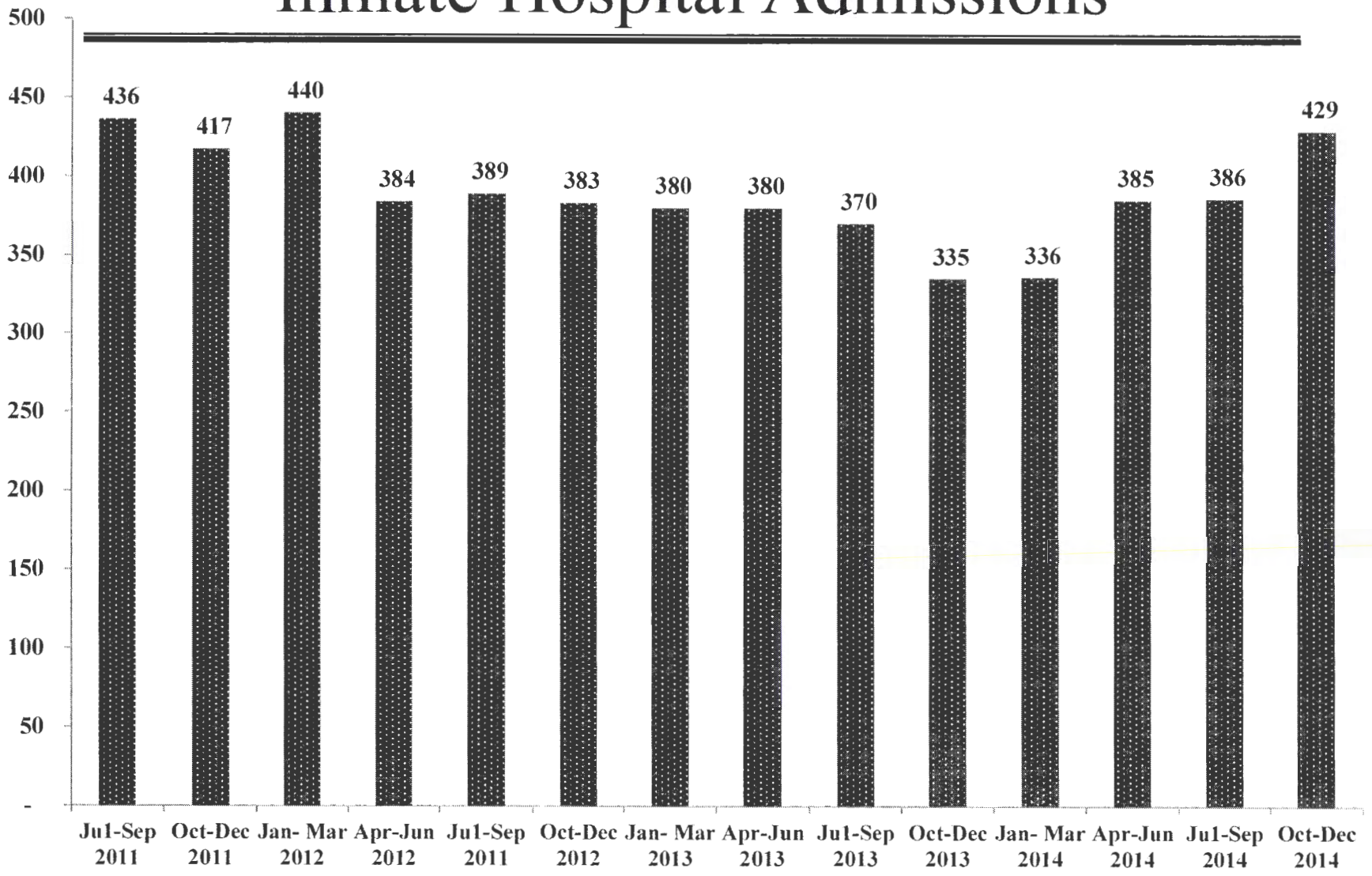
- **Aging of the population**
  - 1,818 inmates are 60 years or older (5%)
  - 307 inmates are above 70
- **Chronic Disease**
  - Hypertension
  - Diabetes
  - Chronic Lung Disease (asthma, emphysema)
  - Seizures
  - Cardiovascular Disease (Heart Attacks, Congestive Heart Failure, Strokes, Angina)
- **Overall health of inmates**

Inmate Health Care Spending



Source: DOP, annual Health Services Expense Reports

Inmate Hospital Admissions



Source: DAC (Prisons), Quarterly Cost Containment Reports

Spending: FY 2009-10 to FY 2013-14

General Health	FY 2009-10	FY 2013-14	% Change
Contractual	$8,212,351	$4,185,295	-49.0%
Admin Service Temp Agency*	n/a	$12,061,715	
DAC Employees	$97,566,989	$122,357,775	25.4%
Hospital Services	$76,102,620	$34,492,511	-54.7%
Other Provided Services	$37,796,431	$23,356,379	-38.2%
Prescription Drugs	$27,579,084	$35,483,867	28.7%
Other Supplies	$2,861,059	$4,580,952	60.1%
Equipment	$637,066	$2,684,867	321.4%
Other Expenses	$2,126,000	$1,904,838	-10.4%
Total	**$253,022,840**	**$241,246,052**	**-4.7%**

* Category not used in FY 2009-10

Source: Prisons, Health Services Expense Report, FY 10-11 and FY 2011-12

General Health

FTE: 1,346

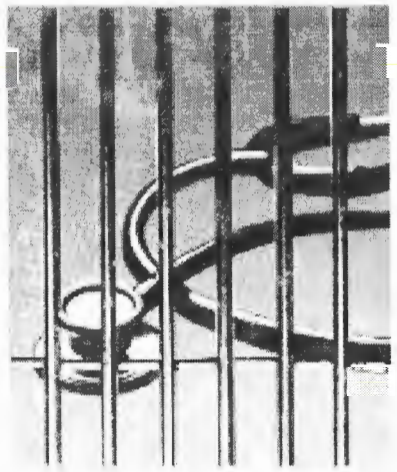
FY 2015-16 budget: $158,746,598

2nd largest number of positions after Custody

Personal Services: 64% Purchased Services: 34%

Nurse Coverage:

- 24-hour/7 days—26 facilities
- 16-hours/7 days—19 facilities
- 16-hours/5 days—7 facilities



Source: *NCIBIS, Worksheet I, 03/03/2015 and* Beacon BO 149 Report (03/08/15)

Mental Health

FTE: 339

FY 2015-16 budget: $28,205,643

Personal Services: 97.5%

Population receiving mental health services: 4,645 (12%)

- Outpatient: 985
- Outpatient w/psychiatrist: 3,272
- Residential Mental Health: 228
- Inpatient Mental Health: 160

Source: *NCIBIS, Worksheet I, 03/03/2015 and* Beacon BO 149 Report (03/08/15)

FY 2015-17 Governor's Budget

Governor's Budget Proposal	**FY 2015-17**	**FY 2016-17**
Add Mental Health staff	$2,268,409	$4,425,932
at Central Prison	35 FTE	66 FTE
Establish Behavioral Treatment Units	$4,092,300	$13,283,353
	$304,203 NR	$139,176 NR
	146 FTE	271 FTE

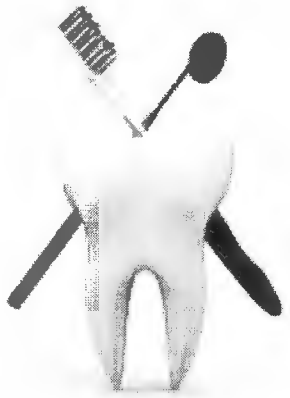
Dental Health

FTE: 107

FY 2015-16 budget: $11,712,752

Personal Services: 90% Purchased Services: 6.9%

- Dentists: 34.8
- Dental Hygienist: 17
- Dental Assistant: 54



Source: *NCIBIS, Worksheet I, 03/03/2015 and* Beacon BO 149 Report (03/08/15)

Pharmacy Services

FTE: 82.5

FY 2015-16 budget: $38,142,587



Personal Services: 21.8% Supplies: 76.9%

Minnesota Multistate Contracting Alliance for Pharmacy: 49-state consortium

Daily Prescriptions: 5,185

66% of medications filled by robotics

HIV/AIDS and Hepatitis C Drugs: 49% of total purchases

Sources: Pharmacy Services, *NCIBIS, Worksheet I, 03/03/2015 and* Beacon BO 149 Report (03/08/15)

FY 2013-14 Health Expenditure Categories

DOP Employees: 51% (2,025.80 FTE)

- Providers: 246.30
- Nursing positions: 1,016
- Health Assistants: 237
- Medical Records: 137
- Pharmacy: 99



Source: March 8, 2015 BO 149 Beacon report

FY 2013-14 Health Expenditure Categories

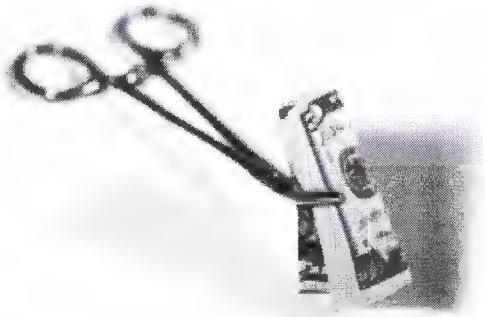
Hospital Providers: 14% (118 hospitals)

- 19,683 claims for 11,572 inmates
- 10 hospitals account for 65% of claims
- 11 hospitals were paid more than $1 m (78% of total)
- 62 hospitals saw 20 patients or fewer

Other Providers: 10%

Prescription Drugs: 15%





IV. Cost Containment Efforts



Cost Containment Efforts

S.L. 2009-451, Section 19.20:

- Obtain inmate health care services through State Health Plan provider network—repealed in Technical Corrections

S.L. 2010-31, Section 19.6

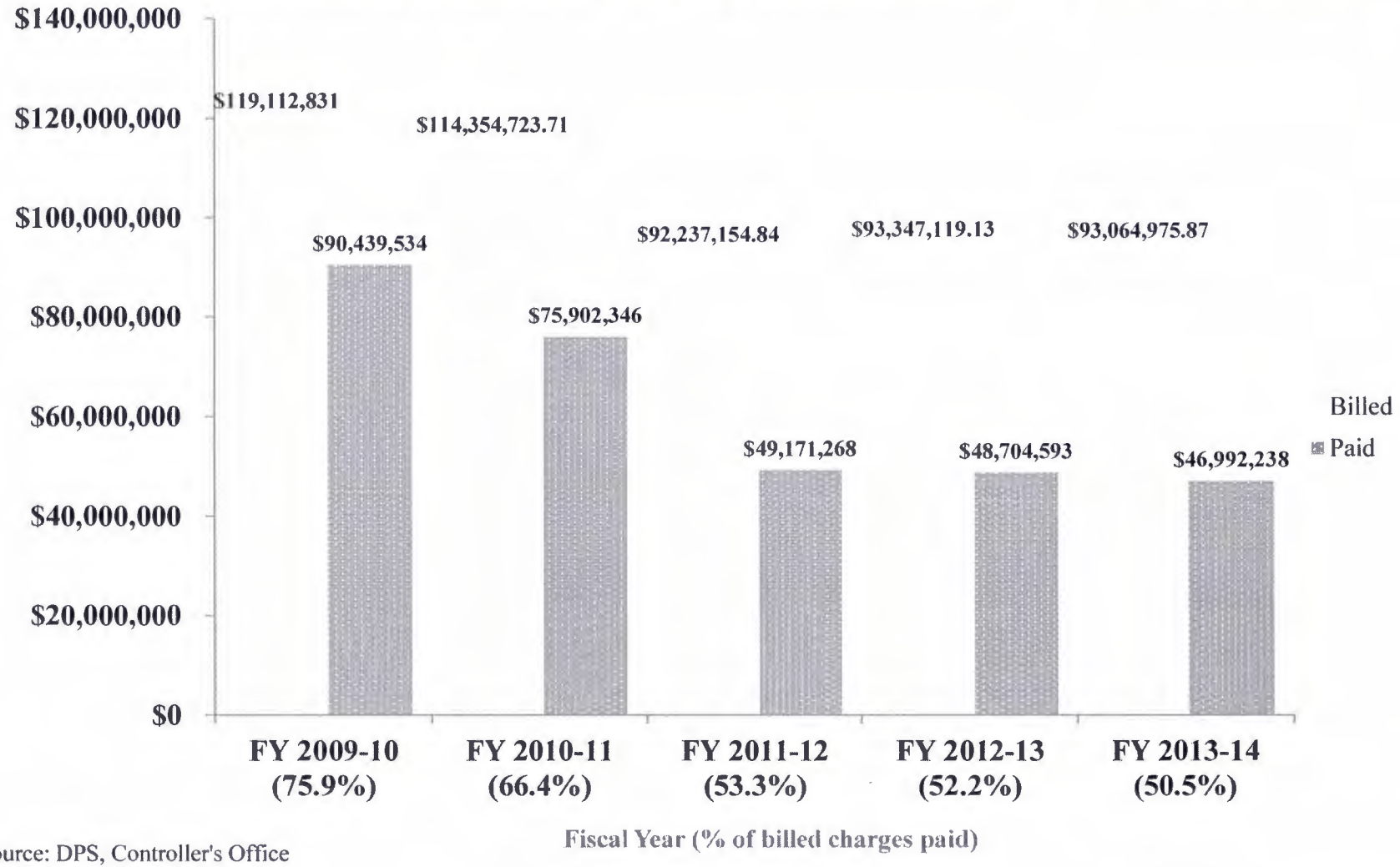
- 70% of amount charged based on the schedule of "usual and customary" charges in effect for all other patients as of July 1, 2010—providers refused to cooperate

S.L. 2011-145, Section 18.10

- DOC will pay 70% of billed charges or twice the Medicaid rate, unless they have a more advantageous contract
- Consult with Division of Medical Assistance to develop protocols for Medicaid-eligible inmates

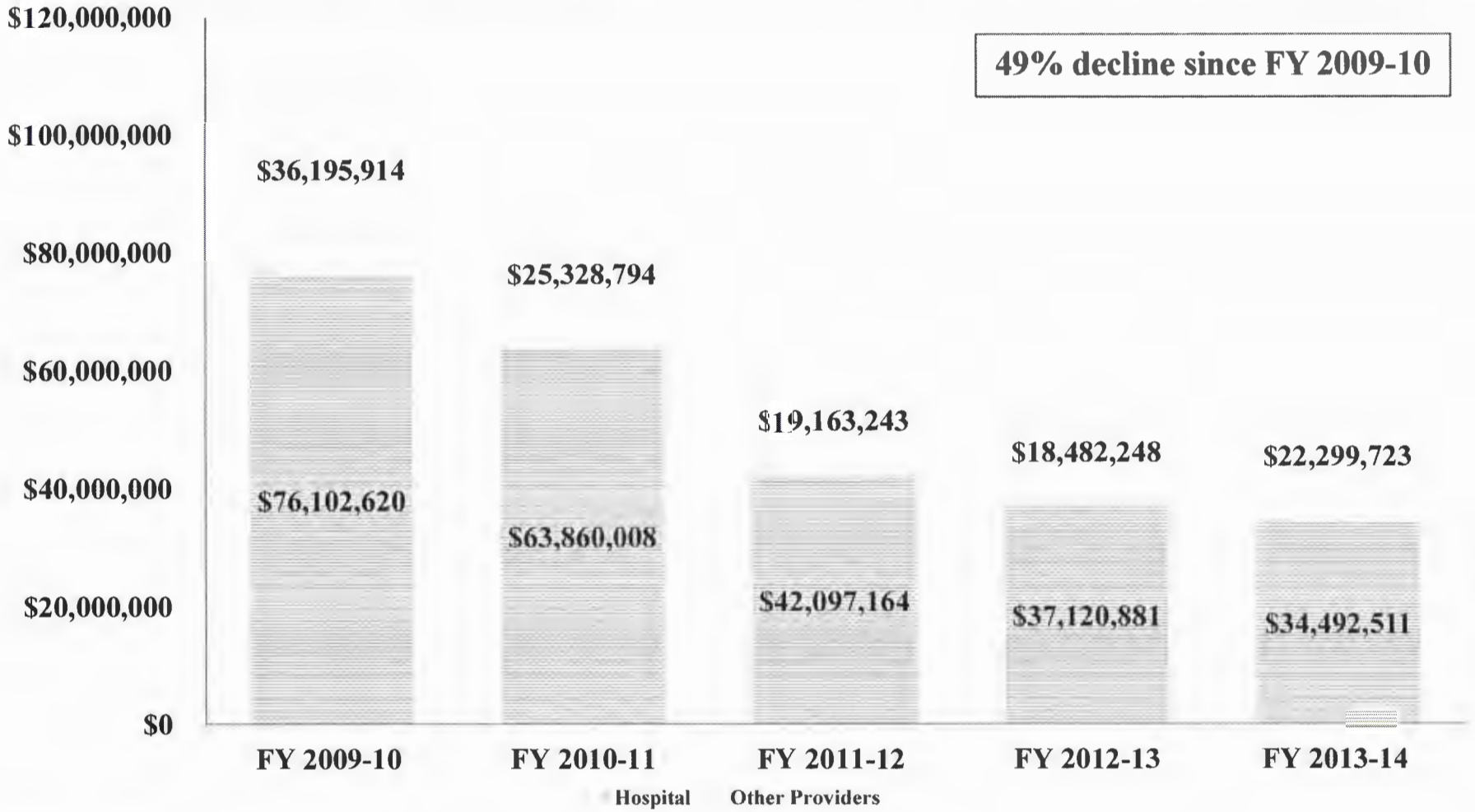


Bending the Cost Curve



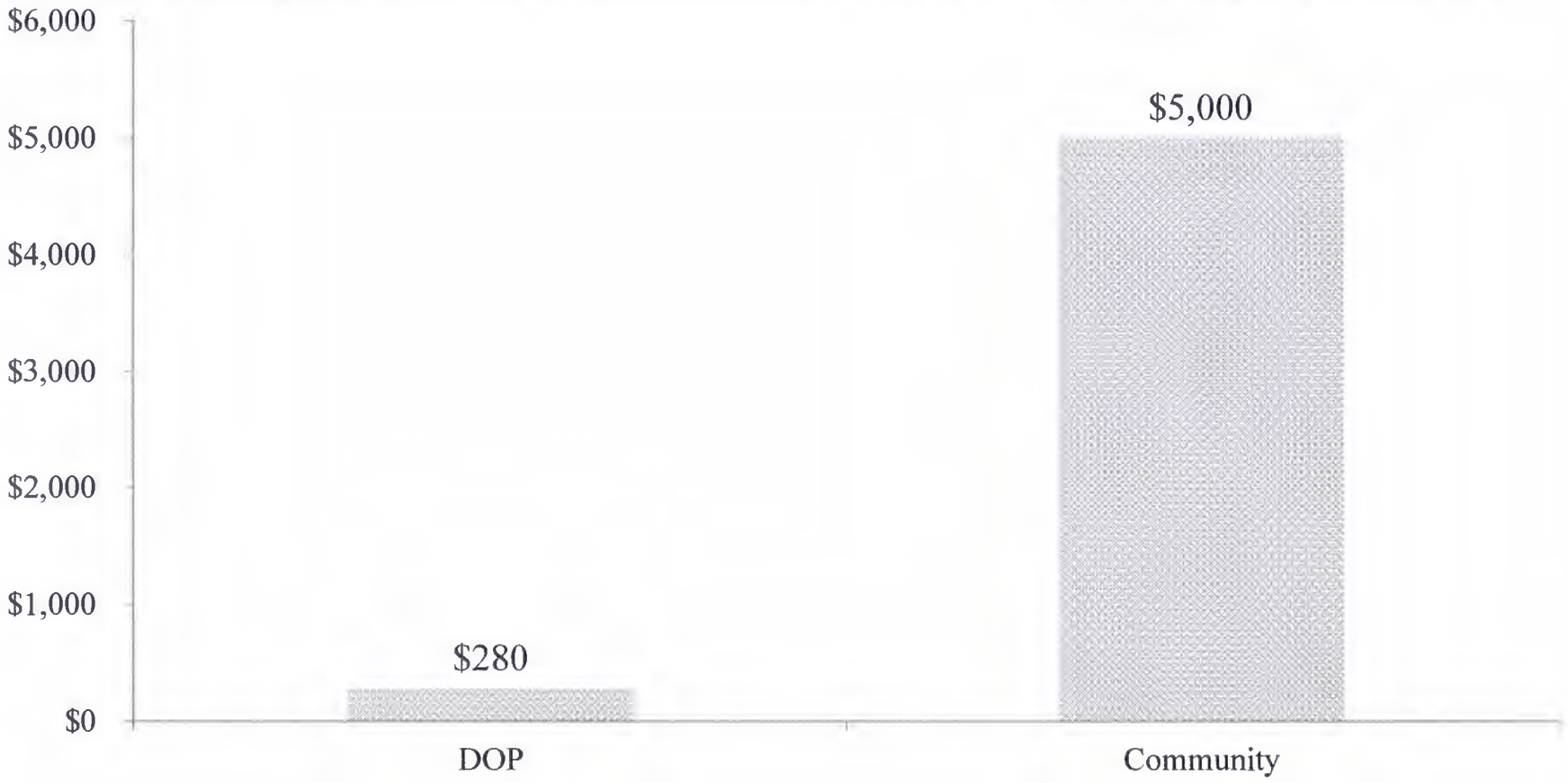
Source: DPS, Controller's Office

Hospital and Other Provider Payments



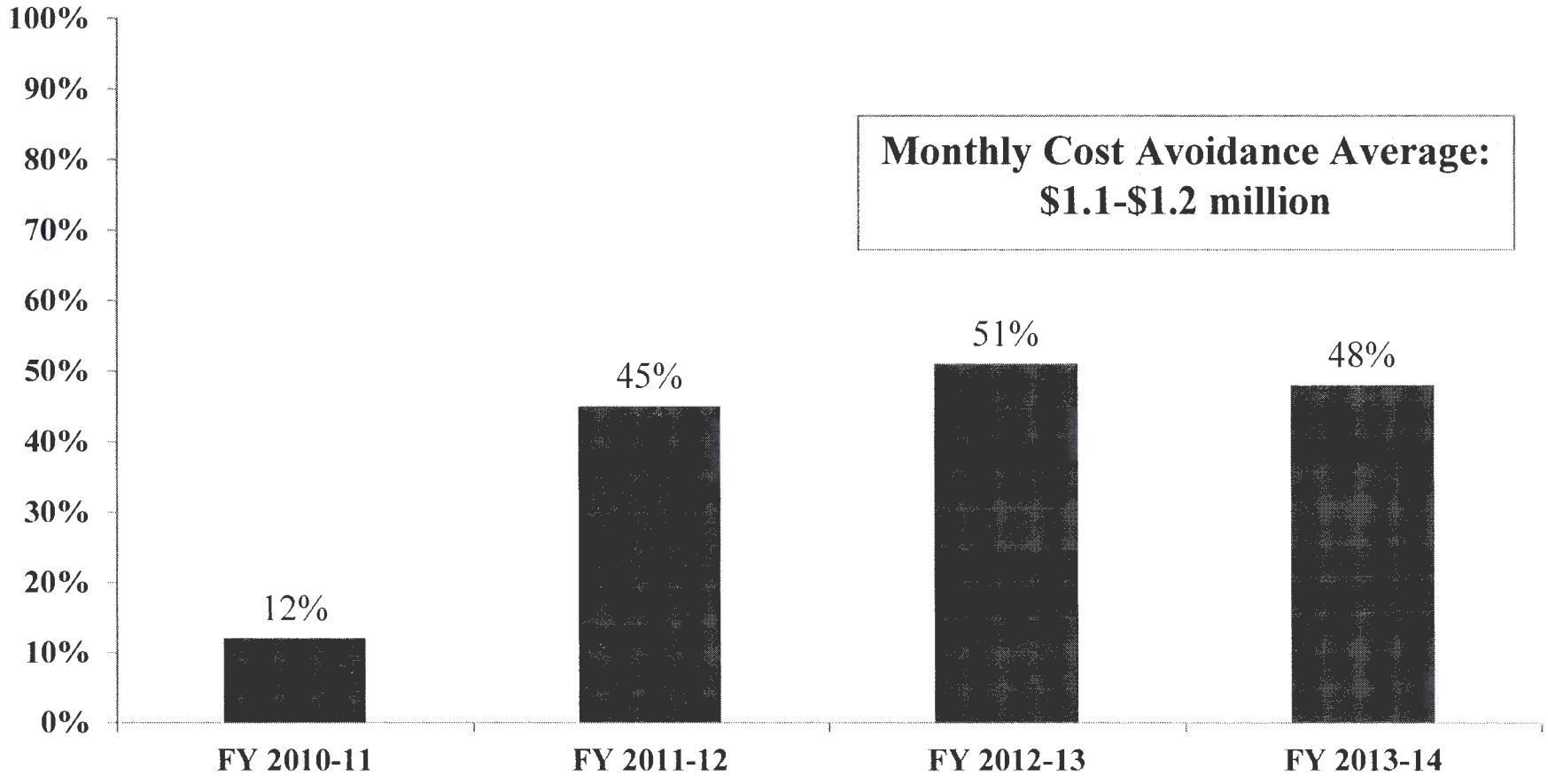
Source: DOP, Annual Health Services Expense reports

Cost Comparison of MRIs



Source: DOP, Health Services

Medicaid Eligibility



Source: DOP, Medicaid Program



V. New Hospitals



New Hospitals



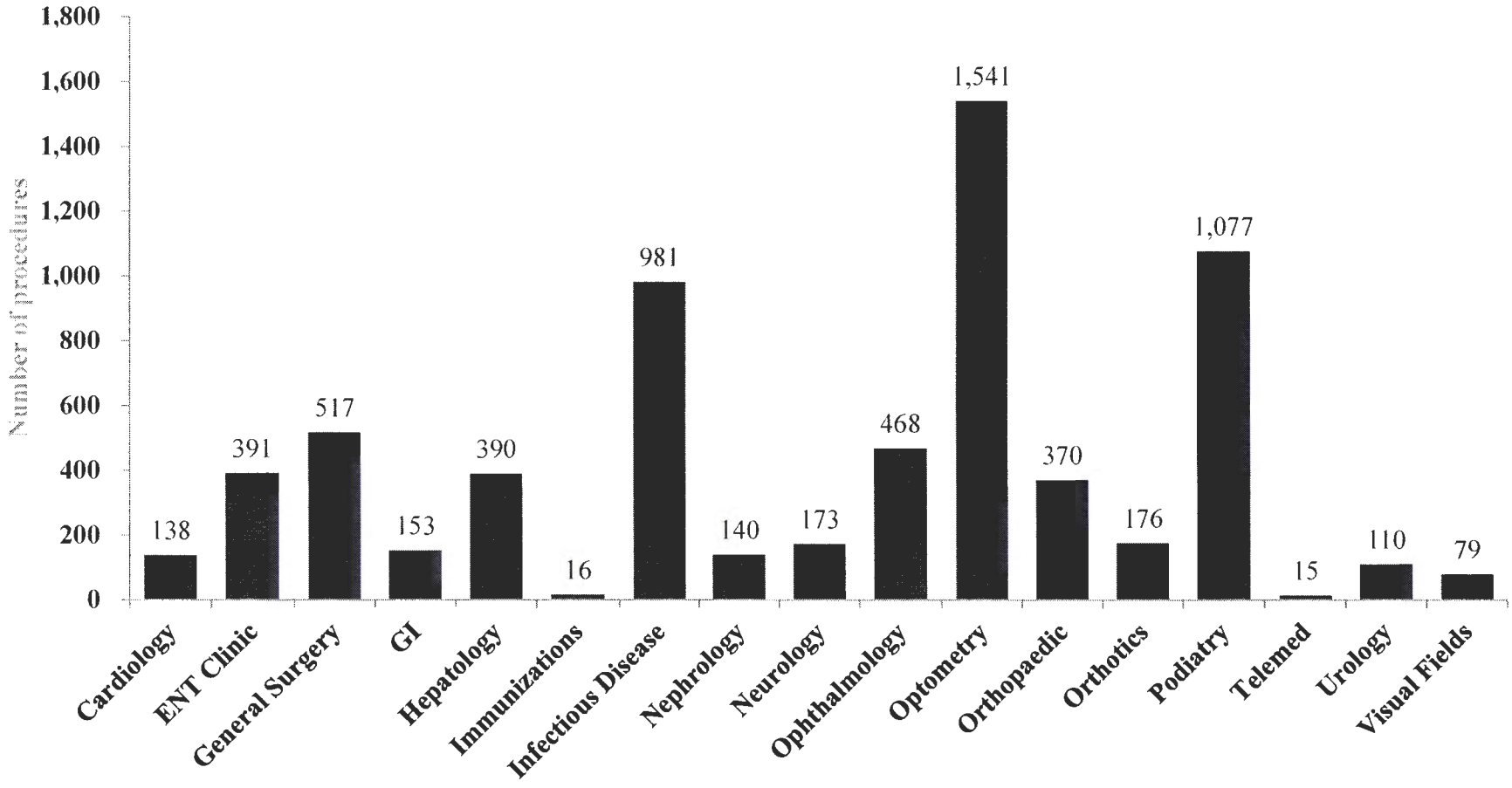
Central Prison Hospital

- 120 medical and 216 mental health beds
- Contract with UNC to staff 17 specialty clinics
- July 2014 to February 2015: 6,735 procedures

NC Correctional Institution for Women Hospital

- 80 medical and 70 mental health beds
- Contract with UNC to staff 16 specialty clinics

Central Prison Hospital Clinics



Source: DOP Health Services, Jul 2014-Feb 2015



HOUSE PAGES

NAME OF COMMITTEE Justice & Publ Safety DATE 1 APR 2015

1. Name: CAROLINE HOYLE
   County: VANCE
   Sponsor: Speaker Moore
2. Name: Asheer McCutchen
   County: WAKE
   Sponsor: ROSA GILL
3. Name:
   County:
   Sponsor:
4. Name:
   County:
   Sponsor:
5. Name:
   County:
   Sponsor:

SGT-AT-ARM

1. Name: BARRY MOORE
2. Name: B. H. Powell
3. Name: DAVID LINTHICUM (LYNN-THA-COME)
4. Name:

VISITOR REGISTRATION SHEET

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
George Solomon	NCDPS
JAN Kennedy	CSC, New Hanover Co.
Karen Braun	NCDPS / Correction Enterprises
Anthony D. Vann	NCDPS / Correction Enterprises
Nicholas Karim	NAMI NC
Kay Castillo	NASW NC
Omid [illegible]	Senate

VISITOR REGISTRATION SHEET

Jt. Approps J&PS
Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Jeff Covey	Fraternal Order of Police
Tom Murray	NCAUC
Mildred Spearman	NCADC
Peg Dorer	NC District Attys
Ryan Combs	NC DPS
Wayne Rivenbark	NCACP
ANNE PRECYTHE	NCDPS
Nicole Sullivan	NCDPS
TERRI CATLETT	NCDPS
Tim Moore	NC DPS
JOE PETTY	NCDPS

House Committee on Appropriations, Justice and Public Safety
Thursday, April 2, 2015 at 8:30 a.m.
Room 415

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 a.m. on Thursday, April 2, 2015 in Room 415. Representatives Boles, Daughtry, Faircloth, C. Graham, G. Graham, Hurley, McNeill, Speciale, and Turner attended.

Representative James L. Boles, Jr. presided and the meeting was called to order at 8:46 a.m. by Representative John Faircloth.

Representative Faircloth introduced the Pages and Sergeant at Arms then introduced Lisa Fox, North Carolina General Assembly Fiscal Research Division, to give an over of Community Corrections and the Justice Reinvestment Act. (See Attachment 1 for a more complete reference to the presentation) Following her presentation, a time of question and answers was had by the committee.

Representative Faircloth introduced Judge Marion Warren to the committee who is to officially assume the role as Interim Director of the Administrative Office of the Courts on May 1, 2015.

No bills were heard during the meeting.

The meeting was adjourned at 9:47 a.m. by Chairman Boles.

James L. Boles, Jr.
Presiding

Kerry Guice, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Thursday, April 2, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Rep. Boles chairing**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:41 AM on Tuesday, March 31, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

April 2, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles, Presiding
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Community Corrections and the Justice Reinvestment Act
Lisa Fox, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings:

VI. ADJOURNMENT

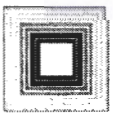
House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

Attachment 1

House Appropriations Subcommittee on Justice and Public Safety

Community Corrections and the Justice Reinvestment Act

April 2, 2015



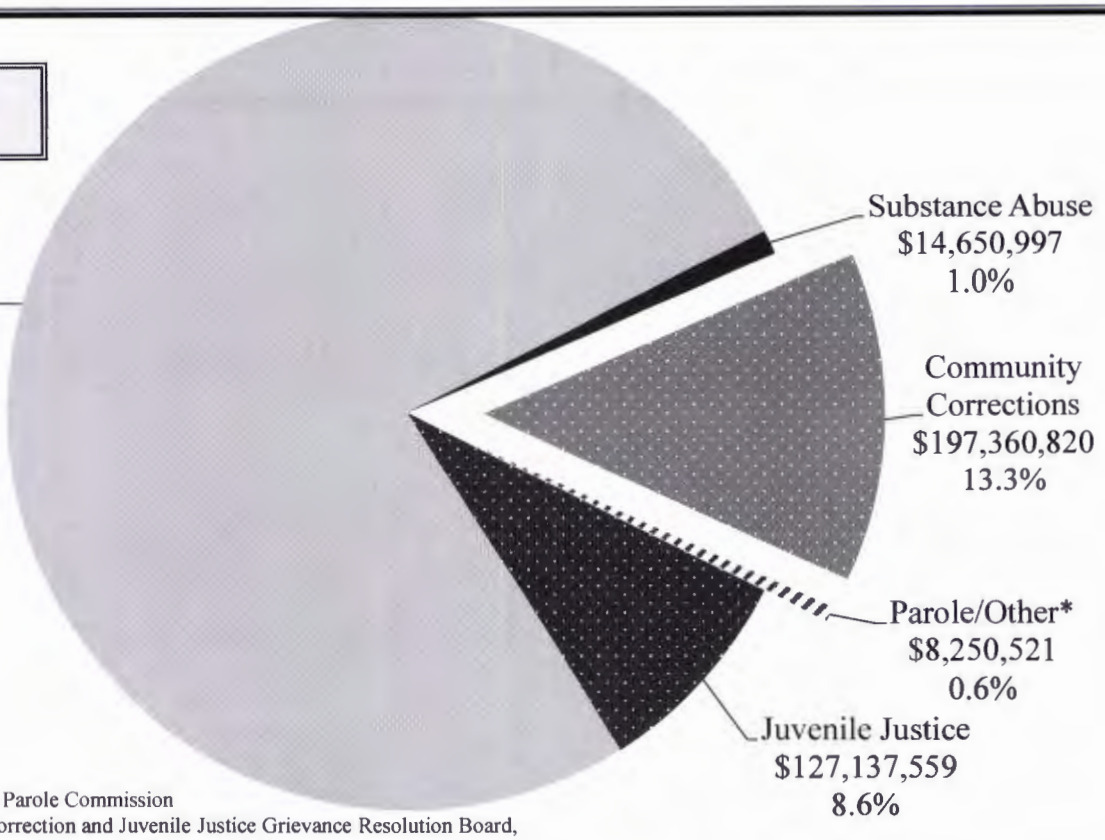
FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Preview

- Overview of the budget
- Two significant pieces of legislation:
  - Structured Sentencing, 1994
  - The Justice Reinvestment Act, 2011
- The changing role of probation officers
- Programs for probationers
- Reinvestment and results

FY 2015-16 DACJJ Base Budget

Total Budget: $1.48 b

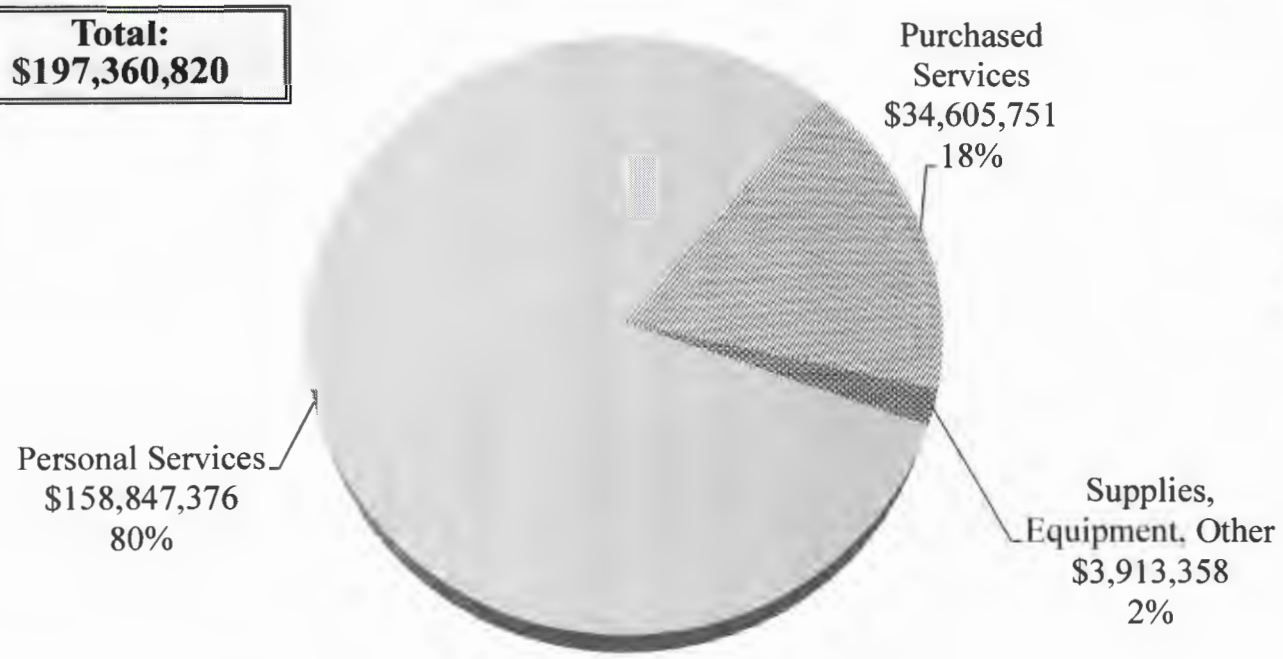


***Parole/Other:**
Post-Release Supervision and Parole Commission
Security Services for Adult Correction and Juvenile Justice Grievance Resolution Board,
Adult Correction Extradition, and Division Wide Operations

Source: NCIBIS, Worksheet I, 03/03/2015

Community Corrections Base Budget
FY 2015-16

Total:
$197,360,820



Average Daily Costs

- Daily cost of prison per offender: $82.70 per day, $30,185 annually

- Daily cost of community corrections per offender: $4.29 per day, $1,566 annually

What is Community Corrections?

- Probation, Parole and Post-Release Supervision
- Parole and Post-Release Supervision Commission
- Community Supervision Programs
- Confinement in Response to Violation (CRV) centers in Robeson and Burke Counties

Probation, Parole and Post-Release Supervision Defined

- Probation is a period of court-ordered community supervision of an offender as an *alternative* to imprisonment (a suspended sentence)
- Parole is the conditional release of an offender prior to the end of his/her sentence
- Post-Release Supervision (PRS) is a period of supervision after the completion of an active prison sentence

Structured Sentencing (1993)

- S.L. 1993-538 (HB 277)
- Uniform, fair, transparent sentencing
- Effectively eliminated early release/parole for all crimes committed after 1994
  - 784 people were paroled last year for crimes committed prior to Structured Sentencing
- Prioritized prison beds for the most serious and chronic offenders

The Justice Reinvestment Act of 2011

- JRA was created as a response to steady increases in prison population (and costs) *despite* decreased rates of crime.
- Some of JRA's provisions:
  - Expanded the authority of probation officers
  - Shifted emphasis to "evidence-based practices"
  - Limited the circumstances under which probation could be revoked
  - Mandated 9 to 12 months of post-release supervision (PRS) for all felons who serve an active sentence

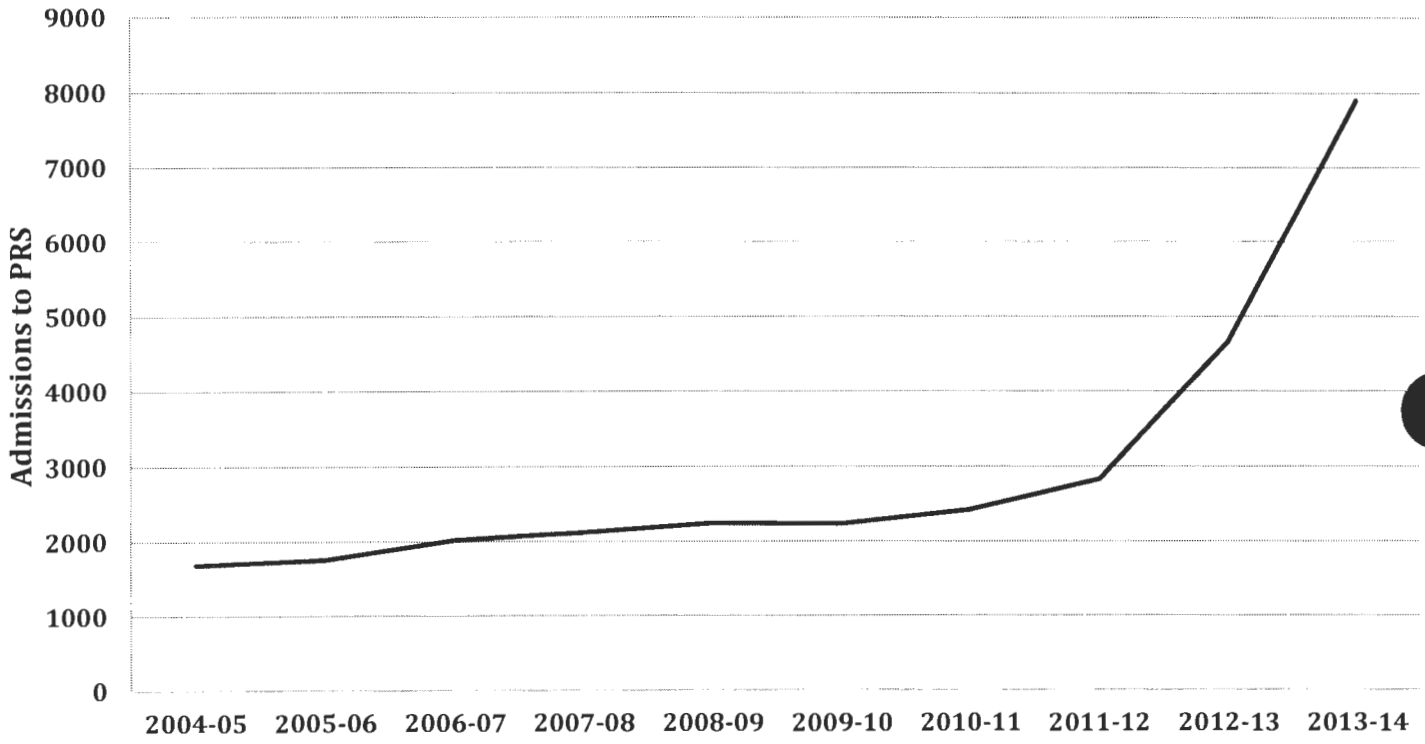
The Purpose of Post-Release Supervision

- Post-release supervision is a re-integrative program.
  - Created by the Structured Sentencing Act of 1993 to replace parole supervision for offenders who had served long prison sentences
  - Conditions of PRS are set by the Post-Release Supervision and Parole Commission
    - Length set by statute in JRA: B1-E felons are now supervised for 12 months
    - F-I felons are now supervised for 9 months

Why Did JRA Expand PRS?

- Council of State Governments'(CSG) study found that probation revocations were one of the driving factors of correction costs in North Carolina.
  - Over half of admissions to prison were revocations of probation for technical violations.
- Many serious offenders were being released without supervision or a plan for re-integration into their communities.

Post-Release Entries by Fiscal Year



Source: DACJJ, FY 2013-14 Annual Statistical Report

Parole and Post-Release Supervision Commission

- FY 2015-16 Budget: $2,394,044
- 4 Commissioners, 33 Staff

- Sets Post-Release conditions for all felons exiting prison; determines parole for inmates sentenced prior to Structured Sentencing.

Judicial Services Coordinators

- FY 2015-16 Budget: $12,441,828
- FTE: 241

- Process at court intake supervised and unsupervised probation cases, assign community service placement, monitor community service hours.

Probation and Parole Officers

- FY 2015-16 Budget: $156,088,979
- FTE: 2,415
- Population under supervision: 103,308

G.S. 15A-1343.2(c): "It is the goal of the General Assembly that, subject to the availability of funds, caseloads for probation officers supervising persons who are determined to be at high or moderate risk of re-arrest as determined by the Department's validated risk assessment should not exceed an average of 60 offenders per officer."

Caseload Averages

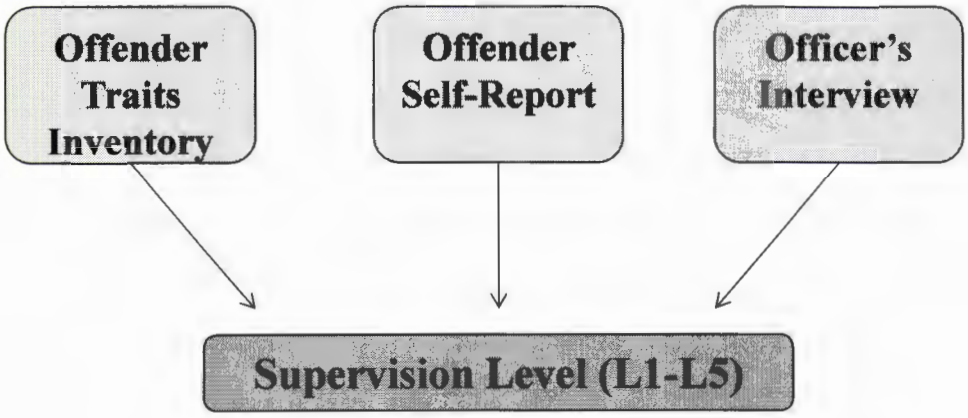
Probation Officer Caseloads by Division*		
Division	Current Staff	Caseload Average
Division 1	424	55
Division 2	511	53
Division 3	499	54
Division 4	432	51
Statewide	**1,866**	**54**

*Source: DACJJ Report on Probation and Parole, February 2015. *Assumes all positions are filled.*

The Changing Role of Probation Officers

- JRA expanded the authority and responsibility of probation officers to include:
  - Assessing every probationer using a detailed risk/needs assessment tool
  - Imposing electronic monitoring
  - Confining an offender to jail for up to six days per month (2-3 days at a time, "quick dips") or a 90-day confinement in response to violation (CRV) sentence ("dunks")
- Evidence-based practices require the PPOs to gather and maintain data on each probationer

Risk-Needs Assessment

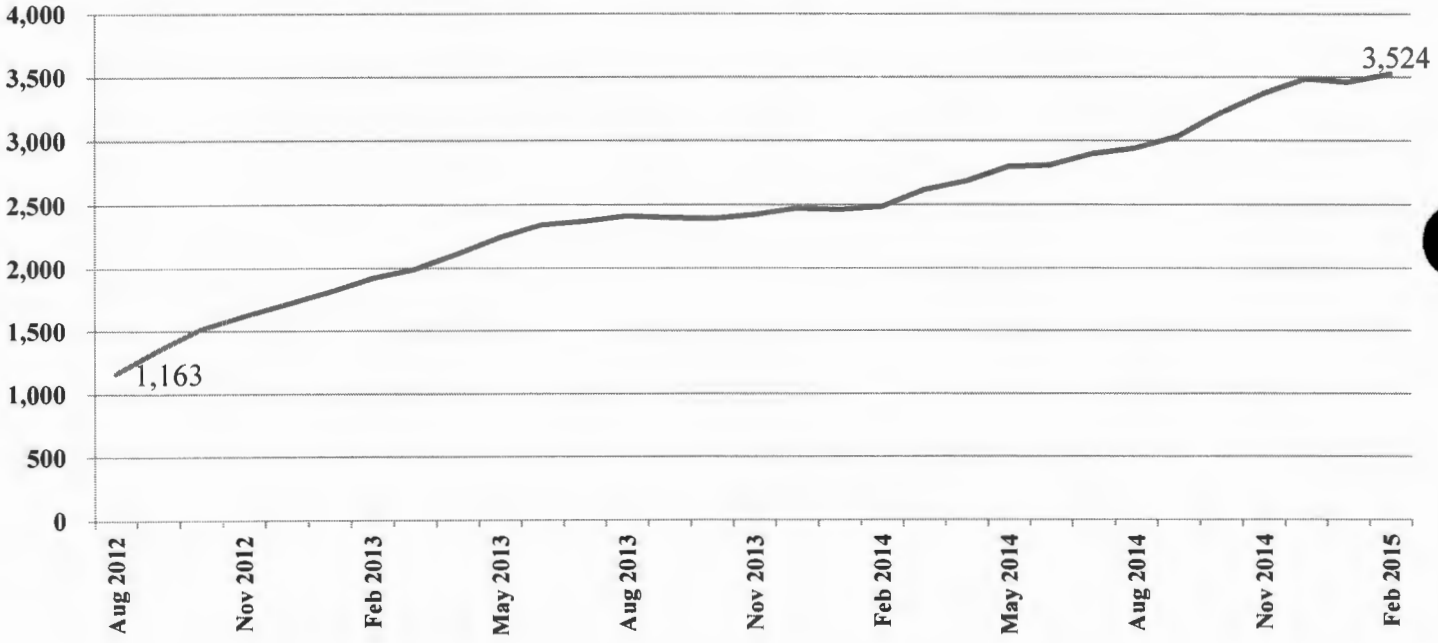


Supervision Levels

- Level One (L1): Highest Risks/Needs, most restrictive contact requirements and most severe responses to noncompliance
- Levels 2 and 3 (L2-L3): Medium Risks/Needs
- Levels Four and Five (L4-L5): Lowest levels of Risks/Needs, least restrictive supervision levels, eligible for remote reporting by computer or mail

Electronic Monitoring

Offenders Under Electronic Monitoring, August 2012 to February 2015



Source: DACJJ

Community Supervision Programs

- FY 2015-15 Base Budget: $12,409,089
- Includes:
  - Treatment for Effective Community Supervision (Recidivism Reduction Services)
  - Broaden Access for Community Treatment (BACT)
  - Transitional/temporary housing
  - Community Intervention Centers
  - Local Re-entry Councils
  - Intensive Outpatient Services

Treatment for Effective Community Supervision (TECS)

- Replaced the Criminal Justice Partnership Program (CJPP)
- Focused on the use of evidence-based practices to reduce recidivism
- Primarily funds Cognitive Behavioral Intervention (CBI) programs (75%) and substance abuse programs (25%)

Reinvestment and Results

U.S.

North Carolina Cuts Prison Time for Probation Violators, and Costs

By ERIK ECKHOLM SEPT 11, 2014

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JONAH HILL

ROANOKE RAPIDS, N.C. — André Duckett, 43, had an unpleasant surprise when he came in to see his probation officer. After missing some previous appointments, he had just failed a drug test, the officer told him, and he was going to spend the next three days in jail.

He was dismayed that day in March, Mr. Duckett said. But in the end he was grateful that his violations had provoked only this sharp jolt.

A few years back, they might well have led to formal revocation of his probation, stemming from an assault conviction, and sent him to prison for months. Instead, after experiencing what officials call a "quick dip," Mr. Duckett was able to keep his job as an electrician and, so far at least, to avoid more violations.

"It was a wake-up call that this is serious



A probation and parole officer, Travis Shoulars, visited Kourtnie James, a felon who is under supervision for three years. Travis Dove for The New York Times

Reinvestment

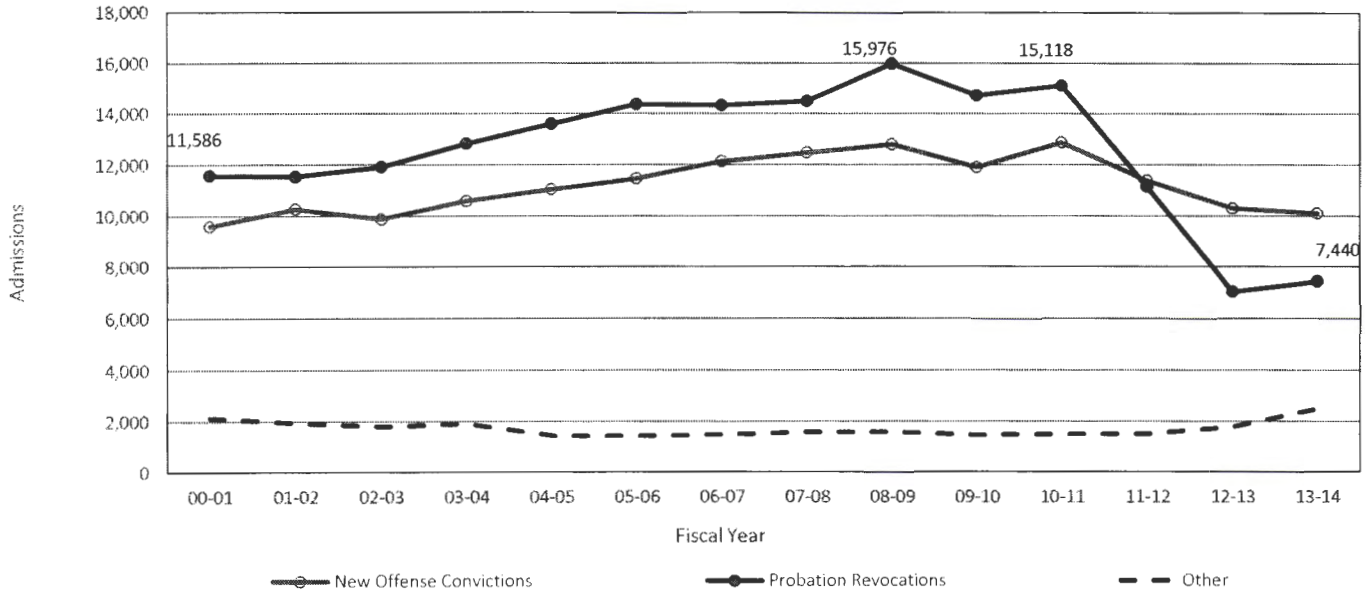
- 2013:
  - 175 new PPO positions: $12.1 million
  - 8 new positions at the Parole Commission: $374,000
  - New electronic monitoring equipment: $1.8 million
  - Substance abuse funds for high-risk population: $2 million (NR)
- 2014:
  - CRV Centers: $7.4 million
  - 100 new vehicles for PPOs: $1.8 million

Confinement in Response to Violation (CRV) Centers

- Authorized in the 2014 Budget Act
- Opened December 8-9, 2014
- Burke: 248 Capacity, 116 Current Population
- Robeson: 192 Capacity, 127 Current Population
- Staff: 43 per center
- Budget: $8.9 million total (includes $1.5 million in TECS funds)

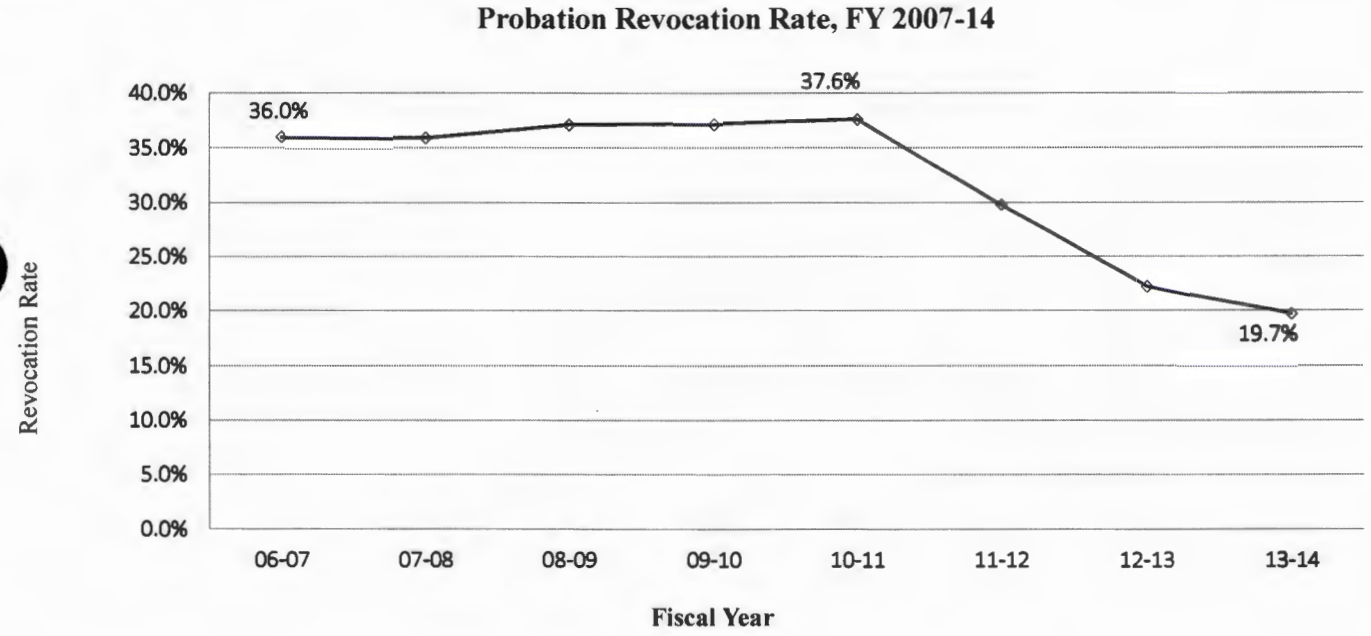
Results

Prison Admission by Reason, FY 2001-2014



Source: DACJJ FY 2013-14 Annual Statistical Report

Results



Source: DACJJ FY 2013-14 Annual Statistical Report

Study of "Quick Dips"

- DACJJ compared outcomes for 368 offenders who had a "quick dip" (2-3 day confinement) to a matched group who did not.

- 92% of the offenders who were subject to this sanction had a positive outcome; 53% of the control group had a positive outcome.

Questions?

HOUSE PAGES

NAME OF COMMITTEE Justice and Public Safety DATE 2 APR 2015

1. Name: Jarrett Thomas
   County: Cumberland
   Sponsor: John SZOKA
2. Name: MAddie DYSON
   County: DAVIDSON
   Sponsor: John FAIRCLOTH
3. Name: _____
   County: _____
   Sponsor: _____
4. Name: _____
   County: _____
   Sponsor: _____
5. Name: _____
   County: _____
   Sponsor: _____

SGT-AT-ARM

1. Name: BARRY MOORE
2. Name: B. H. Powell
3. Name: DAVID LINTHICUM (Smith)
4. Name: _____

VISITOR REGISTRATION SHEET

House Approp. for Justice & Public Safety

~~Judiciary I~~ 2 April 4 2015

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Coryc Duan	DRNC
Peg Dowe	Conf of DAs
Marian Warren	AOC
Gr Mary	AOC
David Ferrell	NCSA
Barbara Moore	Conf of Clerks of Sup Ct
Jan Kennedy	CSC - New Hanover Co.
Cynthia Williams	DACJJ
Chad Chung	DACJJ
Mildred Spearman	NCADC
Jeff Gray	Fraternal Order of Police
Jarret Burr	NC DPS
Fred Bone	Bone : Assd
LAD Runs us	CJR

VISITOR REGISTRATION SHEET

House App. for Justice & Public Safety — 4/2/15

~~Judiciary I~~

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Tony Taylor	NCDPS, DACJJ, ACC
Anne Precythe	NCDPS
David Guice	NCDPS
Cyndi Williams	NC DPS
Chad Owens	NC DPS
Tim Moose	NC DPS
Joe Pruter	NC DPS
Andy Brandon	DPS
Stams	Treasurer

House Committee on Appropriations Subcommittee on Justice and Public Safety
Thursday, May 14, 2015 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations Subcommittee on Justice and Public Safety met at 8:30 AM on May 14, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, Faircloth, Hurley, Jackson, McNeill, Stevens, C. Graham, G. Graham, Johnson, Salmon, Speciale, and Turner attended.

Representative John Faircloth, Chair, presided and called the meeting to order at 8:33 AM. He introduced the Sergeant at Arms and House Pages that were present. Chairman Faircloth asked the co-chairs to make comments regarding today's meeting.

Chairman Faircloth called on Kristine Leggett to present a review of the Public Safety portion of the budget. John Poteat and Lisa Fox, North Carolina General Assembly Fiscal Research Staff, reviewed the Adult Correction and Juvenile Justice portions of the budget. As each staff member presented, Chairman Faircloth opened the floor to questions from committee members. Budget reviews continued with Kristine Leggett giving a review of the Justice portion of the budget followed by questions from the committee. William Childs, Fiscal Research Staff was asked to present a review of the Judicial-Indigent Defense portion of the budget followed by questions from the committee. Kristine Leggett presented the review on other special grants and the ABC Commission. (Attachment A and B)

Chairman Faircloth called on Kristine Leggett, North Carolina General Assembly Fiscal Research Staff, to go over the rules for amendments to House Bill 97. (Attachment C)

The committee went into recess at 9:35 AM, to reconvene 15 minutes after session adjourns, to take up amendments from the members.

Chairman Faircloth called the meeting back to order at 12:20 PM. A recess was called until 12:50 PM for the Chairs and Staff to review the submitted amendments. Chairman Faircloth called the meeting back to order at 12:52 PM.

Representative Daughtry was recognized to send forth amendment #H97-ALL-6 [v. 3] and to explain the amendment. There being no discussion, a vote was taken and the amendment was adopted. (See Attachment 1)

Representative Boles was recognized to send forth amendment #H97-AMD-11 [v. 1] and to explain the amendment. There being no discussion, a vote was taken and the amendment was adopted. (See Attachment 2)

Representative C. Graham was recognized to send forth amendment #H97-ALL-5 [v.1] and to explain the amendment. There being no discussion, a vote was taken and the amendment was adopted. (See Attachment 3)

Representative Faircloth was recognized to send forth amendment #H97-ALL-4 [v.2] and to explain the amendment. There being no discussion, a vote was taken and the amendment was adopted. (See Attachment 4)

Representative Stevens was recognized to send forth amendment #H97-ALL-2 [v.4] and to explain the amendment. There being no discussion, a vote was taken and the amendment was adopted. (See Attachment 5)

Representative Stevens was recognized to send forth amendment #H97-ALL-7 [v.1] and to explain the amendment. There being no discussion, a vote was taken and the amendment was adopted. (See Attachment 6)

Chairman Faircloth thanked the committee members.

There being no further amendments, Representative Daughtry moved that the Justice and Public Safety Committee adopt the Appropriations Subcommittee report, as amended; and further move that staff be authorized to make technical corrections and conforming changes, and that the appropriate totals may be adjusted accordingly.

The meeting adjourned at 1:07 PM.

Representative John Faircloth, Chair
Presiding

Rebecca Bauerband, Committee Clerk

Becky Bauerband (Rep. John Faircloth)

From: Becky Bauerband (Rep. John Faircloth)
Sent: Tuesday, May 12, 2015 02:53 PM
To: Becky Bauerband (Rep. John Faircloth)
Subject: <NCGA> House Appropriations, Justice and Public Safety Committee Meeting Notice for Thursday, May 14, 2015 at 8:30 AM
Attachments: Add Meeting to Calendar_LINC_.ics

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Thursday, May 14, 2015
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Rep. Faircloth, Chair**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 2:52 PM on Tuesday, May 12, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Rebecca Bauerband (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

May 14, 2015 8:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth, Presiding
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

JPS Committee Budget
Fiscal Research Division

IV. COMMITTEE DISCUSSION

The Committee will recess for a period of time following discussion of the Budget.

V. AMENDMENTS AND COMMITTEE VOTE

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	05/14/15		5/14/15-2												
Rep. Jamie Boles, Co-Chair	✓														
Rep. Leo Daughtry, Co-Chair	✓		✓												
Rep. John Faircloth, Co-Chair	✓		✓												
Rep. Pat Hurley, Co-Chair	✓		✓												
Rep. Darren Jackson, Vice Chair	✓		✓												
Rep. Allen McNeill, Vice Chair	✓		✓												
Rep. Sarah Stevens, Vice Chair	✓		✓												
Rep. Charles Graham	✓		✓												
Rep. George Graham	✓		✓												
Rep. Ralph Johnson	✓		✓												
Rep. Brad Salmon	✓		✓												
Rep. Michael Speciale	✓		✓												
Rep. Rena Turner	✓		✓												
Sen. Stan Bingham, Co-Chair															
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair															
Sen. Tom Apocaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson															
Sen. Michael Lee															

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	05/14/15		5/14/15												
William Childs, Fiscal Research	✓		✓												
Lisa Fox, Fiscal Research	✓		✓												
Kristine Leggett, Fiscal Research	✓		✓												
John Poteat, Fiscal Research	✓		✓												
Ben Stanley + Sean Dail	✓		✓												
Becky Bauerband, Clerk	✓		✓												
Kerry Guice, Clerk	✓		✓												
Debbie Holder, Clerk	✓		✓												
Jeb Kelly, Clerk															
Maria Kinnaird, Clerk															
Carol Wilson, Clerk															
Jason Soper, Speaker's Office															
Stephen Ogden, Senate Office															

Attachment A

HOUSE APPROPRIATIONS COMMITTEE

ON

JUSTICE AND PUBLIC SAFETY

REPORT
ON THE
CONTINUATION AND EXPANSION BUDGETS

House Bill 97

May 14, 2015

Public Safety

	GENERAL FUND			
	FY 15-16		FY 16-17	
Recommended Budget	$1,758,733,006		$1,758,773,164	
Legislative Changes				
A. Department-wide				
1 **Samarcand Operating Costs**	$1,107,385	R	$2,245,311	R
Funds start-up costs for the Samarcand Training Academy in Moore County. The training facility will allow the Department to provide overnight training for correctional officers and juvenile justice officers, as well as other employees of the Department of Public Safety (DPS). Positions are phased in throughout the biennium.	$534,206 25.00	NR	$990,164 29.00	NR
2 **Appropriate Use-of-Force Training**				
Provides nonrecurring funds to purchase a use-of-force training simulator for the Samarcand Training Academy.	$109,656	NR		
3 **Samarcand Firing Range**				
Provides funds from the Statewide Misdemeanant Confinement Fund (SMCF) to construct a state-of-the-art firing range at the Samarcand Training Academy. The firing range will be made available to train for correction officers, probation and parole officers, State law enforcement officers, and local law enforcement agencies. A corresponding item in the Special Funds section transfers these funds from SMCF to the General Fund for this purpose.	$2,898,779	NR		
B. Administration				
4 **Operating Budget Reductions**	($199,189)	R	($199,189)	R
Reduces various line items in the operating budget for the Division of Administration. Reductions include:				

PC/Printer Equipment	($110,000)
Server Equipment	($ 56,000)
Data Processing Supplies	($ 15,000)
Laboratory Service Agreement	($ 6,000)
Library and Learning Resources	($ 7,000)
Other line items	($ 5,189)

This reduction is 0.33% of the $59.9 million budget for the Division of Administration.

		FY 15-16		FY 16-17	
5	**Vacant Positions** Eliminates four positions that have been vacant for more than a year. The positions are: Position Number / Title / Total Position Cost 60001028 Bus. And Tech. Applic. Spec. ($103,467) 60011161 Networking Technician ($ 54,410) 60011161 Criminal Justice Planner I ($ 54,070) 60001305 Stock Supervisor ($ 54,070) This is a 0.45% reduction from the Division's budget of $59.9 million.	($266,017) -4.00	R	($266,017) -4.00	R
6	**Governor's Crime Commission Budget Alignment** Modifies the budgeted amount for PC software by $10,879 and eliminates State matching funds of $1,610 for grant funds that are no longer necessary. This is a 0.04% reduction to the Governor's Crime Commission budget of $25.9 million.	($12,489)	R	($12,489)	R
7	**HERO Grants** Provides funds to the Governor's Crime Commission for grants to law enforcement agencies for salaries, training, and equipment for Internet Crimes Against Children Task Force affiliate investigators and forensic analysts to utilize technology and data analysis to locate and rescue children at risk of exploitation. Priority will be given to veterans who have received training from the Human Exploitation Rescue Operative (HERO) project, a collaborative between the National Association to protect Children, US Immigration and Customs Enforcement, and the US Special Operations Command, or a comparable training program.	$1,000,000	NR	$1,000,000	NR
C.	Law Enforcement				
8	**SHP - Appropriate Use-of-Force Training** Provides funds to the State Highway Patrol (SHP) to develop and coordinate appropriate use-of-force training for State law enforcement officers, including the State Bureau of Investigation (SBI), Alcohol Law Enforcement (ALE), and State Capitol Police. Recurring funds are provided for supplies and equipment replacement and training costs; nonrecurring funds are provided for a use-of-force training simulator and associated equipment in the first year.	$150,000 $109,656	R NR	$150,000	R
9	**SHP Vehicles** Fully funds the Highway Patrol's enforcement and support fleet vehicle replacement schedule. Enforcement vehicles will be replaced every 100,000 miles.	$7,100,642	R	$7,100,642	R
10	**SHP Vehicle Cameras** Provides funds to install cameras in the remaining enforcement fleet vehicles that do not already have them. Also provides funds to put the cameras on a five-year replacement cycle.	$2,649,625 $3,373,505	R NR	$2,649,625	R

	FY 15-16		FY 16-17	
11 SBI/ALE Consolidation Efficiencies Eliminates three Office Assistant IV positions at SBI/ALE regional offices. Those offices were consolidated in FY 2014-15, allowing for additional operational efficiencies. This is a 0.26% reduction to the SBI's total budget of $52.3 million.	($140,896) -3.00	R	($140,896) -3.00	R
12 SBI Attorney III Eliminates an Attorney III position (60084617) inadvertently transferred from the Department of Justice when the SBI was moved to DPS. This position has been vacant for more than 15 months.	($107,195) -1.00	R	($107,195) -1.00	R
13 SBI Vehicles Establishes a recurring budget to replace 75 vehicles per year for the State Bureau of Investigation, including ALE.	$1,943,373	R	$1,943,373	R
D. Emergency Management and National Guard				
14 Emergency Management Operating Efficiencies Shifts partial funding of four positions to receipt support ($48,657), and reduces funds for supplies and equipment by $24,703. This is a 0.20% reduction to the total budget for Emergency Management of $35.7 million.	($73,360) -1.17	R	($73,360) -1.17	R
15 National Guard Operating Efficiencies Reduces the National Guard operating budget as follows: Waste Mgt Services ($67,679) Travel ($26,001) Motor Vehicle Insurance ($10,000) This is a 0.29% reduction to the total National Guard budget of $35.5 million.	($103,680)	R	($103,680)	R
16 National Guard Joint Forces Headquarters (JFHQ) Operating Expenses Provides funds for building utilities and maintenance for the National Guard's portion of JFHQ. Federal funds were used for this purpose until last year, when the federal portion of the funding was reduced to 55% and a 45% State match was required.	$350,000	R	$375,000	R
E. Adult Correction and Juvenile Justice - Prisons				
17 Electronic Intrusion System Enhances prison security through the installation of Electronic Intrusion Systems (EIS) at Franklin Correctional Center, Harnett Correctional Institution, Piedmont Correctional Institution, and Southern Correctional Institution. EIS improves efficiency by eliminating staff in watchtowers and replacing them with a roving perimeter patrol.	($215,152) -56.00	R	($2,044,876) -56.00	R
18 Inmate Education Reduces the Inmate Education budget by 5.6%, leaving $8,451,087 to provide education services.	($500,000)	R	($500,000)	R

		FY 15-16		FY 16-17	
19	**Central Prison Mental Health Beds** Funds 66 positions at the Central Prison Mental Health Facility to open 72 additional beds to enable the unit to operate at full capacity. Thirty-five positions are effective January 1, 2016 and 31 additional positions are effective January 1, 2017.	$1,168,784 35.00	R	$3,239,744 66.00	R
20	**Mental Health Behavior Treatment** Establishes mental health behavior treatment units at eight close custody prisons. Four units are effective January 1, 2016 and four units are effective January 1, 2017.	$2,092,641 $89,940 76.00	R NR	$5,619,247 $134,910 152.00	R NR
21	**Electronic Health Records** Provides funding for vendor fees for access and data for the electronic inmate healthcare records system. The Department is currently using nonrecurring funds for the development and implementation of the system.			$1,363,357	R
22	**Statewide Misdemeanant Confinement Fund** Provides funds for the Statewide Misdemeanant Confinement Fund (SMCF). This fund was previously supported by two court costs that were transferred directly to the fund. SMCF provides payments to county jails for housing, transportation, and medical care for misdemeanants sentenced to confinement for longer than 90 days.	$22,500,000	R	$22,500,000	R
G.	Adult Correction and Juvenile Justice - Community Corrections				
23	**TECS Reduction** Reduces the appropriation for Treatment for Effective Community Supervision to reflect lower levels of participation in some counties. The total funding for this program is $10.9 million after this nonrecurring reduction.	($1,500,000)	NR		
24	**Broaden Access for Community Treatment** Provides funds to the Broaden Access to Community Treatment program. These funds are restricted to substance abuse treatment services for offenders assessed as moderate to high-risk for recidivism and high need for substance abuse services. Contracts awarded using these funds shall be used to evidence-based programs that demonstrate support from local stakeholders, including chief district court judges, senior resident superior court judges, probation and parole officers, district attorney offices, and county governments.	$1,479,744	NR		
25	**Electronic Monitoring** Provides increased funding for electronic monitoring equipment for offenders under supervision. Use of electronic monitoring has more than doubled following the Justice Reinvestment Act; this funding supports the increased demand.	$1,272,519	R	$2,641,795	R

	FY 15-16		FY 16-17	
26 Probation and Parole Vehicles Adjusts receipts to reflect funds previously paid to the Department of Administration (DOA) for replacement vehicles for probation and parole officers. A special provision directs the Department of Administration to transfer those funds back to DPS. This item follows the transfer of responsibility for these vehicles from DOA to DPS.				
Total Legislative Changes	**$38,716,991**	**R**	**$46,380,392**	**R**
	$8,095,486	**NR**	**$2,125,074**	**NR**
Total Position Changes	70.83		181.83	
Revised Budget	**$1,805,545,483**		**$1,807,278,630**	

Justice

GENERAL FUND

	FY 15-16		FY 16-17	
Recommended Budget	$50,584,602		$50,584,602	

Legislative Changes

A. State Crime Laboratory

27 **Crime Lab Technicians** — $251,117 R; $330,504 R

Creates six new evidence technician positions at the State Crime Lab to handle non-scientific duties. These positions will allow forensic scientists to concentrate on more complex tasks, increasing efficiency and turn-around time for lab analysis.

6.00 — 6.00

28 **DNA on Arrest for All Violent Felonies** — $173,880 R; $373,150 R

Provides funds to expand DNA on Arrest to all violent felonies. The expansion is expected to generate an additional 4,308 DNA on Arrest samples. The following positions are created:

4.00 — 4.50

Title	FTE	Total Position Cost
Evidence Technician	2.50	$126,950
Forensic Scientist I	1.00	$ 62,423
Forensic Scientist Mgr.	0.50	$ 40,252
Information Processing Tech.	0.50	$ 25,390

An additional $118,136 is provided for related supplies. Funding in the first year has been pro-rated to account for the December 1, 2015 effective date.

B. Training and Standards

29 **Appropriate Use-of-Force Training** — $236,129 R; $236,129 R

Provides funds to the NC Justice Academy to develop curricula and provide appropriate use-of-force training to local law enforcement agencies. Funding is provided to create two new criminal justice training coordinator positions for community relations and use-of-force training, and to offer three train-the-trainer programs in Fair and Impartial Policing per year. Nonrecurring funding is provided to purchase two use-of-force training simulators, one for each campus.

$219,312 NR

2.00 — 2.00

30 **Training Academy Instructors** — $239,923 R; $239,923 R

Provides funds for three criminal justice training coordinators for narcotics and sexual assault investigation training and for crime scene analysis and investigation training.

3.00 — 3.00

	FY 15-16		FY 16-17	
Total Legislative Changes	**$901,049**	R	**$1,179,706**	R
	$219,312	NR		
Total Position Changes	15.00		15.50	
Revised Budget	**$51,704,963**		**$51,764,308**	

Judicial - Indigent Defense

GENERAL FUND

	FY 15-16		FY 16-17	
Recommended Budget	**$112,087,174**		**$112,097,118**	
Legislative Changes				
A. Private Appointed Counsel Fund				
31 **Additional Private Appointed Counsel Funds** Provides funding to pay private counsel assigned to represent indigent defendants, reducing a budget shortfall that has accumulated over several years. This budget shortfall creates a hardship for small business legal firms whose payments are delayed when State funding is exhausted before the end of the fiscal year.	$3,400,000	R	$3,400,000	R
B. Public Defenders				
32 **JurisLink** Provides funds to establish a system of automated kiosks in local confinement facilities to allow attorneys representing indigent defendants to consult with their clients remotely.	$1,600,000	NR	$1,600,000	NR
Total Legislative Changes	**$3,400,000**	R	**$3,400,000**	R
	$1,600,000	NR	**$1,600,000**	NR
Total Position Changes				
Revised Budget	**$117,087,174**		**$117,097,118**	

Judicial

GENERAL FUND

	FY 15-16		FY 16-17	
Recommended Budget	**$467,897,397**		**$467,898,110**	
Legislative Changes				
A. Administration and Services				
33 **Court Information Technology**	$300,000	R	$640,000	R
Provides funds for Information Technology projects at the Administrative Office of the Courts related to court electronic filing, citation electronic processing, and electronic compliance.	$11,681,962	NR	$6,990,450	NR
34 **Funds for Interpreters, Expert Witnesses, and Juries**	$1,577,283	R	$1,577,283	R
Increases the budget for interpreters, expert witnesses, and juries as necessary to operate the State court system. Funds for interpreters will increase by $704,818 over the current budget of $3,618,520. Funds for expert witnesses will increase by $73,519 over the current budget of $255,298. Funds for jury fees will increase by $798,946 over the current budget of $1,157,862.				
35 **Funds for Legal Services**	$2,567,127	R	$2,567,127	R
Increases the budget for constitutionally and legally mandated legal and contracting services as necessary to operate the State court system.				
36 **Funds for Operating Budget**	$1,455,590	R	$5,855,590	R
Increases the budget for equipment, travel, supplies, and maintenance as necessary to operate the State court system.				
B. Trial Court				
37 **Business Court Staff**	$428,529	R	$571,372	R
Provides staff and facilities for two special superior court judges who will be designated as Business Court judges, each of whom will be staffed by one Executive Assistant and two Judicial Assistants.	$938,524	NR		
	6.00		6.00	
Total Legislative Changes	**$6,328,529**	R	**$11,211,372**	R
	$12,620,486	NR	**$6,990,450**	NR
Total Position Changes	6.00		6.00	
Revised Budget	**$486,846,412**		**$486,099,932**	

Public Safety - Other Special Grants

Budget Code: 24550

	FY 2015-16		FY 2016-17	
Beginning Unreserved Fund Balance	**$29,719,634**		**$24,013,011**	
Recommended Budget				
Requirements	**$46,285,923**		**$46,285,923**	
Receipts	**$43,478,079**		**$43,478,079**	
Positions	**100.00**		**100.00**	
Legislative Changes				
Requirements:				
Samarcand Firing Range	$0	R	$0	R
Transfers funds to the General Fund for the construction of a state-of-the-art firing range at the Samarcand Training Academy.	$2,898,779	NR	$0	NR
	0.00		0.00	
Subtotal Legislative Changes	**$0**	R	**$0**	R
	$2,898,779	NR	**$0**	NR
	0.00		0.00	
Receipts:				
Samarcand Firing Range	$0	R	$0	R
	$0	NR	$0	NR
Subtotal Legislative Changes	**$0**	R	**$0**	R
	$0	NR	**$0**	NR

	FY 2015-16	FY 2016-17
Revised Total Requirements	$49,184,702	$46,285,923
Revised Total Receipts	$43,478,079	$43,478,079
Change in Fund Balance	($5,706,623)	($2,807,844)
Total Positions	100.00	100.00
Unappropriated Balance Remaining	$24,013,011	$21,205,167

ABC Commission

Budget Code: 54551

	FY 2015-16		FY 2016-17	
Beginning Unreserved Fund Balance	**$4,491,738**		**$4,826,323**	
Recommended Budget				
Requirements	**$13,004,818**		**$13,004,818**	
Receipts	**$13,339,403**		**$13,339,403**	
Positions	**44.00**		**44.00**	
Legislative Changes				
Requirements:				
Initiative to Reduce Underage Drinking Provides funds for the Initiative to Reduce Underage Drinking to provide public relations assistance; strategic marketing and branding; multi-media planning, negotiation, and buying; and creative design and development for the NC ABC Commission's Talk It Out Campaign.	$3,100,000 $0 4.00	R NR	$3,100,000 $0 4.00	R NR
Subtotal Legislative Changes	**$3,100,000** **$0** 4.00	R NR	**$3,100,000** **$0** 4.00	R NR
Receipts:				
Bailment Surcharge Receipts Increases the budgeted receipts from the bailment surcharge. The ABC Commission increased the bailment surcharge from $0.80 per case to $1.40 per case in FY 2014-15.	$3,100,000 $0	R NR	$3,100,000 $0	R NR
Subtotal Legislative Changes	**$3,100,000** **$0**	R NR	**$3,100,000** **$0**	R NR

	FY 2015-16	FY 2016-17
Revised Total Requirements	$16,104,818	$16,104,818
Revised Total Receipts	$16,439,403	$16,439,403
Change in Fund Balance	$334,585	$334,585
Total Positions	48.00	48.00
Unappropriated Balance Remaining	$4,826,323	$5,160,908

Attachment B

House Appropriations Committee on Justice and Public Safety

Proposed Special Provisions for H.B. 97, 2015 Appropriations Act

May 14, 2015

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT
SPECIAL PROVISION

2015-DPS-H2-P

Department of Public Safety
House Appropriations, Justice and Public Safety

Requested by: Representative

GRANT REPORTING AND MATCHING FUNDS

SECTION #.(a) The Department of Public Safety, the Department of Justice, and the Judicial Department shall report by May 1 of each year to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on 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.

SECTION #.(b) Notwithstanding the provisions of G.S. 143C-6-9, the Department of Public Safety may use up to the sum of one million two hundred thousand dollars ($1,200,000) during the 2015-2016 fiscal year and up to the sum of one million two hundred thousand dollars ($1,200,000) during the 2016-2017 fiscal year from funds available to the Department to provide the State match needed in order to receive grant funds. Prior to using funds for this purpose, the Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

DRAFT
SPECIAL PROVISION

2015-DPS-H3-P

Department of Public Safety
House Appropriations, Justice and Public Safety

Requested by: **Representative**

CHANGE RECIPIENTS OF VICTIMS' COMPENSATION REPORT

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~~chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the chairs of the House and Senate Appropriations Committees on Justice and Public Safety 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 Division of Adult Correction of the Department of Public Safety 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 Division of Adult Correction of the Department of Public Safety 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

2015-DPS-H4-P

Department of Public Safety
House Appropriations, Justice and Public Safety

Requested by: **Representative**

LIMITED AUTHORITY TO ELIMINATE AND RECLASSIFY CERTAIN POSITIONS

SECTION #. Notwithstanding any other provision of law, subject to the approval of the Director of the Budget, the Secretary of the Department of Public Safety may reclassify or eliminate existing positions in the Division of Administration that are not specifically addressed in this act as needed for the efficient operation of the Department. No position shall be reclassified pursuant to this section solely for the purpose of providing a person in that position with a salary increase. The Secretary of the Department of Public Safety shall report any position reclassification undertaken pursuant to this section to the chairs of the House and Senate Appropriations Committees on Justice and Public Safety and the Fiscal Research Division within 30 days of the reclassification. The report shall include the position number, original title, original fund code, original budgeted salary, new title, new fund code, and new budgeted salary for each reclassified position.

DRAFT
SPECIAL PROVISION

2015-CORR-H20-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

SAMARCAND TRAINING ACADEMY

SECTION #. The former juvenile detention facility known as Samarkand Manor, located in Moore County, is redesignated a law enforcement and corrections training facility and assigned to the Office of the Secretary of the Department of Public Safety. The facility shall be renamed Samarcand Training Academy and shall be administered by a Director. The operating budget for Samarcand Training Academy shall be funded by the Department of Public Safety but shall be independent of the operating budget of any Division within the Department and shall be managed and administered by the Director of the Academy with oversight by the Office of the Secretary of the Department of Public Safety.

DRAFT
SPECIAL PROVISION

2015-CORR-H21-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

TRANSFER FROM STATEWIDE MISDEMEANANT CONFINEMENT FUND

SECTION #. There is transferred from the Statewide Misdemeanant Confinement Fund (Budget Code 24550-2325) to the General Fund the sum of two million eight hundred ninety-eight thousand seven hundred seventy-nine dollars ($2,898,779) for the 2015-2016 fiscal year.

DRAFT
SPECIAL PROVISION

2015-LAW-H1-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

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 or to the Department of Public Safety during the 2015-2017 fiscal biennium pursuant to applicable federal law shall be credited to the budgets of the respective departments and shall result in an increase of law enforcement resources for those departments. The Departments of Justice and Public Safety shall make the following reports to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety:

(1) A report upon receipt of any assets.

(2) A report that shall be made prior to use of the assets on their intended use and the departmental priorities on which the assets may be expended.

(3) A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year, which shall be made no later than September 1 of each year.

SECTION #.(b) The General Assembly finds that the use of assets transferred pursuant to federal law for new personnel positions, new projects, 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 Public Safety 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, the United States Department of the Treasury, and the United States Department of Health and Human Services.

DRAFT
SPECIAL PROVISION

2015-LAW-H2-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

VOICE INTEROPERABILITY PLAN FOR EMERGENCY RESPONSE (VIPER) SYSTEM

SECTION #. The Department of Public Safety shall report annually no later than March 1 to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on the progress of the State's VIPER system.

DRAFT
SPECIAL PROVISION

2015-LAW-H3-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

GANGNET REPORT AND RECOMMENDATIONS

SECTION #.(a) Article 4 of Chapter 20 of the General Statutes is amended by adding a new section to read:

"**§ 20-196.5. Report on gang prevention recommendations.**

The State Highway Patrol, in conjunction with the State Bureau of Investigation and the Governor's Crime Commission, shall develop recommendations concerning the establishment of priorities and needed improvements with respect to gang prevention and shall report those recommendations to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on or before March 1 of each year."

SECTION #.(b) G.S. 143B-1101(b) reads as rewritten:

"(b) The Governor's Crime Commission shall review the level of gang activity throughout the State and assess the progress and accomplishments of the State, and of local governments, in preventing the proliferation of gangs and addressing the needs of juveniles who have been identified as being associated with gang activity.

~~The Governor's Crime Commission shall develop recommendations concerning the establishment of priorities and needed improvements with respect to gang prevention and shall report those recommendations 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, and to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on or before March 1 of each year.~~"

DRAFT
SPECIAL PROVISION

2015-LAW-H4-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

STATE CAPITOL POLICE/RECEIPT-SUPPORTED POSITIONS

SECTION #.(a) The State Capitol Police may contract with State agencies for the creation of receipt-supported positions to provide security services to the buildings occupied by those agencies.

SECTION #.(b) The State Capitol Police shall report the creation of any position pursuant to this section to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and to the Fiscal Research Division within 30 days of the position's creation.

DRAFT
SPECIAL PROVISION

2015-LAW-H5-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

CHANGES TO EXPUNCTION AND METHAMPHETAMINE REPORTING REQUIREMENTS

SECTION #.(a) G.S. 15A-160 reads as rewritten:

"**§ 15A-160. Reporting requirement.**

The Department of Public Safety, in conjunction with the Department of Justice and the Administrative Office of the ~~Courts~~ Courts, shall report jointly to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety Oversight by September 1 of each year regarding expunctions. The report shall include all of the following information:

(1) The number and types of expunctions granted during the fiscal year in which the report is made.

(2) The number and type of expunctions granted each fiscal year for the five fiscal years preceding the date of the report.

(3) A full accounting of how the agencies have spent the receipts generated by the expunction fees received during the fiscal year in which the report is made and for the five preceding fiscal years."

SECTION #.(b) G.S. 90-113.64 reads as rewritten:

"**§ 90-113.64. SBI annual report.**

Beginning with the 2011 calendar year, the State Bureau of Investigation shall determine the number of methamphetamine laboratories discovered in the State each calendar year and report its findings to the Joint Legislative Oversight Committee on Justice and Public Safety and to the Legislative Commission on Methamphetamine Abuse by March 1, 2012, for the 2011 calendar year and each March 1 thereafter for the preceding calendar year. The State Bureau of Investigation shall participate in the High Intensity Drug Trafficking Areas (HIDTA) program, assist in coordinating the drug control efforts between local and State law enforcement agencies, and monitor the implementation and effectiveness of the electronic record-keeping requirements included in G.S. 90-113.52A and G.S. 90-113.56. The SBI shall include its findings in the report to the Commission required by this section."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT
SPECIAL PROVISION

2015-LAW-H6-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

CLARIFY BOXING COMMISSION FEE

SECTION #.(a) G.S. 143-655(b1) reads as rewritten:

"(b1) Admission Fees. – The Branch shall collect a fee in the amount of two dollars ($2.00) per ~~each ticket sold~~ spectator to attend events regulated in this Article."

SECTION #.(b) This section is effective on July 1, 2015, and applies to fees collected or assessed on or after that date.

DRAFT
SPECIAL PROVISION

2015-LAW-H7-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

SBI/ALE ASHEVILLE REGIONAL OFFICE

SECTION #. Section 17.1(aaaa) of S.L. 2014-100 reads as rewritten:

"**SECTION 17.1.(aaaa)** The Department of Public Safety shall consolidate ALE and SBI Regions and Regional Offices. The Asheville Regional Office shall be operational ~~by July 1, 2015.~~upon completion of a new facility. All other Regional Offices shall be operational by October 1, 2014."

DRAFT
SPECIAL PROVISION

2015-LAW-H8-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

CLARIFY HAZARDOUS MATERIALS FEE

SECTION #.(a) G.S. 166A-29.1 reads as rewritten:

"**§ 166A-29.1. Hazardous materials facility fee.**

(a) Definitions. – The following definitions apply in this section:

(1) EPCRA. – The federal Emergency Planning and Community Right-to-Know Act, P.L. No. 99-499 et. seq.

(2) Extremely hazardous substance. – Any substance, regardless of its state, set forth in 40 C.F.R. Part 355, Appendix A or B.

(3) Hazardous chemical. – As defined in 29 C.F.R. 1910.1200(c), except that the term does not include any of the following:

a. Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration.

b. Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use.

c. Any substance to the extent that it is used for personal, family, or household purposes or is present in the same form and concentration as a product packaged for distribution and use by the public.

d. Any substance to the extent that it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual.

e. Any substance to the extent that it is used in routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate consumer.

(b) Annual Fee Shall Be Charged. – A person or business required under Section 302 or 312 of EPCRA to submit a notification or an annual inventory form to the Division shall be required to pay to the Department an annual fee in the amount set forth in subsection (c) of this section.

(c) Amount of Fee. – The amount of the annual fee charged pursuant to subsection (b) of this section shall be calculated in accordance with the following, up to a maximum annual amount of ~~five thousand dollars ($5,000):~~ five thousand dollars ($5,000) per reporting site:

(1) A fee of fifty dollars ($50.00) shall be assessed for each substance at each site reported by a ~~facility~~ person or business that is classified as a hazardous chemical.

(2) A fee of ninety dollars ($90.00) shall be assessed for each substance at each site reported by a ~~facility~~ person or business that is classified as an extremely hazardous substance.

(d) Late Fees. – The Division may impose a late fee against a person or business for failure to submit a report or filing that substantially complies with the requirements of EPCRA

by the federal filing deadline or for failure to pay any fee, including a late fee. This fee shall be in addition to the fee imposed pursuant to subsection (c) of this section. Prior to imposing a late fee, the Division shall provide the person or business who will be assessed the late fee with written notice that identifies the specific requirements that have not been met and informs the person or business of its intent to assess a late fee. The assessment of a late fee shall be subject to the following limitations:

(1) If the report filing or fee is submitted within 30 days after receipt of the Division's notice that it intends to assess a late fee, no late fee shall be assessed.

(2) If the report filing or fee has not been submitted by the end of the period set forth in subdivision (1) of this subsection, the Division may impose a late fee in an amount equal to the amount of the fee charged pursuant to subsection (c) of this section.

(e) Exemptions. – No fee shall be charged under this section to any of the following:

(1) An owner or operator of a family farm enterprise, a facility owned by a State or local government, or a nonprofit corporation.

(2) An owner or operator of a facility where motor vehicle fuels are stored and from which such fuels are offered for retail sale. However, hazardous chemicals or extremely hazardous substances at such a facility, other than motor vehicle fuels for retail sale, shall not be subject to this exemption.

(3) A motor vehicle dealer, as that term is defined in G.S. 20-286(11).

(f) Use of Fee Proceeds. – The proceeds of fees assessed pursuant to this section shall be used for the following:

(1) To ~~pay~~ offset costs associated with the establishment and maintenance of a hazardous materials ~~database.~~database and a hazardous materials response application.

(2) To ~~support the~~ offset costs associated with the operations of the regional response program for hazardous materials emergencies and terrorist incidents.

(3) To provide grants to counties for hazardous materials emergency response planning, training, and related exercises.

(4) To offset Division costs that directly support hazardous materials emergency preparedness and response."

SECTION #.(b) This section becomes effective on July 1, 2015, and applies to fees assessed or collected on or after that date.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT
SPECIAL PROVISION

2015-NATG-H1-P

National Guard
House Appropriations, Justice and Public Safety

Requested by: **Representative**

AMEND NATIONAL GUARD FAMILY ASSISTANCE CENTERS ANNUAL REPORT REQUIREMENTS

SECTION #. Section 1(b) of S.L. 2011-185 reads as rewritten:

"**SECTION 1.(b)** The Department of ~~Crime Control and~~ Public Safety shall report annually no later than September 1 to the Chairs of the House of Representatives and Senate Appropriations ~~Subcommittees~~ Committees on Justice and Public Safety and to the House of Representatives Committee on Homeland Security, Military, and Veterans Affairs on the activities of the National Guard Family Assistance ~~Centers.~~Centers during the previous fiscal year. This report shall include information on services provided as well as on the number and type of members of the active or reserve components of the Armed Forces of the United States, veterans, and family members served."

DRAFT
SPECIAL PROVISION

2015-CORR-H1-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL COSTS FOR INMATES, PAROLEES, AND POST-RELEASE SUPERVISEES AWAITING TRANSFER TO STATE PRISON SYSTEM

SECTION #. Notwithstanding G.S. 143C-6-9, the Department of Public Safety may use funds available to the Department for the 2015-2017 fiscal 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 annually by February 1 of each year to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the expenditure of funds to reimburse counties for prisoners awaiting transfer.

DRAFT
SPECIAL PROVISION

2015-CORR-H2-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

CENTER FOR COMMUNITY TRANSITIONS/CONTRACT AND REPORT

SECTION #. The Department of Public Safety may continue to contract with The Center for Community Transitions, Inc., a nonprofit corporation, for the purchase of prison beds for minimum security female inmates during the 2015-2017 fiscal biennium. The Center for Community Transitions, Inc., shall report by February 1 of each year to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety 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 Public Safety.

DRAFT
SPECIAL PROVISION

2015-CORR-H16-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

USE OF CLOSED FACILITIES

SECTION #. In conjunction with the closing of prison facilities, youth detention centers, and youth development centers, the Department of Public Safety shall consult with the county or municipality in which the facility is located, with the elected State and local officials, and with State and federal agencies about the possibility of converting that facility to other use. The Department may also consult with any private for-profit or nonprofit firm about the possibility of converting the facility to other use. In developing a proposal for future use of each facility, the Department shall give priority to converting the facility to other criminal justice use. Consistent with existing law and the future needs of the Department of Public Safety, the State may provide for the transfer or the lease of any of these facilities to counties, municipalities, State agencies, federal agencies, or private firms wishing to convert them to other use. G.S. 146-29.1(f) through (g) shall not apply to a transfer made pursuant to this section. The Department of Public Safety may also consider converting some of the facilities recommended for closing from 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.

DRAFT
SPECIAL PROVISION



2015-CORR-H3-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

MEDICAL COSTS FOR INMATES AND JUVENILE OFFENDERS

SECTION #. Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-707.3. Medical costs for inmates and juvenile offenders.**

(a) The Department of Public Safety shall reimburse those providers and facilities providing approved medical services to inmates and juvenile offenders outside the correctional or juvenile facility the lesser amount of either a rate of seventy percent (70%) of the provider's then-current prevailing charge or two times the then-current Medicaid rate for any given service. The Department shall have the right to audit any given provider to determine the actual prevailing charge to ensure compliance with this provision.

This section does apply to vendors providing services that are not billed on a fee-for-service basis, such as temporary staffing. Nothing in this section shall preclude the Department from contracting with a provider for services at rates that provide greater documentable cost avoidance for the State than do the rates contained in this section or at rates that are less favorable to the State but that will ensure the continued access to care.

(b) The Department of Public Safety shall make every effort to contain medical costs for inmates and juvenile offenders by making use of its own hospital and health care facilities to provide health care services to inmates and juvenile offenders. To the extent that the Department of Public Safety must utilize other facilities and services to provide health care services to inmates and juvenile offenders, the Department shall make reasonable efforts to make use of hospitals or other providers with which it has a contract or, if none is reasonably available, hospitals with available capacity or other health care facilities in a region to accomplish that goal. The Department shall make reasonable efforts to equitably distribute inmates and juvenile offenders among all hospitals or other appropriate health care facilities.

(c) The Department of Public Safety shall report quarterly to the Joint Legislative Oversight Committee on Justice and Public Safety and the chairs of the House of Representative and Senate Appropriations Committees on Justice and Public Safety on:

(1) The percentage of the total inmates and juvenile offenders requiring hospitalization or hospital services who receive that treatment at each hospital.

(2) The volume of services provided by community medical providers that can be scheduled in advance and, of that volume, the percentage of those services that are provided by contracted providers.

(3) The volume of services provided by community medical providers that cannot be scheduled in advance and, of that volume, the percentage of those services that are provided by contracted providers.

(4) The volume of services provided by community medical providers that are emergent cases requiring hospital admissions and emergent cases not requiring hospital admissions.

(5) The volume of inpatient medical services provided to Medicaid-eligible inmates and juvenile offenders, the cost of treatment, and the estimated savings of paying the nonfederal portion of Medicaid for the services.

(6) The hospital utilization, including the amount paid to individual hospitals, the number of inmates and juvenile offenders served, and the number of claims."

DRAFT
SPECIAL PROVISION

2015-CORR-H4-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

STATEWIDE MISDEMEANANT CONFINEMENT FUND/MONTHLY AND ANNUAL REPORTS

SECTION #.(a) The North Carolina Sheriffs' Association shall report monthly by the 15th day of each month to the Office of State Budget and Management and the Fiscal Research Division on the Statewide Misdemeanant Confinement Program. Each monthly report shall include the following:

(1) The daily population, delineated by misdemeanant or DWI monthly housing.
(2) The cost of housing prisoners under the Program.
(3) The cost of transporting prisoners under the Program.
(4) Personnel costs.
(5) Inmate medical care costs.
(6) The number of counties that volunteer to house inmates under the Program.
(7) The administrative costs paid to the Sheriffs' Association and to the Department of Public Safety.

SECTION #.(b) The North Carolina Sheriffs' Association shall report by October 1 of each year to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Joint Legislative Oversight Committee on Justice and Public Safety on the Statewide Misdemeanant Confinement Program. The annual report shall include the following with respect to the prior fiscal year:

(1) Revenue collected by the Statewide Misdemeanant Confinement Program.
(2) The cost of housing prisoners by county under the Program.
(3) The cost of transporting prisoners by county under the Program.
(4) Personnel costs by county.
(5) Inmate medical care costs by county.
(6) The number of counties that volunteer to house inmates under the Program.
(7) The administrative costs paid to the Sheriffs' Association and to the Department of Public Safety.

DRAFT
SPECIAL PROVISION

2015-CORR-H5-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

INMATE CONSTRUCTION PROGRAM

SECTION #. Notwithstanding G.S. 66-58 or any other provision of law, during the 2015-2017 fiscal biennium, the State Construction Office may, wherever feasible, utilize inmates in the custody of the Division of Adult Correction of the Department of Public Safety through the Inmate Construction Program for repair and renovation projects on State-owned facilities, with priority given to Department of Public Safety construction projects.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT
SPECIAL PROVISION

2015-CORR-H6-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

MAINTENANCE OF PRISONS

SECTION #. The Department of Public Safety shall not expand private maintenance contracts to additional prison facilities or continue existing private contracts for prison maintenance unless authorized by the General Assembly. If the Department determines that expanding private maintenance contracts to additional prison facilities or continuing existing contracts is necessary, then it shall submit its request to the General Assembly by May 1, 2016, stating (i) the ways in which the State can realize savings by doing so and (ii) that safety can be maintained at the facilities where those contracts are expanded or continued.

DRAFT
SPECIAL PROVISION

2015-CORR-H7-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

DETER INMATE ACCESS TO CELL PHONES

SECTION #. The Department of Public Safety, Division of Adult Correction, may use funds available to fund enhanced prison security technology to deter illegal access of cell phones by inmates in the State's prison system. The Division of Adult Correction is encouraged to identify non-General Fund sources of funds, including federal and foundation grants and other receipts, to achieve this purpose.

DRAFT
SPECIAL PROVISION

2015-CORR-H13-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

REPORT ON CONTRACTS FOR HOUSING STATE PRISONERS/REPEAL AUTHORIZATION FOR LEASE-PURCHASE OF PRISON FACILITIES FROM PRIVATE FIRMS

SECTION #.(a) G.S. 148-37(i) reads as rewritten:

"(i) The Division of Adult Correction of the Department of Public Safety shall make a written report no later than March 1 of every ~~odd-numbered~~ year, beginning in 1997, on the substance of all outstanding contracts for the housing of State prisoners entered into under the authority of this section. The report shall be submitted to ~~the Council of State, the Department of Administration, the Joint Legislative Commission on Governmental Operations, and~~ the Joint Legislative Oversight Committee on Justice and Public Safety. ~~In addition to the report, the Division of Adult Correction of the Department of Public Safety shall provide information on contracts for the housing of State prisoners as requested by these groups.~~"

SECTION #.(b) G.S. 148-37.2 is repealed.

DRAFT
SPECIAL PROVISION

2015-CORR-H14-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

ANNUAL REPORT ON SAFEKEEPERS

SECTION #. Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-707.4. Annual report on safekeepers.**

The Department of Public Safety shall report by October 1 of each year to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on county prisoners housed in the State prison system pursuant to safekeeping orders under G.S. 162-39(b) to avoid security risks in county jails or due to insufficient or inadequate county facilities. The report shall include:

(1) The number of safekeepers currently housed by the Department.

(2) A list of the facilities where safekeepers are housed and the population of safekeepers by facility.

(3) The average length of stay by a safekeeper in one of those facilities.

(4) The amount paid by counties for housing and extraordinary medical care of safekeepers.

(5) A list of the counties in arrears for safekeeper payments owed to the Department at the end of the fiscal year.

DRAFT
SPECIAL PROVISION

2015-CORR-H15-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

COLLECTION OF DELINQUENT SAFEKEEPER REIMBURSEMENTS

SECTION #. G.S. 148-10.4 is amended by adding a new subsection to read:

"(f) Upon notification from the Division of Adult Correction that an amount owed by a county for safekeeper reimbursements authorized under G.S. 162-39 is more than 120 days overdue, the Sheriffs' Association shall withhold funds from any reimbursements due to a county under this section and transmit those funds to the Division until that overdue safekeeper reimbursement is satisfied."

DRAFT
SPECIAL PROVISION

2015-CORR-H17-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

PRISON BEHAVIORAL HEALTH POSITIONS

SECTION #. Notwithstanding any other provision of law, the Section of Prisons of the Division of Adult Correction may post, advertise, accept applications for, and interview for positions established or authorized by this act related to behavioral health treatment prior to the effective date of the establishment of those positions.

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

PAROLE ELIGIBILITY REPORT

SECTION #. Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-721.1. Parole eligibility reports.**

(a) Each fiscal year the Post-Release Supervision and Parole Commission shall, with the assistance of the North Carolina Sentencing and Policy Advisory Commission and the Department of Public Safety, analyze the amount of time each inmate who is eligible for parole on or before July 1 of the previous fiscal year has served compared to the time served by offenders under Structured Sentencing for comparable crimes. The Commission shall determine if the person has served more time in custody than the person would have served if sentenced to the maximum sentence under the provisions of Article 81B of Chapter 15A of the General Statutes. The "maximum sentence", for the purposes of this section, shall be calculated as set forth in subsection (b) of this section.

(b) For the purposes of this section, the following rules apply for the calculation of the maximum sentence:

(1) The offense upon which the person was convicted shall be classified as the same felony class as the offense would have been classified if committed after the effective date of Article 81B of Chapter 15A of the General Statutes.

(2) The minimum sentence shall be the maximum number of months in the presumptive range of minimum durations in Prior Record Level VI of G.S. 15A-1340.17(c) for the felony class determined under subdivision (1) of this subsection. The maximum sentence shall be calculated using G.S. 15A-1340.17(d), (e), or (e1).

(3) If a person is serving sentences for two or more offenses that are concurrent in any respect, then the offense with the greater classification shall be used to determine a single maximum sentence for the concurrent offenses. The fact that the person has been convicted of multiple offenses may be considered by the Commission in making its determinations under subsection (a) of this section.

(c) The Post-Release Supervision and Parole Commission shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety by April 1 of each year. The report shall include the following: the class of the offense for which each parole-eligible inmate was convicted and whether an inmate had multiple criminal convictions. The Commission shall reinitiate the parole review process for each offender who has served more time than that person would have under Structured Sentencing as provided by subsections (a) and (b) of this section.

The Commission shall also report on the number of parole-eligible inmates reconsidered in compliance with this section and the number who were actually paroled."

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

PROBATION AND PAROLE VEHICLES

SECTION #.(a) G.S. 143-341(i) reads as rewritten:

"**§ 143-341. Powers and duties of Department.**

The Department of Administration has the following powers and duties:

...

(8) General Services:

...

i. To establish and operate a central motor pool and such subsidiary related facilities as the Secretary may deem necessary, and to that end:

...

3. To require on a schedule determined by the Department all State agencies to transfer ownership, custody or control of any or all passenger motor vehicles within the ownership, custody or control of that agency to the Department, except those motor vehicles (i) under the ownership, custody or control of the Highway Patrol, the State Bureau of Investigation, or the constituent institutions of The University of North Carolina which are used primarily for law-enforcement ~~purposes.~~ purposes; or (ii) under the ownership, custody, or control of the Section of Community Corrections of the Division of Adult Correction of the Department of Public Safety that are used primarily for supervising offenders who have been placed on probation, parole, post-release supervision, or other community–based programs.

..."

SECTION #.(b) All vehicles exempted from motor fleet requirements under G.S. 143-341(8)i.3.(ii), as enacted by subsection (a) of this section, that are assigned to probation and parole positions in the Section of Community Corrections of the Division of Adult Correction of the Department of Public Safety and housed with the Department of Administration as of June 30, 2015, are transferred to the Department of Public Safety effective July 1, 2015.

SECTION #.(c) Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-707.5. Probation and parole vehicles.**

The Department of Public Safety shall be responsible for insuring, maintaining, and replacing as needed all vehicles under the ownership, custody, or control of the Section of Community Corrections of the Division of Adult Correction and exempted from the motor fleet

requirements under G.S. 143-341(8)i.3.(ii) for use as probation and parole vehicles. The Department may contract with private vendors for the maintenance and upfitting of those vehicles, or it may use resources within the Department for those purposes if the costs are equivalent or cost-savings may be realized by doing so. The Department shall report annually to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on the number of vehicles being used as probation and parole vehicles, the replacement schedule for those vehicles, and the costs of fueling, insuring, and maintaining those vehicles."

SECTION #.(d) The Department of Administration shall transfer from the Motor Fleet Fund to the Department of Public Safety up to the sum of ten million one hundred twenty-one thousand sixty-nine dollars ($10,121,069) during the 2015-2017 biennium for the purchase of vehicles for probation and parole officers.

SECTION #.(e) The Department of Public Safety may use funds appropriated to the Department for probation and parole vehicles to create new positions within the Department for the support and maintenance of those vehicles if it finds, pursuant to its authority under G.S. 143B-707.5, as enacted by subsection (c) of this section, that the costs are equivalent or that cost-savings may be realized by using Department resources rather than contracting with private vendors. The Department shall report by July 1, 2016, to Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on any positions created pursuant to this subsection.

DRAFT
SPECIAL PROVISION

2015-CORR-H19-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

INTERSTATE COMPACT FEES TO SUPPORT OPERATING NEEDS

SECTION #. G.S. 148-65.7(a) reads as rewritten:

"(a) Persons convicted in this State who make a request for transfer to another state pursuant to the compact shall pay a transfer application of two hundred fifty dollars ($250.00) for each transfer application submitted. The transfer application fee shall be paid to the Compact Commissioner upon submission of the transfer application. The Commissioner or the Commissioner's designee may waive the application fee if either the Commissioner or the Commissioner's designee finds that payment of the fee will constitute an undue economic burden on the offender.

All fees collected pursuant to this section shall be deposited in the Interstate Compact Fund and shall be used ~~only~~ to support administration of the Interstate ~~Compact.~~ Compact and operational costs for the Section of Community Corrections of the Division of Adult Correction.

The Interstate Compact Fund is established within the Division of Adult Correction of the Department of Public Safety as a nonreverting, interest-bearing special revenue account. Accordingly, revenue in the Fund at the end of a fiscal year does not revert, and interest and other investment income earned by the Fund shall be credited to it. All moneys collected by the Division of Adult Correction of the Department of Public Safety pursuant to this subsection shall be remitted to the State Treasurer to be deposited and held in this Fund. Moneys in the Fund shall be used to supplement funds otherwise available to the Division of Adult Correction of the Department of Public Safety for the administration of the Interstate ~~Compact.~~ Compact and operational costs for the Section of Community Corrections."

Division of Juvenile Justice - DPS
House Appropriations, Justice and Public Safety

Requested by: Representative

LIMIT USE OF COMMUNITY PROGRAM FUNDS

SECTION #.(a) Funds appropriated in this act to the Department of Public Safety for the 2015-2017 fiscal biennium for community program contracts that are not required for or used for community program contracts shall only be used for the following:

(1) Other statewide residential programs that provide Level 2 intermediate dispositional alternatives for juveniles.

(2) Statewide community programs that provide Level 2 intermediate dispositional alternatives for juveniles.

(3) Regional programs that are collaboratives of two or more Juvenile Crime Prevention Councils which provide Level 2 intermediate dispositional alternatives for juveniles.

(4) The Juvenile Crime Prevention Council funds to be used for the Level 2 intermediate dispositional alternatives for juveniles listed in G.S. 7B-2506(13) through (23).

SECTION #.(b) Under no circumstances shall funds appropriated by this act to the Department of Public Safety for the 2015-2017 fiscal biennium for community programs be used for staffing, operations, maintenance, or any other expenses of youth development centers or detention facilities.

SECTION #.(c) The Department of Public Safety shall submit an electronic report by October 1, 2015, and a second electronic report by October 1, 2016, on all expenditures made from the miscellaneous contract line in Fund Code 1230 to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Fiscal Research Division. The report shall include all of the following: an itemized list of the contracts that have been executed, the amount of each contract, the date the contract was executed, the purpose of the contract, the number of juveniles that will be served and the manner in which they will be served, the amount of money transferred to the Juvenile Crime Prevention Council fund, and an itemized list of grants allocated from the funds transferred to the Juvenile Crime Prevention Council fund.

DRAFT
SPECIAL PROVISION

2015-JUV-H3-P

Division of Juvenile Justice - DPS
House Appropriations, Justice and Public Safety

Requested by: **Representative**

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

SECTION #. Funds appropriated in this act to the Department of Public Safety for each fiscal year of the 2015-2017 fiscal biennium 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 Public Safety regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Public Safety shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Joint Legislative Oversight Committee on Justice and Public Safety prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the 2015-2016 fiscal year, the amount of funds anticipated for the 2016-2017 fiscal year, and the allocation of funds by program and purpose.

DRAFT
SPECIAL PROVISION

2015-ATTY-H3-P

Attorney General's Office
House Appropriations, Justice and Public Safety

Requested by: **Representative**

NO HIRING OF SWORN STAFF POSITIONS FOR THE NORTH CAROLINA STATE CRIME LABORATORY

SECTION #. The Department of Justice shall not hire sworn personnel to fill vacant positions in the North Carolina State Crime Laboratory. Nothing in this section shall be construed to require the termination of sworn personnel, but as vacant positions in the State Crime Laboratory are filled, they shall be filled only with nonsworn personnel. Nothing in this section shall be construed to affect North Carolina State Crime Laboratory personnel who are sworn and employed by the Laboratory as of the effective date of this section and who continue to meet the sworn status retention standards mandated by the North Carolina Criminal Justice Education and Standards Commission.

DRAFT
SPECIAL PROVISION

2015-ATTY-H4-P

Attorney General's Office
House Appropriations, Justice and Public Safety

Requested by: **Representative**

AMEND DNA DATABASE REPORTING REQUIREMENTS

SECTION #. G.S. 15A-266.5(c) reads as rewritten:

"(c) The Crime Laboratory shall report annually to ~~the Joint Legislative Commission on Governmental Operations and to~~ the Joint Legislative Oversight Committee on Justice and Public Safety, on or before ~~February 1.~~September 1, with information for the previous ~~calendar~~ fiscal year, which shall include: a summary of the operations and expenditures relating to the DNA Database and DNA Databank; the number of DNA records from arrestees entered; the number of DNA records from arrestees that have been expunged; and the number of DNA arrestee matches or hits that occurred with an unknown sample, and how many of those have led to an arrest and conviction; and how many letters notifying defendants that a record and sample have been expunged, along with the number of days it took to complete the expunction and notification process, from the date of the receipt of the verification form from the State."

Requested by: Representative

COLLECT DNA/ALL VIOLENT FELONY ARRESTS

SECTION #.(a) G.S. 15A-266.3A(f) reads as rewritten:

"(f) This section shall apply to a person arrested for violating any one of the following offenses in Chapter 14 of the General Statutes:

(1) G.S. 14-16.6(b), Assault with a deadly weapon on executive, legislative, or court officer; and G.S. 14-16.6(c), Assault inflicting serious bodily injury on executive, legislative, or court officer.

(1a) G.S. 14-17, First and Second Degree Murder.

(2) G.S. 14-18, Manslaughter.

(2a) Any felony offense in Article 6A, Unborn Victims.

(3) Any offense in Article 7A, Rape and Other Sex Offenses.

(4) G.S. 14-28, Malicious castration; G.S. 14-29, Castration or other maiming without malice aforethought; G.S. 14-30, Malicious maiming; G.S. 14-30.1, Malicious throwing of corrosive acid or alkali; G.S. 14-31, Maliciously assaulting in a secret manner; G.S. 14-32, Felonious assault with deadly weapon with intent to kill or inflicting serious injury; ~~G.S. 14-32.4(a),~~G.S. 14-32.1(e), Aggravated assault or assault and battery on handicapped person; G.S. 14-32.2(a) when punishable pursuant to G.S. 14-32.2(b)(1), Patient abuse and neglect, intentional conduct proximately causes death; G.S. 14-32.3(a), Domestic abuse of disabled or elder adults resulting in injury; G.S. 14-32.4, Assault inflicting serious bodily ~~injury;~~injury or injury by strangulation; G.S. 14-33.2, Habitual misdemeanor assault; G.S. 14-34.1, Discharging certain barreled weapons or a firearm into occupied property; G.S. 14-34.2, Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers; G.S. 14-34.4, Adulterated or misbranded food, drugs, etc.; intent to cause serious injury or death; intent to extort; G.S. 14-34.5, Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; G.S. 14-34.6, Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, or emergency department physician; ~~and~~ G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention ~~facility.~~facility; G.S. 14-34.9, Discharging a firearm from within an enclosure; and G.S. 14-34.10, Discharge firearm within enclosure to incite fear.

(5) Any offense in Article 10, Kidnapping and Abduction, or Article 10A, Human Trafficking.

(5a) Any offense in Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material.

(6) G.S. 14-51, First and second degree burglary; G.S. 14-53, Breaking out of dwelling house burglary; G.S. 14-54(a1), Breaking or entering buildings with intent to terrorize or injure; G.S. 14-54.1, Breaking or entering a place of religious worship; and G.S. 14-57, Burglary with explosives.

(7) Any offense in Article 15, Arson.

(8) G.S. 14-87, Armed ~~robbery.~~robbery; Common law robbery punishable pursuant to G.S. 14-87.1; and G.S. 14-88, Train robbery.

(8a) G.S. 14-163.1(a1), Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal willfully killing the animal.

(9) Any offense which would require the person to register under the provisions of Article 27A of Chapter 14 of the General Statutes, Sex Offender and Public Protection Registration Programs.

(10) G.S. 14-196.3, Cyberstalking.

(10a) G.S. 14-202, Secretly peeping into room occupied by another person.

(10b) G.S. 14-258.2, Possession of dangerous weapon in prison resulting in bodily injury or escape; G.S. 14-258.3, Taking of hostage, etc., by prisoner; and G.S. 14-258.4, Malicious conduct by prisoner.

(11) G.S. 14-277.3A, Stalking.

(12) G.S. 14-288.9, Assault on emergency personnel with a dangerous weapon or substance.

(13) G.S. 14-288.21, Unlawful manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of a nuclear, biological, or chemical weapon of mass destruction; exceptions; and G.S. 14-288.22, Unlawful use of a nuclear, biological, or chemical weapon of mass destruction.

(14) G.S. 14-318.4(a), Child abuse inflicting serious injury and G.S. 14-318.4(a3), Child abuse inflicting serious bodily injury.

(15) G.S. 14-360(a1), Cruelty to animals; maliciously kill by intentional deprivation of necessary sustenance; and G.S. 14-360(b), Cruelty to animals; maliciously torture, mutilate, maim, cruelly beat, disfigure, poison, or kill.

(16) G.S. 14-401.22(e), Attempt to conceal evidence of non-natural death by dismembering or destroying remains."

SECTION #.(b) This section becomes effective December 1, 2015, and applies to arrests occurring on or after that date.

DRAFT
SPECIAL PROVISION

2015-ATTY-H6-P

Attorney General's Office
House Appropriations, Justice and Public Safety

Requested by: **Representative**

DEPARTMENT OF JUSTICE POSITIONS

SECTION #. Notwithstanding any other provision of law, the Department of Justice may post, advertise, accept applications for, and interview for positions established or authorized by this act in the Department of Justice prior to the effective date of the establishment of those positions.

DRAFT
SPECIAL PROVISION

2015-AOC-H5-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: Representative

AOC ANNUAL REPORT

SECTION #. G.S. 7A-343 reads as rewritten:

"**§ 7A-343. Duties of Director.**

The Director is the Administrative Officer of the Courts, and the Director's duties include all of the following:

...

(8) Prepare and submit an annual report on the work of the Judicial Department to the Chief Justice, and transmit a copy by March 15 of each year to the Chairs of the House of Representatives and Senate Appropriations ~~Subcommittee~~ Committees on Justice and Public Safety ~~and the Senate Appropriations Committee on Justice and Public Safety~~ and to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety.

...."

DRAFT
SPECIAL PROVISION

2015-AOC-H7-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

CONSOLIDATE BUSINESS COURT REPORTS

SECTION #. G.S. 7A-343(8a) is repealed.

DRAFT
SPECIAL PROVISION

2015-AOC-H13-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

ANNUAL REPORT ON CRIMINAL COURT COST WAIVERS

SECTION #. Article 29 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-350. Annual report on criminal court cost waivers.**

The Administrative Office of the Courts shall maintain records of all cases in which a judge makes a finding of just cause to grant a waiver of criminal court costs under G.S. 7A-304(a) and shall report on those waivers to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by February 1 of each year. The report shall aggregate the waivers by the district in which the waiver or waivers were granted and by the name of each judge granting a waiver or waivers."

DRAFT
SPECIAL PROVISION

2015-AOC-H10-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

GRANT FUNDS

SECTION #. Notwithstanding G.S. 143C-6-9, the Administrative Office of the Courts may use up to the sum of one million five hundred thousand dollars ($1,500,000) from funds available to the Department to provide the State match needed in order to receive grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

DRAFT
SPECIAL PROVISION

2015-AOC-H11-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

COLLECTION OF WORTHLESS CHECK FUNDS

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, 2015, for the purchase or repair of office or information technology equipment during the 2015-2016 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Office of State Budget and Management on the equipment to be purchased or repaired and the reasons for the purchases.

DRAFT
SPECIAL PROVISION

2015-AOC-H9-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

REIMBURSEMENT FOR USE OF PERSONAL VEHICLES

SECTION #. Notwithstanding the provisions of G.S. 138-6(a)(1), the Judicial Department, during the 2015-2017 fiscal biennium, may elect to establish a per-mile reimbursement rate for transportation by privately owned vehicles at a rate less than the business standard mileage rate set by the Internal Revenue Service.

DRAFT
SPECIAL PROVISION

2015-AOC-H12-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

CONFERENCE OF DISTRICT ATTORNEY GRANT FUNDS

SECTION #. Section 18B.4 of S.L. 2013-360 reads as rewritten:

"**SECTION 18B.4.** Of the funds appropriated in this act to the Judicial Department, the sum of five hundred thousand dollars ($500,000) in the 2013-2014 fiscal year shall be allocated to the Conference of District Attorneys and shall be used to establish a grant fund to provide district attorneys across the State with the resources to obtain toxicology analysis from local hospitals on persons charged with driving while impaired whose conduct did not result in serious injury or death to others. The Conference of District Attorneys shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety ~~by October 1, 2014,~~ on the expenditure of these ~~funds.~~funds by October 1 of each year until all of the grant funds have been expended."

DRAFT
SPECIAL PROVISION

2015-AOC-H17-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

DISTRICT ATTORNEY LEGAL ASSISTANTS

SECTION #.(a) G.S. 7A-347 reads as rewritten:

"**§ 7A-347. ~~Assistants for administrative and victim and witness services.~~District attorney legal assistants.**

~~Assistant for administrative and victim and witness services~~ District attorney legal assistant positions are established under the district attorneys' offices. Each prosecutorial district is allocated at least one ~~assistant for administrative and victim and witness services~~ district attorney legal assistant to be employed by the district attorney. The Administrative Office of the Courts shall allocate additional assistants to prosecutorial districts on the basis of need and within available appropriations. Each district attorney may also use any volunteer or other personnel to assist the assistant. The assistant is responsible for coordinating efforts of the law-enforcement and judicial systems to assure that each victim and witness is provided fair treatment under Article 45 of Chapter 15A, Fair Treatment for Victims and Witnesses and shall also provide administrative and legal support to the district attorney's office."

SECTION #.(b) G.S. 7A-348 reads as rewritten:

"**§ 7A-348. Training and supervision of ~~assistants for administrative and victim and witness services.~~district attorney legal assistants.**

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;~~district attorney legal assistants; and

(2) Assist in the implementation and supervision of this program."

SECTION #.(c) G.S. 15A-826 reads as rewritten:

"**§ 15A-826. ~~Assistants for administrative and victim and witness services.~~District attorney legal assistants.**

In addition to providing administrative and legal support to the district attorney's office, ~~assistants for administrative and victim and witness services~~district attorney legal assistants are responsible for coordinating efforts within the law-enforcement and judicial systems to assure that each victim and witness is treated in accordance with this Article."

DRAFT
SPECIAL PROVISION

2015-AOC-H2-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: Representative

REPORT ON DISMISSALS DUE TO DELAY IN ANALYSIS OF EVIDENCE

SECTION #. Whenever a criminal case is dismissed as a direct result of a delay in the analysis of evidence by the State Crime Laboratory, the district attorney for the district in which the case was dismissed shall report that dismissal and the facts surrounding it to the Conference of District Attorneys. The Conference of District Attorneys shall compile any such reports of dismissals and shall report them quarterly starting October 30, 2015, to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety.

DRAFT
SPECIAL PROVISION

2015-AOC-H8-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

ALLOCATION OF ASSISTANT DISTRICT ATTORNEYS

SECTION #. G.S. 7A-60 reads as rewritten:

"**§ 7A-60. District attorneys and prosecutorial districts.**

...

(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	~~11~~
2	Beaufort, Hyde, Martin, Tyrrell, Washington	~~8~~
3A	Pitt	~~11~~
3B	Carteret, Craven, Pamlico	~~12~~
4	Duplin, Jones, Onslow, Sampson	~~18~~
5	New Hanover, Pender	~~18~~
6	Bertie, Halifax, Hertford, Northampton	~~10~~
7	Edgecombe, Nash, Wilson	~~18~~
8	Greene, Lenoir, Wayne	~~14~~
9	Franklin, Granville, Vance, Warren	~~10~~
9A	Person, Caswell	~~6~~
10	Wake	~~41~~
11A	Harnett, Lee	~~9~~
11B	Johnston	~~10~~
12	Cumberland	~~23~~
13	Bladen, Brunswick, Columbus	~~13~~
14	Durham	~~18~~
15A	Alamance	~~11~~
15B	Orange, Chatham	~~10~~
16A	Scotland, Hoke	~~7~~
16B	Robeson	~~12~~
16C	Anson, Richmond	~~6~~
17A	Rockingham	~~7~~

17B	Stokes, Surry	~~8~~
18	Guilford	~~32~~
19A	Cabarrus	~~9~~
19B	Montgomery, Randolph	~~9~~
19C	Rowan	~~8~~
19D	Moore	~~5~~
20A	Stanly	~~5~~
20B	Union	~~10~~
21	Forsyth	~~25~~
22A	Alexander, Iredell	~~11~~
22B	Davidson, Davie	~~11~~
23	Alleghany, Ashe, Wilkes, Yadkin	~~8~~
24	Avery, Madison, Mitchell, Watauga, Yancey	~~7~~
25	Burke, Caldwell, Catawba	~~18~~
26	Mecklenburg	~~58~~
27A	Gaston	~~14~~
27B	Cleveland, Lincoln	~~11~~
28	Buncombe	~~14~~
29A	McDowell, Rutherford	~~7~~
29B	Henderson, Polk, Transylvania	~~8~~
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain.	~~10~~

(a2) ~~Upon the convening of each regular session of the General Assembly and its reconvening in the even-numbered year, the~~The Administrative Office of the Courts shall report by March 15 of each year on its ~~recommendations regarding the~~ allocation of assistant district attorneys for the upcoming fiscal biennium and fiscal year to the General Assembly, including any request for additional assistant district attorneys. The report shall include the number of assistant district attorneys that the Administrative Office of the Courts ~~recommends to be~~has allocated to each prosecutorial district and the workload formula established through the National Center for State Courts on which each ~~recommended~~ allocation is based. Any reports required under this subsection shall be made to ~~the Joint Legislative Commission of Governmental Operations.~~ the House of Representatives and Senate Appropriations ~~Subcommittees~~Committees on Justice and Public, and the Fiscal Research Division.

...."

DRAFT
SPECIAL PROVISION

2015-AOC-H6A-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

AMEND COURT COSTS

SECTION #. G.S. 7A-304(a) reads as rewritten:

"(a) In every criminal case in the superior or district court, wherein the defendant is convicted, or enters a plea of guilty or nolo contendere, or when costs are assessed against the prosecuting witness, the following costs shall be assessed and collected. No costs may be assessed when a case is dismissed. Only upon entry of a written order, supported by findings of fact and conclusions of law, determining that there is just cause, the court may (i) waive costs assessed under this section or (ii) waive or reduce costs assessed under subdivision (7), (8), (8a), (11), (12), or (13) of this section.

...

~~(2b) For the maintenance of misdemeanors in county jails, the sum of eighteen dollars ($18.00) in the district court to be remitted to the Statewide Misdemeanor Confinement Fund in the Division of Adult Correction of the Department of Public Safety.~~

...

(4) For support of the General Court of Justice, the sum of ~~one hundred twenty-nine dollars and fifty cents ($129.50)~~ one hundred forty-seven dollars and fifty cents ($147.50) in the district court, including cases before a magistrate, and the sum of one hundred fifty-four dollars and fifty cents ($154.50) in the superior court, to be remitted to the State Treasurer. For a person convicted of a felony in superior court who has made a first appearance in district court, both the district court and superior court fees shall be assessed. The State Treasurer shall remit the sum of one dollar and fifty cents ($1.50) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4, and ninety-five cents ($.95) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.19.

...

(4b) ~~To provide for contractual services to reduce county jail populations,~~ For additional support of the General Court of Justice, the sum of fifty dollars ($50.00) for all offenses arising under Chapter 20 of the General Statutes and resulting in a conviction of an improper equipment offense, to be remitted to the ~~Statewide Misdemeanor Confinement Fund in the Division of Adult Correction of the Department of Public Safety.~~ State Treasurer.

...."

DRAFT
SPECIAL PROVISION

2015-AOC-H3-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

AMEND CERTIFICATE OF RELIEF/FEE

SECTION #.(a) G.S. 15A-173.2(a) reads as rewritten:

"(a) An individual who is convicted of ~~no more than two Class G, H, or I felonies or misdemeanors in one session of court, and who has no other convictions for a felony or misdemeanor other than a traffic violation,~~criminal offenses no higher than a Class G felony may petition the court where the individual was convicted of his or her most serious offense for a Certificate of Relief relieving collateral consequences as permitted by this Article. Except as otherwise provided in this subsection, after payment by the petitioner of the fee required by G.S. 7A-313.2, the petition shall be heard by the senior resident superior court judge if the convictions were in superior court, or the chief district court judge if the convictions were in district court. The senior resident superior court judge and chief district court judge in each district may delegate their authority to hold hearings and issue, modify, or revoke Certificates of Relief to judges, clerks, or magistrates in that district."

SECTION #.(b) Article 28 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-313.2. Certificate of relief fee.**

A person who petitions the court for a Certificate of Relief pursuant to Article 6 of this Chapter shall pay an administrative fee of fifty dollars ($50.00) at the time of the filing of the petition. The fee shall be remitted to the State Treasurer for support of the General Court of Justice."

SECTION #.(c) This section becomes effective October 1, 2015, and applies to certificates issued on or after that date.

DRAFT
SPECIAL PROVISION

2015-AOC-H14-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

FAMILY COURT PROGRAMS

SECTION #. The Administrative Office of the Courts shall provide direction and oversight to the existing family court programs in order to ensure that each district with a family court program is utilizing best practices and is working effectively and efficiently in the disposition of domestic and juvenile cases. The Administrative Office of the Courts shall report on its efforts in this regard and the results of those efforts to the chairs of the House of Representatives and Senate Appropriations Committee on Justice and Public Safety and the Joint Legislative Oversight Committee on Justice and Public Safety by March 1 of each year.

DRAFT
SPECIAL PROVISION

2015-AOC-H18-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

SPECIALTY COURTS/USE CLERK OF COURT PERSONNEL AND RESOURCES

SECTION #. Article 14 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-146.1. Specialty sessions of court; use of clerk of court personnel and resources.**

Upon the request of a clerk of court or district attorney, or upon the judge's own initiative, a chief district court judge may, pursuant to the judge's authority under G.S. 7A-146(7) to arrange sessions for the trial of specialized cases, authorize the establishment in the district court district of the holding of sessions of court in which related specialized cases or matters are adjudicated, including the holding of family court, drug treatment court, veterans' court, DWI court, mental health court, or any other innovative use of a session of court. With the consent of the clerk of superior court, the court may make use of the personnel and resources of the clerk's office to administer these specialty sessions."

DRAFT
SPECIAL PROVISION

2015-AOC-H21-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

COMPENSATION OF COURT REPORTERS

SECTION #. Section 18B.21A of S.L. 2013-360 is repealed.

DRAFT
SPECIAL PROVISION

2015-AOC-H20-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

INNOCENCE INQUIRY COMMISSION

SECTION #. G.S. 15A-1462 reads as rewritten:

"**§ 15A-1462. Commission established.**

(a) There is established the North Carolina Innocence Inquiry Commission. The North Carolina Innocence Inquiry Commission shall be an independent commission under the ~~Judicial Department~~ Administrative Office of the Courts for administrative purposes.

(b) The Administrative Office of the Courts shall provide administrative support to the Commission as needed. The Director of the Administrative Office of the Courts shall not reduce or modify the budget of the Commission or use funds appropriated to the Commission without the approval of the Commission. The Administrative Office of the Courts shall conduct an annual audit of the Commission."

DRAFT
SPECIAL PROVISION

2015-AOC-H4A-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

TRANSFER OFFICE OF INDIGENT DEFENSE SERVICES TO THE ADMINISTRATIVE OFFICE OF THE COURTS

SECTION #. G.S. 7A-498.2 reads as rewritten:

"**§ 7A-498.2. Establishment of Office of Indigent Defense Services.**

(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 and the Sentencing Services Program established in Article 61 of this Chapter, is created within the ~~Judicial Department.~~ Administrative Office of the Courts. 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.

(b) The Office of Indigent Defense Services shall exercise its prescribed powers independently of the head of the Administrative Office of the Courts. The Office may enter into contracts, own property, and accept funds, grants, and gifts from any public or private source to pay expenses incident to implementing its purposes.

(c) The Director of the Administrative Office of the Courts shall provide general administrative support to the Office of Indigent Defense Services. The term "general administrative support" includes purchasing, payroll, and similar administrative services.

(d) The budget of the Office of Indigent Defense Services shall be a part of the ~~Judicial Department's budget.~~ budget of the Administrative Office of the Courts. The Commission on Indigent Defense Services shall consult with the Director of the Administrative Office of the Courts, who shall assist the Commission in preparing and presenting to the General Assembly the Office's budget, but the Commission shall have the final authority with respect to preparation of the Office's budget and with respect to representation of matters pertaining to the Office before the General Assembly. The Administrative Office of the Courts shall conduct an annual audit of the budget of the Office of Indigent Defense Services.

(e) The Director of the Administrative Office of the Courts shall not reduce or modify the budget of the Office of Indigent Defense Services or use funds appropriated to the Office without the approval of the Commission."

DRAFT
SPECIAL PROVISION

2015-AOC-H16-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by: **Representative**

STUDY FUTURE OF INDIGENT DEFENSE SERVICES COMMISSION AND INNOCENCE INQUIRY COMMISSION

SECTION #. The Legislative Research Commission shall study:

(1) The Office of Indigent Defense Services and determine whether changes should be made to the ways in which appropriated funds are used to provide legal assistance and representation to indigent persons.

(2) The North Carolina Innocence Inquiry Commission and determine whether changes should be made to the way in which the Commission investigates and determines credible claims of factual innocence made by criminal defendants.

The Legislative Research Commission shall report its findings and recommendations, including any proposed legislation, to the 2015 General Assembly when it reconvenes in 2016.

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by: **Representative**

INDIGENT DEFENSE SERVICES ANNUAL REPORT DATE CHANGE

SECTION #. G.S. 7A-498.9 reads as rewritten:

"**§ 7A-498.9. Annual report on Office of Indigent Defense Services.**

The Office of Indigent Defense Services shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House of Representatives ~~Subcommittee~~and Senate Committees on Justice and Public Safety~~ and the Senate Appropriations Committee on Justice and Public Safety~~ by ~~February 1~~ March 15 of each year on the following:

(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 services, 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, including any recommendations concerning the feasibility and desirability of establishing regional public defender offices."

DRAFT
SPECIAL PROVISION

2015-IDS-H5-P

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by: **Representative**

OFFICE OF INDIGENT DEFENSE SERVICES/STATE MATCH FOR GRANTS

SECTION #. Notwithstanding G.S. 143C-6-9, during the 2015-2017 fiscal biennium, the Office of Indigent Defense Services may use the sum of up to fifty thousand dollars ($50,000) from funds available to provide the State matching funds needed to receive grant funds. Prior to using funds for this purpose, the Office shall report to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

DRAFT
SPECIAL PROVISION

2015-IDS-H2-P

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by: **Representative**

REPORTS ON CRIMINAL CASE INFORMATION SYSTEM

SECTION #. Section 18B.10, as amended by Section 18A.2 of S.L. 2013-360, reads as rewritten:

"**SECTION 18B.10.** The Administrative Office of the Courts, in consultation with the Office of Indigent Defense Services, shall use the sum of three hundred fifty thousand dollars ($350,000) in funds available to the Administrative Office of the Courts for the 2013-2015 fiscal biennium and the sum of three hundred fifty thousand dollars ($350,000) in funds available to the Office of Indigent Defense Services for the 2013-2015 fiscal biennium to develop or acquire and to implement a component of the Department's criminal case information system for use by public defenders no later than February 1, 2015. The Administrative Office of the Courts shall make ~~an interim report~~ interim reports on the development and implementation of this system by February 1, 2014, and July 1, 2015, and ~~a final report on the completed implementation of the system by July 1, 2015,~~ by February 1 of each year through the completed implementation of the system to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House of Representatives and Senate Appropriations ~~Subcommittee~~ Committees on Justice and Public ~~Safety and the Senate Appropriations Committee on Justice and Public~~ Safety."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

DRAFT
SPECIAL PROVISION

2015-IDS-H9-P

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by: **Representative**

STUDY EFFICIENCY OF ESTABLISHING A SYSTEM OF AUTOMATED KIOSKS IN LOCAL CONFINEMENT FACILITIES TO ALLOW ATTORNEYS REPRESENTING INDIGENT DEFENDANTS TO CONSULT WITH THEIR CLIENTS REMOTELY

SECTION #.(a) The Office of Indigent Defense Services shall study and determine whether savings can be realized through the establishment of a system of fully automated kiosks in local confinement facilities to allow attorneys representing indigent defendants to consult with their clients remotely. The system would incorporate technology through which meetings between attorneys and their clients cannot be monitored or recorded.

SECTION #.(b) The Office of Indigent Defense Services shall report its findings and recommendations, including recommendations of at least two potential pilot sites for the proposed system, to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by February 1, 2016.

Attachment C

North Carolina House of Representatives
Appropriations Committee

RULES FOR SUBJECT AREA COMMITTEE PROCEDURES

May 14, 2015

The following rules govern the eligibility of amendments to proposed committee reports:

1. Amendments must be offered by formal amendments.
2. Amendments cannot increase total spending within the proposed committee report.
3. Amendments can only affect appropriations within the departments, agencies, or programs within the jurisdiction of the committee and may not cause a change in another committee's appropriations.
4. Amendments cannot adjust salary and benefit appropriations for the departments, agencies, or programs within the committee report.
5. Amendments cannot spend reversions or include "shall not revert" or "carry forward" language.
6. Amendments cannot use nonrecurring reductions to fund recurring items.
7. Amendments cannot change the recurring and nonrecurring designation of funds.
8. Amendments cannot change substantive policy or law.
9. Amendments may not fund items with "management flexibility reductions."
10. Amendments may not affect agency or program transfers to other committees.
11. Amendments may not include fees or other Finance-related matters.

Attachment 1

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 97

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H97-ALL-6 [v.3]

Amends Title [NO]
JPS Subcommittee Report

Date 5/14 ,2015

Representative ~~Faircloth~~ Daughtry

moves to amend the special provisions package on page 50, line 2, by inserting an "**(a)**" after "**SECTION #.**";

and on page 51, after line 39 by adding the following:

"**SECTION #.(b)** The Administrative Office of the Courts, in conjunction with the National Center for State Courts and the Conference of District Attorneys, shall revisit the workload formula used to determine the allocation of assistant district attorneys under G.S. 7A-60 and determine whether any adjustments should be made to the formula. The Administrative Office of the Courts shall report by May 1, 2016, to the Chairs of the Joint Legislative Committee on Justice and Public Safety and the Chairs of House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the conclusions reached about the workload formula and any recommendations for adjustments."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

H97-ALL-6-V-3

Attachment 2

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 97

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H97-AMD-11 [v.1]

Amends Title [NO]
JPS Subcommittee Report

Date May 14 ,2015

Representative Boles

moves to amend the JPS Subcommittee Money Report on page I-6, item 27 by deleting the word "evidence" in the description of that item.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

H97-AMD-11-V-1

Attachment 3

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 97

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H97-ALL-5 [v.1]

Amends Title [NO]
JPS Subcommittee Report

Date 5/14 ,2015

Representative C. Graham

moves to amend the money report on page I-4, Item 23,
by deleting that item;

and on page I-4, Item 24,
by reducing the amount of that item for the 2015-2016 fiscal year by $959,488;

and on page I-4, Item 25,
by reducing the amount of that item for the the 2015-2016 fiscal year by $540,512;

and by adjusting the appropriate totals accordingly.

SIGNED Graham
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

H97-ALL-5-V-1

Attachment 4

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 97

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H97-ALL-4 [v.2]

Amends Title [NO]
JPS Subcommittee Report

Date 5/14/15 ,2015

Representative Faircloth

moves to amend the special provisions package
by inserting between pages 40 and 41 a new provision to read:

"STUDY THE IMPLEMENTATION AND USE OF BODY-WORN CAMERAS BY LOCAL AND STATE LAW ENFORCEMENT OFFICERS.

SECTION #.(a) Definition. – The term "body-worn camera" means an operational video camera, including a microphone or other mechanism for allowing audio capture, affixed to a law enforcement officer's uniform and positioned in a way that allows the video camera to capture interactions the law enforcement officer has with the public.

SECTION #.(b) Study. – The Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission, in consultation with the School of Government at the University of North Carolina at Chapel Hill, the North Carolina Conference of District Attorneys, and any other organizations the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission jointly determine may assist with the completion of the study required under this section, shall jointly study the implementation and use of body-worn cameras by local and State law enforcement officers. The study shall consider all of the following:

(1) The feasibility of equipping all law enforcement officers with a body-worn camera, including (i) identifying costs that would be incurred by State and local law enforcement agencies, (ii) funding options available to State and local law enforcement agencies for the procurement of body-worn cameras, and (iii) whether the use of body-worn cameras should be restricted to certain types of law enforcement officers.

(2) The type and intensity of training a law enforcement officer should receive prior to using a body-worn camera.

(3) The best practices and procedures for recording, including an identification of (i) situations when the law enforcement officer should activate the body-worn camera to record and (ii) situations in which the law enforcement officer should deactivate the body-worn camera or seek permission prior to recording.

(4) The best practices and procedures for retaining and storing any recordings captured by body-worn cameras, including (i) the costs of retention and

storage, (ii) the types of recordings that should be retained and stored, and (iii) the standard retention and storage schedules for the different types of recordings.

(5) The level of public access which should be allowed to recordings captured by body-worn cameras, including any legislative changes necessary to allow public access.

(6) Any potential constitutional or other legal issues that may arise from the use of body-worn cameras by law enforcement officers.

(7) Any other matters or information the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission jointly deem relevant to the study.

SECTION #.(c) Report. – The Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission shall jointly report their findings and recommendations, including any legislative proposals, by May 1, 2016, to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Attachment 5

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 97

AMENDMENT NO.
(to be filled in by
Principal Clerk)

H97-ALL-2 [v.4]

Amends Title [NO]
JPS Subcommittee Report

Date 5/14 ,2015

Representative Stevens

moves to amend the special provisions package by inserting between pages 20 and 21 a new provision to read:

"**INMATE MEDICAL SERVICES/REQUEST FOR INFORMATION**

SECTION #.(a) Not later than October 1, 2015, the Department of Public Safety shall issue a Request For Information (RFI) for a contractor to provide comprehensive medical care on a Statewide basis to adult inmates and juvenile offenders in the custody of the Department. For purposes of this section, the term "comprehensive medical care" includes physical health services, mental health services, dental services, and pharmacy services, as well as inpatient hospitalization, outpatient care, specialty care, emergency department, dialysis services, and standardization of electronic health information records.

SECTION #.(b) The RFI shall require responses to be due not later than 90 days after the date it is issued by the Department.

SECTION #.(c) The Department shall evaluate the responses to the RFI and report the results of that evaluation, along with any recommendations related to them, to the Joint Legislative Oversight Committee on Justice and Public Safety not later than 60 days after the final date for receipt of responses."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

Attachment 6

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 97

AMENDMENT NO. _____
(to be filled in by Principal Clerk)

H97-ALL-7 [v.1]

Amends Title [NO]
JPS Subcommittee Report

Date 5/14, 2015

Representative Stevens

moves to amend the money report on page I-9,
by inserting a new item to read:

"**38 Special Assistant United States Attorneys** $713,514 R
Creates six Assistant District Attorney positions to ~~9.00~~
act as Special Assistant United States Attorneys 6.00
(SAUSAs) in offices covering all federal districts
around the State. The Conference of District Attorneys
will consult with all of the elected District Attorneys to
determine the best home offices for these positions. The
SAUSAs shall follow best practices as established by the
Conference of District Attorneys. The costs assume that
all six positions will be effective as of July 1, 2016.";

and on page I-9, item 35,
by reducing the amounts for that item by $713,514 for the 2016-2017 fiscal year;

and by adjusting the appropriate totals accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

H97-ALL-7-V-1

Sean Dail (Bill Drafting)

From: Lisa Wilks (Bill Drafting)
Sent: Thursday, May 14, 2015 11:59 AM
[redacted] @Bill Drafting Attorneys
Subject: Motion for Subcommittees

Below is sample language for the motion at the end of your respective subcommittees.

Thanks,

Phyllis and Lisa

Justice & Public Safety Committee

MOVE THAT THE [~~APPLICABLE SUBCOMMITTEE~~] ADOPT THE APPROPRIATIONS SUBCOMMITTEE REPORT, AS AMENDED, (*If applicable)*; AND FURTHER MOVE THAT STAFF BE AUTHORIZED TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES [redacted], AND THAT THE APPROPRIATE TOTALS MAY BE ADJUSTED ACCORDINGLY.

North Carolina General Assembly - House Sergeant-at-Arms

House Staff

Committee: HOUSE CMTE ON JUSTICE & PUBLIC SAFETY Date: 14 MAY 2015

Pages

Name: ZACHARY ROUPE

County: PITT Sponsor: PAUL STAM

Name: NATHAN SASSER

County: ALAMANCE Sponsor: STEPHEN ROSS

Name: _____

County: _____ Sponsor: _____

Name: _____

County: _____ Sponsor: _____

Name: _____

County: _____ Sponsor: _____

Sergeants-at-Arms

BARRY MOORE

B. H. POWELL

DAVID LINTHICUM

_____

North Carolina General Assembly - House Sergeant-at-Arms

Visitors

Committee: H CMTTE ON JUSTICE & Public Safety Date: 14 MAY 2015

Name	Organization
Rodney T Beckum	NC ALE
Charles D. Walston	NC DPS
Kesha Hurell	NCAOC
Jarret Burr	NCOPS
Mary Irvine	NC Equal Access to Justice Comm.
NEES ROSEVARD	NCDOJ
Dennis Reynolds	ProTech / CJFJN
Skye David	NCCADV
Mildred Spearman	NCAOC
Elisa Wolfe	IDS
Thomas Maher	IDS
Pee Dawn	Conf of DAs
Chris Agner	DOJ
John K Deaton	Montgomery Co. Clerk of Court
Barbara Moore	Conf of Clerks
Flint Benson	SEANC
MARK SENTER	ALCOHOL LAW ENFORCEMENT

flip (over)

Name	Organization
Marsha Overby	DPS - SHP
Bill Grey	DPS / SHP
Bobby West	DPS / SHP
Darlene Langston	DPS-Budget
Tracy Little	OSBM
Tim Moore	DPS-ACJJ
Joe Frazier	DPS-ACJJ
Sandra Skinner	NCACC

House Committee on Appropriations, Justice and Public Safety
Tuesday, June 30, 2015 at 9:00 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 9:00 AM on June 30, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Faircloth, Hurley, McNeill, G. Graham, R. Johnson, Salmon, Speciale, and Turner attended.

Representative Pat B. Hurley, Chair, presided and called the meeting to order at 9:00AM.

Chair Hurley introduced the Sergeants at Arms and Pages.

Kristine Leggett, John Poteat, Lisa Fox and William Childs, from the Fiscal Research Division were all called upon to present their portions of the Budget Comparisons located in the Committee Report (see attachment).

There was a time for questions and answers from the committee members of the staff.

The meeting adjourned at 9:40AM.

Representative Pat B. Hurley, Chair
Presiding

Debbie Holder, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Tuesday, June 30, 2015
TIME: **9:00 AM**
LOCATION: **415 LOB**
COMMENTS: **Rep. Hurley Presiding**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 3:36 PM on Wednesday, June 24, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Deborah Holder (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

June 30, 2015 9:00 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley, Presiding

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

House and Senate Budget Comparison: Committee Report
Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Wednesday, July 1, 2015

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

Justice and Public Safety

Committee Report Comparison

June 30, 2015

House/Senate Comparison Report - Combined Budget

Budget Code/Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
14550/Public Safety					
1 A. Reserve for Salaries and Benefits	Compensation Increase Reserve			$23,644,031	$23,644,031
	Provides funds for a 2% salary increase for State agency employees. In addition, funds are appropriated for the changes to the Statewide teacher salary schedule that affect State agency teachers within the Department.				
2 A. Reserve for Salaries and Benefits	Trooper Step Increase	$1,753,959	$1,753,959	$1,753,959	$1,753,959
	Provides funds for an experience-based step increase for State Highway Patrol Troopers pursuant to G.S. 20-187.3.				
3 A. Reserve for Salaries and Benefits	State Highway Patrol Market Adjustment			$3,700,000	$3,700,000
	Provides funds for a market-based salary adjustment for sworn members of the State Highway Patrol (SHP). Salaries of all sworn members of the SHP are increased 3% and the starting pay for entry-level SHP positions is also increased 3% from $35,000 to $36,050.				
4 A. Reserve for Salaries and Benefits	Correctional Officer Custody-level Based Pay Adjustment	$12,771,297	$25,542,594	$12,771,297	$25,542,594
	Provides funds to implement the mandatory increases associated with position reclassifications necessary to differentiate Correctional Officer pay by custody level as recommended in an Office of State Human Resources study of pay in correctional facilities. The State Human Resources Commission approved the recommendations of this study in the February 2015 meeting, indicating that the recommendations should be implemented as funds become available.				

Budget Code/Department Name

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
5	A. Reserve for Salaries and Benefits	Parole Commission Salary Adjustment			$98,393	$98,393
		Increases the salaries of the Parole Commission. The salary of the Chair of the Parole Commission is increased to the same salary as the Chair of the Board of Review. The salary of the three members of the Parole Committee remain at 92.4% of the Chair's salary.				
6	A. Reserve for Salaries and Benefits	Compensation Increase Reserve - State Agency Teachers	$170,912	$170,912		
		Provides funds to increase starting teacher pay from $33,000 to $35,000 per year, to adjust the tiers of the salary schedule, to grant an experience-based step increase for eligible educators earning a year of creditable experience, and to ensure that all educators, assuming no change in credentials, are paid at least their FY 2014-15 compensation.				
7	A. Reserve for Salaries and Benefits	Compensation Increase Reserve - DPS School-based Administrators (SBAs)	$6,000	$6,000		
		Provides funds for an experience-based step increase for SBAs earning a year of creditable experience and funds an $809 top of the salary schedule bonus. Any funds remaining may be used to implement Section 9.5.				
8	A. Reserve for Salaries and Benefits	State Retirement Contributions			$4,377,051	$3,330,365
		Increases the State's contribution for members of the Teachers' and State Employees' Retirement System to fund the annual required contribution, provide a 2.0% cost-of-living adjustment to retirees, provide additional benefits to probation/parole officers, and fund retiree medical premiums. Total General Fund appropriation across all sections in the committee report is $45.9 million in FY 2015-16 and $34.9 million in FY 2016-17.				

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
9 A. Reserve for Salaries and Benefits	State Health Plan (PS)			$2,444,773	$2,444,773

Provides additional funding to reflect the passage of H.B. 56 and continue health benefit coverage for enrolled active employees supported by the General Fund for the 2015-17 fiscal biennium.

10 B. Department-wide	Workers' Compensation Adjustment Reserve	$17,890,209	$17,890,209		

Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.

11 B. Department-wide	Samarcand Operating Costs	$1,096,687 18.00 $466,121 NR	$1,936,248 21.00	$1,107,385 25.00 $534,206 NR	$2,245,311 29.00 $990,164 NR

Funds start-up costs for the Samarcand Training Academy in Moore County. The training facility will allow the Department to provide overnight training for correctional officers and juvenile justice officers, as well as other employees of the Department of Public Safety (DPS). Positions are phased in throughout the biennium.

12 B. Department-wide	Appropriate Use-of-Force Training	$109,656 NR		$109,656 NR	

Provides nonrecurring funds to purchase a use-of-force training simulator for the Samarcand Training Academy.

Budget Code/Department Name

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
13	B. Department-wide	Samarcand Firing Range			$2,898,779 NR	

Provides funds from the Statewide Misdemeanant Confinement Fund (SMCF) to construct a state-of-the-art firing range at the Samarcand Training Academy. The firing range will be made available to train for correction officers, probation and parole officers, State law enforcement officers, and local law enforcement agencies. A corresponding item in the Special Funds section transfers these funds from SMCF to the General Fund for this purpose.

14	B. Department-wide	Vacant Positions			($556,501)	($556,501)

Directs DPS to eliminate up to 30 positions throughout the agency that have been vacant for more than 12 months. No sworn law enforcement officers, custody and security officers, or prison health care positions may be eliminated.

15	C. Administration	Operating Budget Reductions	($199,189)	($199,189)	($199,189)	($199,189)

Reduces various line items in the operating budget for the Division of Administration. Reductions include:

PC/Printer Equipment	($110,000)
Server Equipment	($ 56,000)
Data Processing Supplies	($ 15,000)
Laboratory Service Agreement	($ 6,000)
Library and Learning Resources	($ 7,000)
Other line items	($ 5,189)

This reduction is 0.33% of the $59.9 million budget for the Division of Administration.

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
16 C. Administration	Vacant Positions			($266,017) -4.00	($266,017) -4.00

Eliminates four positions that have been vacant for more than a year. The positions are:

Position Number	Title	Total Position Cost
60001028	Bus. And Tech. Applic. Spec.	($103,467)
60011161	Networking Technician	($ 54,410)
60059969	Criminal Justice Planner I	($ 54,070)
60001305	Stock Supervisor	($ 54,070)

This is a 0.45% reduction from the Division's budget of $59.9 million.

17 C. Administration	Governor's Crime Commission Budget Alignment	($12,489)	($12,489)	($12,489)	($12,489)

Modifies the budgeted amount for PC software by $10,879 and eliminates State matching funds of $1,610 for grant funds that are no longer necessary. This is a 0.04% reduction to the Governor's Crime Commission budget of $25.9 million.

18 C. Administration	HERO Grants			$1,000,000 NR	$1,000,000 NR

Provides funds to the Governor's Crime Commission for grants to law enforcement agencies for salaries, training, and equipment for Internet Crimes Against Children Task Force affiliate investigators and forensic analysts to utilize technology and data analysis to locate and rescue children at risk of exploitation. Priority will be given to veterans who have received training from the Human Exploitation Rescue Operative (HERO) project, a collaborative between the National Association to protect Children, US Immigration and Customs Enforcement, and the US Special Operations Command, or a comparable training program.

Budget Code/Department Name

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
19	D. Law Enforcement	SHP - Appropriate Use-of-Force Training	$150,000	$150,000	$150,000	$150,000
			$109,656 NR		$109,656 NR	
		Provides funds to the State Highway Patrol (SHP) to develop and coordinate appropriate use-of-force training for State law enforcement officers, including the State Bureau of Investigation (SBI), Alcohol Law Enforcement (ALE), and State Capitol Police. Recurring funds are provided for supplies and equipment replacement and training costs; nonrecurring funds are provided for a use-of-force training simulator and associated equipment in the first year.				
20	D. Law Enforcement	SHP Vehicles			$7,657,143	$7,657,143
		Fully funds the Highway Patrol's enforcement and support fleet vehicle replacement schedule. Enforcement vehicles will be replaced every 100,000 miles.				
21	D. Law Enforcement	SHP Vehicles	$3,000,000	$3,000,000		
			$1,710,750 NR			
		Increases the recurring budget for replacement of the Highway Patrol's enforcement and support fleet by 60% to $7,992,752. An additional 34% increase is provided on a nonrecurring basis in FY 2015-16.				
22	D. Law Enforcement	SHP Vehicle Cameras			$2,649,625	$2,649,625
					$3,373,505 NR	
		Provides funds to install cameras in the remaining enforcement fleet vehicles that do not already have them. Also provides funds to put the cameras on a five-year replacement cycle.				

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
23 D. Law Enforcement	SBI/ALE Consolidation Efficiencies			($140,896) -3.00	($140,896) -3.00
	Eliminates three Office Assistant IV positions at SBI/ALE regional offices. Those offices were consolidated in FY 2014-15, allowing for additional operational efficiencies. This is a 0.26% reduction to the SBI's total budget of $52.3 million.				
24 D. Law Enforcement	SBI Vehicles	$1,943,373	$1,943,373	$1,943,373	$1,943,373
	Establishes a recurring budget to replace 75 vehicles per year for the State Bureau of Investigation, including ALE.				
25 D. Law Enforcement	SBI Attorney III			($107,195) -1.00	($107,195) -1.00
	Eliminates an Attorney III position (60084617) inadvertently transferred from the Department of Justice when the SBI was moved to DPS. This position has been vacant for more than 15 months.				
26 D. Law Enforcement	SAFIS Replacement				
		$333,557 NR			
	Provides nonrecurring funds in the first year for replacement of the Statewide Automated Fingerprint Identification System. These funds are leftover from the 2007 SAFIS replacement. An additional $399,602 is budgeted in receipts on a recurring basis for this purpose.				

Budget Code/Department Name

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
27	D. Law Enforcement	Operation Medicine Drop	$120,000 NR			
		Provides funds to the SBI for Operation Medicine Drop, a program that conducts events for citizens to bring unused or expired medications to a central location for safe disposal.				
28	E. Emergency Management and National Guard	Emergency Management Operating Efficiencies	($73,360) -1.17	($73,360) -1.17		
		Shifts partial funding of 4 positions (60084453, 60032393, 60084598, 60032400) to receipt support ($48,657), and reduces funds for supplies and equipment by $24,703. This is a 0.20% reduction to the total budget for Emergency Management of $35.7 million.				
29	E. Emergency Management and National Guard	Emergency Management Operating Efficiencies			($73,360) -1.17	($73,360) -1.17
		Shifts partial funding of four positions to receipt support ($48,657), and reduces funds for supplies and equipment by $24,703. This is a 0.20% reduction to the total budget for Emergency Management of $35.7 million.				
30	E. Emergency Management and National Guard	National Guard Operating Efficiencies	($103,680)	($103,680)	($103,680)	($103,680)
		Reduces the National Guard operating budget as follows: Waste Mgt Services ($67,679) Travel ($26,001) Motor Vehicle Insurance ($10,000) This is a 0.29% reduction to the total National Guard budget of $35.5 million.				

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
31	E. Emergency Management and National Guard	National Guard Joint Forces Headquarters (JFHQ) Operating Expenses	$350,000	$375,000	$350,000	$375,000
		Provides funds for building utilities and maintenance for the National Guard's portion of JFHQ. Federal funds were used for this purpose until last year, when the federal portion of the funding was reduced to 55% and a 45% State match was required.				
32	F. Adult Correction and Juvenile Justice - Prisons	Electronic Intrusion System			($215,152) -56.00	($2,044,876) -56.00
		Enhances prison security through the installation of Electronic Intrusion Systems (EIS) at Franklin Correctional Center, Harnett Correctional Institution, Piedmont Correctional Institution, and Southern Correctional Institution. EIS improves efficiency by eliminating staff in watchtowers and replacing them with a roving perimeter patrol.				
33	F. Adult Correction and Juvenile Justice - Prisons	Harnett CI Electronic Intrusion System	($53,788) -14.00	($511,219) -14.00		
		Enhances prison security through the installation of an Electronic Intrusion System (EIS) at Harnett Correctional Institution. EIS improves efficiency by eliminating staff in watchtowers and replacing them with a roving perimeter patrol. The total amount reduced in FY 2015-16 is $127,838. However, the Department is authorized to spend $74,050 nonrecurring funds for vehicles and telecommunications equipment for the perimeter patrols.				
34	F. Adult Correction and Juvenile Justice - Prisons	Inmate Education	($500,000)	($500,000)	($500,000)	($500,000)
		Reduces the Inmate Education budget by 5.6%, leaving $8,451,087 to provide education services.				

Budget Code/Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
35 F. Adult Correction and Juvenile Justice - Prisons	Continuation Review - Inmate Road Squads and Litter Crews	Senate Item			
	Funds the Inmate Road Squads and Litter Crews for FY 2015-16 only. The Highway Fund provides $9,040,000 to support 184 positions for this program. Restoration of FY 2016-17 funds is subject to the findings of the Continuation Review.				
36 F. Adult Correction and Juvenile Justice - Prisons	Central Prison Mental Health Beds	$1,074,669 35.00	$3,161,763 66.00	$1,168,784 35.00	$3,239,744 66.00
	Funds 66 positions at the Central Prison Mental Health Facility to open 72 additional beds to enable the unit to operate at full capacity of 216 beds. Thirty-five positions are effective January 1, 2016 and 31 additional positions are effective January 1, 2017.				
37 F. Adult Correction and Juvenile Justice - Prisons	Mental Health Behavior Treatment			$2,092,641 76.00 $89,940 NR	$5,619,247 152.00 $134,910 NR
	Establishes mental health behavior treatment units at eight close custody prisons. Four units are effective January 1, 2016 and four units are effective January 1, 2017.				
38 F. Adult Correction and Juvenile Justice - Prisons	Behavior Treatment Unit and Diagnostic Positions	$723,805 29.00 $65,625 NR	$1,447,609 29.00		
	Establishes a mental health behavior treatment unit at Maury Correctional Institution and provides mental health positions for the Diagnostic Centers to improve the assessment of inmates' mental health status during processing. The positions are effective January 1, 2016.				

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
39	F. Adult Correction and Juvenile Justice - Prisons	Electronic Health Records		$681,679		
		Provides funding for vendor fees for access and data for the electronic inmate healthcare records system. The Department is currently using nonrecurring funds for the development and implementation of the system. Funding is provided effective January 1, 2016 and will be annualized in FY 2017-18.				
40	F. Adult Correction and Juvenile Justice - Prisons	Electronic Health Records				$1,363,357
		Provides funding for vendor fees for access and data for the electronic inmate healthcare records system. The Department is currently using nonrecurring funds for the development and implementation of the system.				
41	F. Adult Correction and Juvenile Justice - Prisons	Statewide Misdemeanant Confinement Fund	$22,500,000	$22,500,000	$22,500,000	$22,500,000
		Provides funds for the Statewide Misdemeanant Confinement Fund (SMCF). This fund was previously supported by court costs that were transferred directly to the fund. SMCF provides payments to county jails for housing, transportation, and medical care for misdemeanants sentenced to confinement for longer than 90 days.				
42	G. Adult Correction and Juvenile Justice - Community Corrections	Electronic Monitoring	$700,000	$707,971		
		Increases funding for electronic monitoring equipment for offenders under supervision. Use of electronic monitoring has more than doubled following the Justice Reinvestment Act; this funding supports the increased demand. With these additional funds, the budget for electronic monitoring will be $4.9 million in FY 2015-17, a 17% increase.				

Budget Code/Department Name

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
43	G. Adult Correction and Juvenile Justice - Community Corrections	Electronic Monitoring			$732,007	$2,641,795
		Provides increased funding for electronic monitoring equipment for offenders under supervision. Use of electronic monitoring has more than doubled following the Justice Reinvestment Act; this funding supports the increased demand.				
44	G. Adult Correction and Juvenile Justice - Community Corrections	Broaden Access to Community Treatment	$1,359,744 NR		$520,256 NR	
		Provides funds to the Broaden Access to Community Treatment program. These funds shall be restricted to substance abuse treatment services for offenders assessed as moderate to high-risk for recidivism and high need for substance abuse services. Funds distributed under this provision shall be given to evidence-based programs to enhance, increase, or expand existing substance abuse treatment programs for offenders being supervised by the Department.				
45	G. Adult Correction and Juvenile Justice - Community Corrections	Probation and Parole Vehicles			House Item	
		Adjusts receipts to reflect funds previously paid to the Department of Administration (DOA) for replacement vehicles for probation and parole officers. A special provision directs the Department of Administration to transfer those funds back to DPS. This item follows the transfer of responsibility for these vehicles from DOA to DPS.				
46	H. Adult Correction and Juvenile Justice - Juvenile Justice	Residential Beds for Adjudicated Juveniles	$2,000,000	$2,000,000		
		Provides funding for expanded bed capacity for adjudicated juveniles in contracted and State-run facilities throughout the State. The new total budget for juvenile community programs will be $20.1 million, an increase of 11%.				

Budget Code/Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
	Department Totals	$65,188,405	$81,867,380	$86,965,983	$106,894,507
		66.83	100.83	70.83	181.83
		$4,275,109 NR		$8,635,998 NR	$2,125,074 NR

Budget Code/Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
13600/Justice					
47 A. Reserve for Salaries and Benefits	Compensation Increase Reserve			$833,374	$833,374
	Provides funds for a 2% salary increase for State agency employees.				
48 A. Reserve for Salaries and Benefits	Forensic Scientist Market Adjustment			$1,023,635	$1,023,635
	Provides funds for a market-based salary adjustment for Forensic Scientists employed in the State Crime Laboratory.				
49 A. Reserve for Salaries and Benefits	State Retirement Contributions			$155,261	$118,133
	Increases the State's contribution for members of the Teachers' and State Employees' Retirement System to fund the annual required contribution, provide a 2.0% cost-of-living adjustment to retirees, provide additional benefits to probation/parole officers, and fund retiree medical premiums. Total General Fund appropriation across all sections in the committee report is $45.9 million in FY 2015-16 and $34.9 million in FY 2016-17.				
50 A. Reserve for Salaries and Benefits	State Health Plan			$54,783	$54,783
	Provides additional funding to reflect the passage of H.B. 56 and continue health benefit coverage for enrolled active employees supported by the General Fund for the 2015-17 fiscal biennium.				

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
51	B. State Crime Laboratory	Crime Lab Technicians			$251,117 6.00	$330,504 6.00

Creates six new technician positions at the State Crime Lab to handle non-scientific duties. These positions will allow forensic scientists to concentrate on more complex tasks, increasing efficiency and turn-around time for lab analysis.

52	B. State Crime Laboratory	Crime Lab Technicians	$251,117 6.00	$330,504 6.00		

Creates 6 new technician positions at the State Crime Lab to handle non-scientific duties. These positions will allow forensic scientists to concentrate on more complex tasks, increasing efficiency and turn-around time for lab analysis.

53	B. State Crime Laboratory	Outsourcing Funds for Forensic Analysis	$750,000 NR			

Provides funds in the first year to allow the State Crime Lab to outsource forensic analysis services, including toxicology and DNA.

Budget Code/Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
54 B. State Crime Laboratory	DNA on Arrest for All Violent Felonies			$173,880 4.00	$373,150 4.50

Provides funds to expand DNA on Arrest to all violent felonies. The expansion is expected to generate an additional 4,308 DNA on Arrest samples. The following positions are created:

Title	FTE	Total Position Cost
Evidence Technician	2.50	$126,950
Forensic Scientist I	1.00	$ 62,423
Forensic Scientist Mgr.	0.50	$ 40,252
Information Processing Tech.	0.50	$ 25,390

An additional $118,136 is provided for related supplies. Funding in the first year has been pro-rated to account for the December 1, 2015 effective date.

55 C. Training and Standards	Appropriate Use-of-Force Training			$236,129 2.00 $219,312 NR	$236,129 2.00

Provides funds to the NC Justice Academy to develop curricula and provide appropriate use-of-force training to local law enforcement agencies. Funding is provided to create two new criminal justice training coordinator positions for community relations and use-of-force training, and to offer three train-the-trainer programs in Fair and Impartial Policing per year. Nonrecurring funding is provided to purchase two use-of-force training simulators, one for each campus.

56 C. Training and Standards	Appropriate Use-of-Force Training	$236,129 2.00 $219,312 NR	$236,129 2.00		

Provides funds to the NC Justice Academy to develop curricula and provide appropriate use-of-force training to local law enforcement agencies. Funding is provided to create new criminal justice training coordinator positions for community relations and use-of-force training, and to offer multiple train-the-trainer programs in Fair and Impartial Policing throughout the year. Nonrecurring funding is provided to purchase use-of-force training simulators for the Edneyville and Salemburg campuses.

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
57	C. Training and Standards	Sexual Assault Investigator Training	$80,000 1.00	$80,000 1.00		
		Provides funds for a criminal justice coordinator to conduct basic and advanced training for the identification and investigation of sexual assault and violence against women crimes.				
58	C. Training and Standards	Training Academy Instructors			$239,923 3.00	$239,923 3.00
		Provides funds for three criminal justice training coordinators for narcotics and sexual assault investigation training and for crime scene analysis and investigation training.				
59	D. Department-wide	Workers' Compensation Adjustment Reserve	$174,524	$174,524		
		Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.				
	Department Totals		**$741,770** **9.00** **$969,312** NR	$821,157 9.00	**$2,968,102** **15.00** **$219,312** NR	$3,209,631 15.50

Budget Code/Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
12001/Judicial - Indigent Defense					
60 A. Reserve for Salaries and Benefits	Compensation Increase Reserve			$811,182	$811,182
	Provides funds for a 2% salary increase for State agency employees.				
61 A. Reserve for Salaries and Benefits	State Retirement Contributions			$151,857	$115,543
	Increases the State's contribution for members of the Teachers' and State Employees' Retirement System to fund the annual required contribution, provide a 2.0% cost-of-living adjustment to retirees, provide additional benefits to probation/parole officers, and fund retiree medical premiums. Total General Fund appropriation across all sections in the committee report is $45.9 million in FY 2015-16 and $34.9 million in FY 2016-17.				
62 A. Reserve for Salaries and Benefits	State Health Plan			$53,202	$53,202
	Provides additional funding to reflect the passage of H.B. 56 and continue health benefit coverage for enrolled active employees supported by the General Fund for the 2015-17 fiscal biennium.				
63 B. Private Appointed Counsel Fund	Additional Private Appointed Counsel Funds			$3,400,000	$3,400,000
	Provides funding to pay private counsel assigned to represent indigent defendants, reducing a budget shortfall that has accumulated over several years. This budget shortfall creates a hardship for small business legal firms whose payments are delayed when State funding is exhausted before the end of the fiscal year.				

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
64 B. Private Appointed Counsel Fund	Additional Private Appointed Counsel Funds	$4,400,000	$4,400,000		

Provides funding to pay private counsel assigned to represent indigent defendants, reducing a budget shortfall that has accumulated over several years. This budget shortfall creates a hardship for small business legal firms whose payments are delayed when State funding is exhausted before the end of the fiscal year. This is a funding increase of 7.1% over current appropriations of $61,579,725.

65 C. Public Defenders	Juris[redacted]nk			$1,600,000 NR	$1,600,000 NR

Provides funds to establish a system of automated kiosks in local confinement facilities to allow attorneys representing indigent defendants to consult with their clients remotely.

66 C. Public Defenders	Capital Defender's Office	($750,000) -7.00	($750,000) -7.00		

Reduces funding for the Office of the Capital Defender by $750,000, leaving $3,222,230. This is a reduction of 18.9%.

This reduction includes the following positions:

Position Number	Title
60002194	Asst. Capital Defender
60002193	Asst. Capital Defender
65021927	Asst. Capital Defender
65021928	Asst. Capital Defender
60002203	Capital Case Investigator
65021929	Capital Case Investigator
65021755	Legal Assistant III

Budget Code/Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
67 D. Department-wide	Workers' Compensation Adjustment Reserve	$895	$895		

Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.

Department Totals	**$3,650,895**	$3,650,895	**$4,416,241**	$4,379,927
	-7.00	-7.00		
			$1,600,000 NR	$1,600,000 NR

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
12000/Judicial					
68 A. Reserve for Salaries and Benefits	Compensation Increase Reserve			$7,918,908	$7,918,908
	Provides funds for a 2% salary increase for State agency employees.				
69 A. Reserve for Salaries and Benefits	Assistant and Deputy Clerk Step Increase	$3,771,968	$3,771,968	$3,771,968	$3,771,968
	Provides funds for an experience-based step increase for Assistant and Deputy Clerks pursuant to G.S. 7A-102.				
70 A. Reserve for Salaries and Benefits	Magistrate Step Increase	$1,669,939	$1,669,939	$1,669,939	$1,669,939
	Provides funds for an experience-based step increase for Magistrates pursuant to G.S. 7A-171.1.				
71 A. Reserve for Salaries and Benefits	State Retirement Contributions			$1,115,151	$848,485
	Increases the State's contribution for members of the Teachers' and State Employees' Retirement System to fund the annual required contribution, provide a 2.0% cost-of-living adjustment to retirees, provide additional benefits to probation/parole officers, and fund retiree medical premiums. Total General Fund appropriation across all sections in the committee report is $45.9 million in FY 2015-16 and $34.9 million in FY 2016-17.				

Budget Code/Department Name

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
72	A. Reserve for Salaries and Benefits	Consolidated Judicial Retirement Contributions			$397,600	$397,600
		Increases the State's contribution for members of the Consolidated Judicial Retirement System to fund the annual required contribution, provide a 2.0% cost-of-living adjustment to retirees, and fund retiree medical premiums.				
73	A. Reserve for Salaries and Benefits	State Health Plan			$583,041	$583,041
		Provides additional funding to reflect the passage of H.B. 56 and continue health benefit coverage for enrolled active employees supported by the General Fund for the 2015-17 fiscal biennium.				
74	B. Administration and Services	Court Information Technology			$300,000	$640,000
					$11,681,962 NR	$6,990,450 NR
		Provides funds for Information Technology projects at the Administrative Office of the Courts related to court electronic filing, citation electronic processing, and electronic compliance.				
75	B. Administration and Services	Electronic Compliance				
			$567,236 NR			
		Provides funding to the Administrative Office of the Courts (AOC) for an electronic compliance dismissal project.				

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
76	B. Administration and Services	Funds for Interpreters, Expert Witnesses, and Juries			$1,577,283	$1,577,283
		Increases the budget for interpreters, expert witnesses, and juries as necessary to operate the State court system. Funds for jury fees will increase by $704,818 over the current budget of $3,618,520. Funds for expert witnesses will increase by $73,519 over the current budget of $255,986. Funds for interpreters will increase by $798,946 over the current budget of $1,157,862.				
77	B. Administration and Services	Funds for Interpreters, Expert Witnesses, and Juries	$1,577,283	$1,577,283		
		Increases the budget for interpreters, expert witnesses, and juries as necessary to operate the State court system. Funds for jury fees will increase by $704,818 over the current budget of $3,618,520. Funds for expert witnesses will increase by $73,519 over the current budget of $255,986. Funds for interpreters will increase by $798,946 over the current budget of $1,157,862. This represents a 31.3% increase over current funding levels.				
78	B. Administration and Services	Funds for Legal Services			$1,853,613	$1,853,613
					$713,514 NR	
		Increases the budget for constitutionally and legally mandated legal and contracting services as necessary to operate the State court system.				
79	B. Administration and Services	Funds for Operating Budget			$1,455,590	$5,855,590
		Increases the budget for equipment, travel, supplies, and maintenance as necessary to operate the State court system.				

Budget Code/Department Name

	Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
80	B. Administration and Services	Funds For Operating Budget	$3,309,203	$3,309,203		

Increases the budget for constitutionally and legally mandated legal and contracting services, equipment, travel, supplies, and maintenance as necessary to operate the State court system. This is an increase of 11.4% over the current budget levels.

81	C. Trial Court	Special Superior Court Judges	($306,541) -3.00	($613,083) -3.00		

Eliminates 3 special superior court judgeships at the end of the terms of the judges currently serving in office. These terms will end on October 20, 2015 and January 26, 2016.

82	C. Trial Court	Business Court Staff			$428,529 6.00 $938,524 NR	$571,372 6.00

Provides staff and facilities for two special superior court judges who will be designated as Business Court judges, each of whom will be staffed by one Executive Assistant and two Judicial Assistants.

83	C. Trial Court	Business Court Staff	$428,529 6.00 $538,524 NR	$571,372 6.00		

Provides staff and facilities for special superior court judges who will be designated as Business Court judges in FY 2015-16.

Budget Code Department Name

Division Name (Code)	Description	Senate FY 15-16	Senate FY 16-17	House FY 15-16	House FY 16-17
84 C. Trial Court	Special Assistant United States Attorneys				$713,514 6.00

Creates six Assistant District Attorney positions to act as Special Assistant United States Attorneys (SAUSAs) in offices covering all federal districts around the State. The Conference of District Attorneys will consult with all of the elected District Attorneys to determine the best home offices for these positions. The SAUSAs shall follow best practices as established by the Conference of District Attorneys. The costs assume that all six positions will be effective as of July 1, 2016.

85 C. Trial Court	Special Assistant United States Attorneys		$713,514 6.00		

Creates 6 Assistant District Attorney positions to act as Special Assistant United States Attorneys (SAUSAs) in offices covering all federal districts around the State. The Conference of District Attorneys will consult with all of the elected District Attorneys to determine the best home offices for these positions. The SAUSAs shall follow best practices as established by the Conference of District Attorneys. The costs assume that positions will be effective as of July 1, 2016.

86 D. Department-wide	Workers' Compensation Adjustment Reserve	$575,744	$575,744		

Provides funding to adjust workers' compensation line items to the average FY 2012-13 and FY 2013-14 actual expenditures estimated to be from net General Fund appropriations. Agencies are directed to further adjust these line items using receipts to reflect the average FY 2012-13 and FY 2013-14 actual expenditures from all fund sources.

Department Totals	**$11,026,125** **3.00** **$1,105,760** NR	**$11,575,940** **9.00**	**$21,071,622** **6.00** **$13,334,000** NR	**$26,401,313** **12.00** **$6,990,450** NR

House Appropriations Committee on Justice and Public Safety

Public Safety - Other Special Grants

Budget Code: 24550

	FY 2015-16	FY 2016-17
Beginning Unreserved Fund Balance	**$29,719,634**	**$24,013,011**
Recommended Budget		
Requirements	**$46,285,923**	**$46,285,923**
Receipts	**$43,478,079**	**$43,478,079**
Positions	**100.00**	**100.00**

Legislative Changes

Requirements:

Samarcand Firing Range	$0 R	$0 R
Transfers funds to the General Fund for the construction of a state-of-the-art firing range at the Samarcand Training Academy.	$2,898,779 NR	$0 NR
	0.00	0.00
Subtotal Legislative Changes	**$0** R	**$0** R
	$2,898,779 NR	**$0** NR
	0.00	0.00

Receipts:

Samarcand Firing Range	$0 R	$0 R
	$0 NR	$0 NR
Subtotal Legislative Changes	**$0** R	**$0** R
	$0 NR	**$0** NR

	FY 2015-16	FY 2016-17
Revised Total Requirements	$49,184,702	$46,285,923
Revised Total Receipts	$43,478,079	$43,478,079
Change in Fund Balance	($5,706,623)	($2,807,844)
Total Positions	100.00	100.00
Unappropriated Balance Remaining	$24,013,011	$21,205,167

House and Senate Identical

House Appropriations Committee on Justice and Public Safety

ABC Commission

Budget Code: 54551

	FY 2015-16		FY 2016-17	
Beginning Unreserved Fund Balance	**$4,491,738**		**$4,826,323**	
Recommended Budget				
Requirements	**$13,004,818**		**$13,004,818**	
Receipts	**$13,339,403**		**$13,339,403**	
Positions	**44.00**		**44.00**	
Legislative Changes				
Requirements:				
Initiative to Reduce Underage Drinking	$3,100,000	R	$3,100,000	R
Provides funds for the Initiative to Reduce Underage Drinking to provide public relations assistance; strategic marketing and branding; multi-media planning, negotiation, and buying; and creative design and development for the NC ABC Commission's Talk It Out Campaign.	$0	NR	$0	NR
	4.00		4.00	
Subtotal Legislative Changes	**$3,100,000**	R	**$3,100,000**	R
	$0	NR	**$0**	NR
	4.00		4.00	
Receipts:				
Bailment Surcharge Receipts	$3,100,000	R	$3,100,000	R
Increases the budgeted receipts from the bailment surcharge. The ABC Commission increased the bailment surcharge from $0.80 per case to $1.40 per case in FY 2014-15.	$0	NR	$0	NR
Subtotal Legislative Changes	**$3,100,000**	R	**$3,100,000**	R
	$0	NR	**$0**	NR

	FY 2015-16	FY 2016-17
Revised Total Requirements	$16,104,818	$16,104,818
Revised Total Receipts	$16,439,403	$16,439,403
Change in Fund Balance	$334,585	$334,585
Total Positions	48.00	48.00
Unappropriated Balance Remaining	$4,826,323	$5,160,908

Senate Appropriations Committee on Justice and Public Safety

Public Safety - Other Special Grants

Budget Code: 24550

	FY 2015-16		FY 2016-17	
Beginning Unreserved Fund Balance	**$29,719,634**		**$26,911,790**	
Recommended Budget				
Requirements	**$46,285,923**		**$46,285,923**	
Receipts	**$43,478,079**		**$43,478,079**	
Positions	**100.00**		**100.00**	
Legislative Changes				
Requirements:				
Continuation Review - Motor Carrier Safety Assistance	($9,313,362)	R	($9,313,362)	R
Provides funds for the State Highway Patrol's Motor Carrier Safety Assistance program for FY 2015-16 only. Restoration of FY 2016-17 funds is subject to the findings of the Continuation Review.	$9,313,362	NR	$0	NR
	0.00		-94.00	
Subtotal Legislative Changes	**($9,313,362)**	R	**($9,313,362)**	R
	$9,313,362	NR	**$0**	NR
	0.00		-94.00	
Receipts:				
Continuation Review - Motor Carrier Safety Assistance	($9,313,362)	R	($9,313,362)	R
Provides funds for the State Highway Patrol's Motor Carrier Safety Assistance program for FY 2015-16 only. Restoration of FY 2016-17 funds is subject to the findings of the Continuation Review.	$9,313,362	NR	$0	NR
Subtotal Legislative Changes	**($9,313,362)**	R	**($9,313,362)**	R
	$9,313,362	NR	**$0**	NR

	FY 2015-16	FY 2016-17
Revised Total Requirements	$46,285,923	$36,972,561
Revised Total Receipts	$43,478,079	$34,164,717
Change in Fund Balance	($2,807,844)	($2,807,844)
Total Positions	100.00	6.00
Unappropriated Balance Remaining	$26,911,790	$24,103,946

Senate Appropriations Committee on Justice and Public Safety

Public Safety – Special – Interest Bearing

Budget Code: 24555

	FY 2015-16		FY 2016-17	
Beginning Unreserved Fund Balance	**$19,924,292**		**$13,923,877**	
Recommended Budget				
Requirements	**$8,466,432**		**$8,466,432**	
Receipts	**$2,666,017**		**$2,666,017**	
Positions	**5.00**		**5.00**	
Legislative Changes				
Requirements:				
Community Correction Funds	$0	R	$0	R
Provides funds for the Community Corrections section of the Department of Public Safety to support training, purchase of safety equipment, and electronic monitoring.	$200,000	NR	$200,000	NR
	0.00		0.00	
Subtotal Legislative Changes	**$0**	R	**$0**	R
	$200,000	NR	**$200,000**	NR
	0.00		0.00	
Receipts:				
Community Corrections Funds	$0	R	$0	R
No budget action necessary.	$0	NR	$0	NR
Subtotal Legislative Changes	**$0**	R	**$0**	R
	$0	NR	**$0**	NR

	FY 2015-16	FY 2016-17
Revised Total Requirements	$8,666,432	$8,666,432
Revised Total Receipts	$2,666,017	$2,666,017
Change in Fund Balance	($6,000,415)	($6,000,415)
Total Positions	5.00	5.00
Unappropriated Balance Remaining	$13,923,877	$7,923,462

North Carolina General Assembly - House Sergeant-at-Arms

House Staff

Committee: House Approp: Justice & Public Safety Date: 30 June 2015

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Sergeants-at-Arms

BARRY MOORE

B. H. Powell

DAVID LINTHICUM

_____

North Carolina General Assembly - House Sergeant-at-Arms

Visitors

Committee: Approp. Justice & Publ Safety Date: 30 June 2015

Name	Organization
Mark Brewington	SBI
Tracy Little	OSBM
Jarret Burr	NC DPS
Ryan Combs	NC DPS
Ken Pike	NC ALE
Rodney Beckom	NC ALE
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Skye David	KLG
Bill Gray	SHP
Blu Collier	SBI
Peg Dorer	Conf. of DAs
NICHOLE KALUM	NAMI NC
Bre Hagan	NCEL
Thomas Maher	JDS
Ken Quick	NCBA
Lad Russell	CJPC
Mildred Spearman	NCAOC
MATT LONGOBARDI	NC DOJ
Annaliese Dolph	DC
Andy Brandon	DPS
Flint Benson	SEANC

North Carolina General Assembly - House Sergeant-at-Arms

Visitors

Committee: JPS Date: 30 June '15

Name	Organization
Ray Leary	Citizen for Better Govt
A.A. Adams	" "
Sue Leary	" "
W.L. Buzz Cayton	" "
Cindy Baldwin	" Beaufort City
Tim Kent	NC Beer & Wine

(over)

Name	Organization

House Committee on Appropriations, Justice and Public Safety
Wednesday, July 1, 2015 at 9:00 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 9:00 AM on July 1, 2015 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, Faircloth, G. Graham, R. Johnson, Speciale, and Turner attended.

Representative James L. Boles, Jr., Chair, presided and called the meeting to order at 9:03 a.m. Chairman Boles introduced the Pages and Sergeant-at-Arms in attendance.

Chairman Boles recognized the Fiscal Research Staff, Kristine Leggett, John Poteat, Lisa Fox and William Childs, to review the differences report on Special Provisions between the House version of the budget and the Senate version of the budget. (See "Attachment 1" for a more complete reference to the provisions as discussed) Discussion was had during the presentation.

The meeting adjourned at 9:57 a.m.

James L Boles

Representative James L. Boles, Jr., Chair
Presiding

Kerry Guice

Kerry Guice, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Wednesday, July 1, 2015
TIME: **9:00 AM**
LOCATION: **415 LOB**
COMMENTS: **Rep. Boles Chairing**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:16 AM on Tuesday, June 30, 2015.

___ Principal Clerk
___ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

July 1, 2015 9:00 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles, Presiding
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

House and Senate Budget Comparison: Special Provisions
Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. R. Johnson, Rep. Salmon, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	5.14.2015 a	5.14.2015 p		6.30.2015	7.1.2015										
Rep. Jamie Boles, Co-Chair	X			X	X										
Rep. Leo Daughtry, Co-Chair	X	X			X										
Rep. John Faircloth, Co-Chair	X	X		X	X										
Rep. Pat Hurley, Co-Chair	X	X		X											
Rep. Darren Jackson, Vice Chair	X	X													
Rep. Allen McNeill, Vice Chair	X	X		X											
Rep. Sarah Stevens, Vice Chair	X	X													
Rep. Charles Graham	X	X													
Rep. George Graham	X	X		X	X										
Rep. Ralph Johnson	X	X		X	X										
Rep. Brad Salmon	X	X		X	X										
Rep. Michael Speciale	X	X		X	X										
Rep. Rena Turner	X	X		X	X										
Sen. Stan Bingham, Co-Chair															
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair															
Sen. Tom Apodaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson															
Sen. Michael Lee															

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES	5.14.2015 a	5.14.2015 p		6.30.2015	7.1.2015										
William Childs, Fiscal Research	X	X		X	X										
Lisa Fox, Fiscal Research	X	X		X	X										
Kristine Leggett, Fiscal Research	X	X		X	X										
John Poteat, Fiscal Research	X	X		X	X										
Becky Bauerband, Clerk	X	X		X	X										
Kerry Guice, Clerk	X	X		X	X										
Debbie Holder, Clerk	X	X		X	X										
Jeb Kelly, Clerk															
Maria Kinnaird, Clerk															
Carol Wilson, Clerk															
Jason Soper, Speaker's Office				X											
Stephen Ogden, Senate Office	X	X		X											

Attachment 1

Justice and Public Safety

Special Provisions in Controversy
H.B. 97, 2015 Appropriations Act

July 1, 2015

House and Senate Differ

House Version

GRANT REPORTING AND MATCHING FUNDS

SECTION 16A.1.(a) The Department of Public Safety, the Department of Justice, and the Judicial Department shall report by May 1 of each year to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on 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.

SECTION 16A.1.(b) Notwithstanding the provisions of G.S. 143C-6-9, the Department of Public Safety may use up to the sum of one million two hundred thousand dollars ($1,200,000) during the 2015-2016 fiscal year and up to the sum of one million two hundred thousand dollars ($1,200,000) during the 2016-2017 fiscal year from funds available to the Department to provide the State match needed in order to receive grant funds. Prior to using funds for this purpose, the Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

House only

(1)

Senate Version

GRANT REPORTING AND MATCHING FUNDS

SECTION 16A.1.(a) The Department of Public Safety, the Department of Justice, and the Judicial Department shall report by May 1 of each year to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on 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.

SECTION 16A.1.(b) Notwithstanding the provisions of G.S. 143C-6-9, the Department of Public Safety may use up to the sum of one million two hundred thousand dollars ($1,200,000) during the 2015-2016 fiscal year from funds available to the Department to provide the State match needed in order to receive grant funds. Prior to using funds for this purpose, the Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

Follows #

House Only

VACANT POSITION ELIMINATION REPORT

SECTION 16A.3A. The Department of Public Safety shall report to the Office of State Budget and Management and to the Fiscal Research Division no later than October 1, 2015, a list of vacant positions eliminated pursuant to this act. The report shall include the position title, fund code, position number, and budgeted salary of each position eliminated.

Senate Only

SENSITIVE PUBLIC SECURITY INFORMATION IS NOT A PUBLIC RECORD

SECTION 16A.5. G.S. 132-1.7 reads as rewritten:

"**§ 132-1.7. Sensitive public security information.**

(a) Public records, as defined in G.S. 132-1, shall not include information containing specific details of public security plans and arrangements or the detailed plans and drawings of public buildings and infrastructure ~~facilities.~~facilities or plans, schedules, or other documents that include information regarding patterns or practices associated with executive protection and security.

(a1) Public records, as defined in G.S. 132-1, shall not include specific security information or detailed plans, patterns, or practices associated with prison operations.

(a2) Public records, as defined in G.S. 132-1, shall not include specific security information or detailed plans, patterns, or practices to prevent or respond to criminal, gang, or organized illegal activity.

(b) Public records as defined in G.S. 132-1 do not include plans to prevent or respond to terrorist activity, to the extent such records set forth vulnerability and risk assessments, potential targets, specific tactics, or specific security or emergency procedures, the disclosure of which would jeopardize the safety of governmental personnel or the general public or the security of any governmental facility, building, structure, or information storage system.

(c) Information relating to the general adoption of public security plans and arrangements, and budgetary information concerning the authorization or expenditure of public funds to implement public security plans and arrangements, or for the construction, renovation, or repair of public buildings and infrastructure facilities shall be public records."

Senate Only

LAPSED SALARY SAVINGS

SECTION 16A.6. Notwithstanding G.S. 143C-6-9, the Department of Public Safety shall revert to the General Fund a minimum of seventeen million eight hundred ninety thousand two hundred nine dollars ($17,890,209) from lapsed salary savings by June 30, 2016.

Technical
Senate is correct

House and Senate Differ

House Version

USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT

SECTION 16B.1.(a) Assets transferred to the Department of Justice or to the Department of Public Safety during the 2015-2017 fiscal biennium pursuant to applicable federal law shall be credited to the budgets of the respective departments and shall result in an increase of law enforcement resources for those departments. The Departments of Justice and Public Safety shall make the following reports to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety:

(1) A report upon receipt of any assets.

(2) A report that shall be made prior to use of the assets on their intended use and the departmental priorities on which the assets may be expended.

(3) A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year, which shall be made no later than September 1 of each year.

SECTION 16B.1.(b) The General Assembly finds that the use of assets transferred pursuant to federal law for new personnel positions, new projects, 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 Public Safety are prohibited from using these assets for such purposes without the prior approval of the General Assembly.

SECTION 16B.1.(c) Nothing in this section prohibits North Carolina law enforcement agencies from receiving funds from the United States Department of Justice, the United States Department of the Treasury, and the United States Department of Health and Human Services.

Senate Version

USE OF SEIZED AND FORFEITED PROPERTY TRANSFERRED TO STATE LAW ENFORCEMENT AGENCIES BY THE FEDERAL GOVERNMENT

SECTION 16B.1.(a) Seized and forfeited assets transferred to the Department of Public Safety during the 2015-2017 fiscal biennium pursuant to applicable federal law shall be credited to the budget of the department and shall result in an increase of law enforcement resources for the department. The Department of Public Safety shall make the following reports to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety:

(1) A report upon receipt of any assets.

(2) A report that shall be made prior to use of the assets on their intended use and the departmental priorities on which the assets may be expended.

(3) A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year, which shall be made no later than September 1 of each year.

SECTION 16B.1.(b) The General Assembly finds that the use of seized and forfeited assets transferred pursuant to federal law for new personnel positions, new projects, 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 Public Safety is prohibited from using these assets for such purposes without the prior approval of the General Assembly.

SECTION 16B.1.(c) Nothing in this section prohibits North Carolina law enforcement agencies from receiving funds from the United States Department of Justice, the United States Department of the Treasury, and the United States Department of Health and Human Services.

Tech.
Senate is
correct version

House and Senate Differ

House Version

AMEND NATIONAL GUARD FAMILY ASSISTANCE CENTERS ANNUAL REPORT REQUIREMENTS

SECTION 16B.9. Section 1(b) of S.L. 2011-185 reads as rewritten:

"**SECTION 1.(b)** The Department of ~~Crime Control and~~ Public Safety shall report annually no later than September 1 to the Chairs of the House of Representatives and Senate Appropriations ~~Subcommittees~~ Committees on Justice and Public Safety and to the House of Representatives Committee on Homeland Security, Military, and Veterans Affairs on the activities of the National Guard Family Assistance ~~Centers.~~Centers during the previous fiscal year. This report shall include information on services provided as well as on the number and type of members of the active or reserve components of the Armed Forces of the United States, veterans, and family members served."

Senate Version

AMEND NATIONAL GUARD FAMILY ASSISTANCE CENTERS ANNUAL REPORT REQUIREMENTS

SECTION 16B.9. G.S. 127A-64(b) reads as rewritten:

"(b) The Department of Public Safety shall report annually no later than September 1 to the Chairs of the House of Representatives and Senate Appropriations ~~Subcommittees~~ Committees on Justice and Public Safety and to the House of Representatives Committee on Homeland Security, Military, and Veterans Affairs on the activities of the National Guard Family Assistance ~~Centers.~~Centers during the previous fiscal year. This report shall include information on services provided as well as on the number and type of members of the active or reserve components of the Armed Forces of the United States, veterans, and family members served."

House Only

INMATE MEDICAL SERVICES/REQUEST FOR INFORMATION

SECTION 16C.5.(a) Not later than October 1, 2015, the Department of Public Safety shall issue a Request For Information (RFI) for a contractor to provide comprehensive medical care on a statewide basis to adult inmates and juvenile offenders in the custody of the Department. For purposes of this section, the term "comprehensive medical care" includes physical health services, mental health services, dental services, and pharmacy services, as well as inpatient hospitalization, outpatient care, specialty care, emergency department, dialysis services, and standardization of electronic health information records.

SECTION 16C.5.(b) The RFI shall require responses to be due not later than 90 days after the date it is issued by the Department.

SECTION 16C.5.(c) The Department shall evaluate the responses to the RFI and report the results of that evaluation, along with any recommendations related to them, to the Joint Legislative Oversight Committee on Justice and Public Safety not later than 60 days after the final date for receipt of responses.

House Only

DETER INMATE ACCESS TO CELL PHONES

SECTION 16C.9. The Department of Public Safety, Division of Adult Correction, may use funds available to fund enhanced prison security technology to deter illegal access of cell phones by inmates in the State's prison system. The Division of Adult Correction is encouraged to identify non-General Fund sources of funds, including federal and foundation grants and other receipts, to achieve this purpose.

Senate Only

EVALUATION REQUIREMENT FOR ELECTRICAL DEVICES

SECTION 16C.13A. G.S. 66-25 reads as rewritten:

"**§ 66-25. Acceptable listings as to safety of goods.**

(a) All electrical materials, devices, appliances, and equipment shall be evaluated for safety and suitability for intended use. Except as provided in subsection (b) of this section, this evaluation shall be conducted in accordance with nationally recognized standards and shall be conducted by a qualified testing laboratory. The Commissioner of Insurance, through the Engineering Division of the Department of Insurance, shall implement the procedures necessary to approve suitable national standards and to approve suitable qualified testing laboratories. The Commissioner may assign his authority to implement the procedures for specific materials, devices, appliances, or equipment to other agencies or bodies when they would be uniquely qualified to implement those procedures.

In the event that the Commissioner determines that electrical materials, devices, appliances, or equipment in question cannot be adequately evaluated through the use of approved national standards or by approved qualified testing laboratories, the Engineering Division of the Department of Insurance shall specify any alternative evaluations which safety requires.

The Engineering Division of the Department of Insurance shall keep in file, where practical, copies of all approved national standards and resumes of approved qualified testing laboratories.

(b) Electrical devices, appliances, or equipment used by the Division of Adult Correction of the Department of Public Safety ~~may be evaluated for safety and suitability by the Central Engineering Section of the Department of Public Safety. The evaluation shall be conducted in accordance with nationally recognized standards. Electrical devices, appliances, and equipment used by the Division that are not evaluated by the Central Engineering Section as provided by this subsection are subject to~~ in institutional kitchens and manufacturing equipment used by Correction Enterprises are exempt from the evaluation requirement of subsection (a) of this section."

Tech.
Senate is correct

House and Senate Differ

House Version

PAROLE ELIGIBILITY REPORT

SECTION 16C.14. Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-721.1. Parole eligibility reports.**

(a) Each fiscal year the Post-Release Supervision and Parole Commission shall, with the assistance of the North Carolina Sentencing and Policy Advisory Commission and the Department of Public Safety, analyze the amount of time each inmate who is eligible for parole on or before July 1 of the previous fiscal year has served compared to the time served by offenders under Structured Sentencing for comparable crimes. The Commission shall determine if the person has served more time in custody than the person would have served if sentenced to the maximum sentence under the provisions of Article 81B of Chapter 15A of the General Statutes. The "maximum sentence", for the purposes of this section, shall be calculated as set forth in subsection (b) of this section.

(b) For the purposes of this section, the following rules apply for the calculation of the maximum sentence:

(1) The offense upon which the person was convicted shall be classified as the same felony class as the offense would have been classified if committed after the effective date of Article 81B of Chapter 15A of the General Statutes.

(2) The minimum sentence shall be the maximum number of months in the presumptive range of minimum durations in Prior Record Level VI of G.S. 15A-1340.17(c) for the felony class determined under subdivision (1) of this subsection. The maximum sentence shall be calculated using G.S. 15A-1340.17(d), (e), or (e1).

(3) If a person is serving sentences for two or more offenses that are concurrent in any respect, then the offense with the greater classification shall be used to determine a single maximum sentence for the concurrent offenses. The fact that the person has been convicted of multiple offenses may be considered by the Commission in making its determinations under subsection (a) of this section.

(c) The Post-Release Supervision and Parole Commission shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety by April 1 of each year. The report shall include the following: the class of the offense for which each parole-eligible inmate was convicted and whether an inmate had multiple criminal convictions. The Commission shall reinitiate the parole review process for each offender who has served more time than that person would have under Structured Sentencing as provided by subsections (a) and (b) of this section.

The Commission shall also report on the number of parole-eligible inmates reconsidered in compliance with this section and the number who were actually paroled."

Senate Version

PAROLE ELIGIBILITY REPORT

SECTION 16C.14. Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-721.1. Parole eligibility reports.**

(a) Each fiscal year the Post-Release Supervision and Parole Commission shall, with the assistance of the North Carolina Sentencing and Policy Advisory Commission and the Department of Public Safety, analyze the amount of time each inmate who is eligible for parole on or before July 1 of the previous fiscal year has served compared to the time served by offenders under Structured Sentencing for comparable crimes. The Commission shall determine if the person has served more time in custody than the person would have served if sentenced to the maximum sentence under the provisions of Article 81B of Chapter 15A of the General Statutes. The "maximum sentence", for the purposes of this section, shall be calculated as set forth in subsection (b) of this section.

(b) For the purposes of this section, the following rules apply for the calculation of the maximum sentence:

(1) The offense upon which the person was convicted shall be classified as the same felony class as the offense would have been classified if committed after the effective date of Article 81B of Chapter 15A of the General Statutes.

(2) The minimum sentence shall be the maximum number of months in the presumptive range of minimum durations in Prior Record Level VI of G.S. 15A-1340.17(c) for the felony class determined under subdivision (1) of this subsection. The maximum sentence shall be calculated using G.S. 15A-1340.17(d), (e), or (e1).

(3) If a person is serving sentences for two or more offenses that are concurrent in any respect, then the offense with the greater classification shall be used to determine a single maximum sentence for the concurrent offenses. The fact that the person has been convicted of multiple offenses may be considered by the Commission in making its determinations under subsection (a) of this section.

(c) The Commission shall reinitiate the parole review process for each offender who has served more time than that person would have under Structured Sentencing as provided by subsections (a) and (b) of this section.

(d) The Post-Release Supervision and Parole Commission shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety by April 1 of each year. The report shall include the following: the class of the offense for which each parole-eligible inmate was convicted and whether an inmate had multiple criminal convictions. The Commission shall also report on the number of parole-eligible inmates reconsidered in compliance with this section and the number who were actually paroled."

House Only

PROBATION AND PAROLE VEHICLES

SECTION 16C.15.(a) G.S. 143-341 reads as rewritten:

"**§ 143-341. Powers and duties of Department.**

The Department of Administration has the following powers and duties:

...

(8) General Services:

...

i. To establish and operate a central motor pool and such subsidiary related facilities as the Secretary may deem necessary, and to that end:

...

3. To require on a schedule determined by the Department all State agencies to transfer ownership, custody or control of any or all passenger motor vehicles within the ownership, custody or control of that agency to the Department, except those motor vehicles (i) under the ownership, custody or control of the Highway Patrol, the State Bureau of Investigation, or the constituent institutions of The University of North Carolina which are used primarily for law-enforcement ~~purposes.~~ purposes; or (ii) under the ownership, custody, or control of the Section of Community Corrections of the Division of Adult Correction of the Department of Public Safety that are used primarily for supervising offenders who have been placed on probation, parole, post-release supervision, or other community-based programs.

...."

SECTION 16C.15.(b) All vehicles exempted from motor fleet requirements under G.S. 143-341(8)i.3.(ii), as enacted by subsection (a) of this section, that are assigned to probation and parole positions in the Section of Community Corrections of the Division of Adult Correction of the Department of Public Safety and housed with the Department of Administration as of June 30, 2015, are transferred to the Department of Public Safety effective July 1, 2015.

SECTION 16C.15.(c) Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"**§ 143B-707.5. Probation and parole vehicles.**

The Department of Public Safety shall be responsible for insuring, maintaining, and replacing as needed all vehicles under the ownership, custody, or control of the Section of Community Corrections of the Division of Adult Correction and exempted from the motor fleet requirements under G.S. 143-341(8)i.3.(ii) for use as probation and parole vehicles. The Department may contract with private vendors for the maintenance and upfitting of those vehicles or it may use resources within the Department for those purposes if the costs are equivalent or cost savings may be realized by doing so. The Department shall report annually to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on the number of vehicles being used as probation and parole vehicles, the replacement schedule for those vehicles, and the costs of fueling, insuring, and maintaining those vehicles."

SECTION 16C.15.(d) The Department of Administration shall transfer from the Motor Fleet Fund to the Department of Public Safety up to the sum of ten million one hundred twenty-one thousand sixty-nine dollars ($10,121,069) during the 2015-2017 biennium for the purchase of vehicles for probation and parole officers.

SECTION 16C.15.(e) The Department of Public Safety may use funds appropriated to the Department for probation and parole vehicles to create new positions within the Department for the support and maintenance of those vehicles if it finds, pursuant to its authority under G.S. 143B-707.5, as enacted by subsection (c) of this section, that the costs are equivalent or that cost savings may be realized by using Department resources rather than contracting with private vendors. The Department shall report by July 1, 2016, to chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on any positions created pursuant to this subsection.

House and Senate Differ

House Version

INTERSTATE COMPACT FEES TO SUPPORT OPERATING NEEDS

SECTION 16C.16. G.S. 148-65.7(a) reads as rewritten:

"(a) Persons convicted in this State who make a request for transfer to another state pursuant to the compact shall pay a transfer application of two hundred fifty dollars ($250.00) for each transfer application submitted. The transfer application fee shall be paid to the Compact Commissioner upon submission of the transfer application. The Commissioner or the Commissioner's designee may waive the application fee if either the Commissioner or the Commissioner's designee finds that payment of the fee will constitute an undue economic burden on the offender.

All fees collected pursuant to this section shall be deposited in the Interstate Compact Fund and shall be used ~~only~~ to support administration of the Interstate ~~Compact.~~ Compact and operational costs for the Section of Community Corrections of the Division of Adult Correction.

The Interstate Compact Fund is established within the Division of Adult Correction of the Department of Public Safety as a nonreverting, interest-bearing special revenue account. Accordingly, revenue in the Fund at the end of a fiscal year does not revert, and interest and other investment income earned by the Fund shall be credited to it. All moneys collected by the Division of Adult Correction of the Department of Public Safety pursuant to this subsection shall be remitted to the State Treasurer to be deposited and held in this Fund. Moneys in the Fund shall be used to supplement funds otherwise available to the Division of Adult Correction of the Department of Public Safety for the administration of the Interstate ~~Compact.~~ Compact and operational costs for the Section of Community Corrections."

Senate Version

INTERSTATE COMPACT FEES TO SUPPORT TRAINING PROGRAMS AND EQUIPMENT PURCHASES

SECTION 16C.16. Notwithstanding the provisions of G.S. 148-65.7, fees collected for the Interstate Compact Fund during the 2015-2017 fiscal biennium may be used by the Division of Adult Correction of the Department of Public Safety during the 2015-2017 fiscal biennium to provide training programs and equipment purchases for the Section of Community Corrections, but only as long as sufficient funds remain available in the Fund to support the mission of the Interstate Compact Program.

Senate Only

OUR CHILDREN'S PLACE FUNDS

SECTION 16C.17. Notwithstanding any other provision of law, funds remaining from funds appropriated for the 2004-2005 fiscal year for Our Children's Place for planning and design may be used by Our Children's Place for general operations.

House and Senate Differ

House Version

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

SECTION 16D.2. Funds appropriated in this act to the Department of Public Safety for each fiscal year of the 2015-2017 fiscal biennium 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 Public Safety regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Public Safety shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Joint Legislative Oversight Committee on Justice and Public Safety prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the 2015-2016 fiscal year, the amount of funds anticipated for the 2016-2017 fiscal year, and the allocation of funds by program and purpose.

Senate Version

STATE FUNDS MAY BE USED AS FEDERAL MATCHING FUNDS

SECTION 16D.2. Funds appropriated in this act to the Department of Public Safety for the 2015-2016 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 Public Safety regarding the criteria for awarding federal funds. The Office of State Budget and Management, the Governor's Crime Commission, and the Department of Public Safety shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Joint Legislative Oversight Committee on Justice and Public Safety prior to allocation of the federal funds. The report shall identify the amount of funds to be received for the 2015-2016 fiscal year and the allocation of funds by program and purpose.

House and Senate Differ

House Version

COLLECT DNA/ALL VIOLENT FELONY ARRESTS

SECTION 17.3.(a) G.S. 15A-266.3A(f) reads as rewritten:

"(f) This section shall apply to a person arrested for violating any one of the following offenses in Chapter 14 of the General Statutes:

(1) G.S. 14-16.6(b), Assault with a deadly weapon on executive, legislative, or court officer; and G.S. 14-16.6(c), Assault inflicting serious bodily injury on executive, legislative, or court officer.

(1a) G.S. 14-17, First and Second Degree Murder.

(2) G.S. 14-18, Manslaughter.

(2a) Any felony offense in Article 6A, Unborn Victims.

(3) Any offense in Article 7A, Rape and Other Sex Offenses.

(4) G.S. 14-28, Malicious castration; G.S. 14-29, Castration or other maiming without malice aforethought; G.S. 14-30, Malicious maiming; G.S. 14-30.1, Malicious throwing of corrosive acid or alkali; G.S. 14-31, Maliciously assaulting in a secret manner; G.S. 14-32, Felonious assault with deadly weapon with intent to kill or inflicting serious injury; ~~G.S. 14-32.4(a),~~G.S. 14-32.1(e), Aggravated assault or assault and battery on handicapped person; G.S. 14-32.2(a) when punishable pursuant to G.S. 14-32.2(b)(1), Patient abuse and neglect, intentional conduct proximately causes death; G.S. 14-32.3(a), Domestic abuse of disabled or elder adults resulting in injury; G.S. 14-32.4, Assault inflicting serious bodily ~~injury;~~injury or injury by strangulation; G.S. 14-33.2, Habitual misdemeanor assault; G.S. 14-34.1, Discharging certain barreled weapons or a firearm into occupied property; G.S. 14-34.2, Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers; G.S. 14-34.4, Adulterated or misbranded food, drugs, etc.; intent to cause serious injury or death; intent to extort; G.S. 14-34.5, Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; G.S. 14-34.6, Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, or emergency department physician; ~~and~~ G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention ~~facility.~~facility; G.S. 14-34.9, Discharging a firearm from within an enclosure; and G.S. 14-34.10, Discharge firearm within enclosure to incite fear.

(5) Any offense in Article 10, Kidnapping and Abduction, or Article 10A, Human Trafficking.

(5a) Any offense in Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material.

(6) G.S. 14-51, First and second degree burglary; G.S. 14-53, Breaking out of dwelling house burglary; G.S. 14-54(a1), Breaking or entering buildings with intent to terrorize or injure; G.S. 14-54.1, Breaking or entering a place of religious worship; and G.S. 14-57, Burglary with explosives.

(7) Any offense in Article 15, Arson.

(8) G.S. 14-87, Armed ~~robbery.~~robbery; Common law robbery punishable pursuant to G.S. 14-87.1; and G.S. 14-88, Train robbery.

(8a) G.S. 14-163.1(a1), Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal willfully killing the animal.

(9) Any offense which would require the person to register under the provisions of Article 27A of Chapter 14 of the General Statutes, Sex Offender and Public Protection Registration Programs.

(10) G.S. 14-196.3, Cyberstalking.

(10a) G.S. 14-202, Secretly peeping into room occupied by another person.

(10b) G.S. 14-258.2, Possession of dangerous weapon in prison resulting in bodily injury or escape; G.S. 14-258.3, Taking of hostage, etc., by prisoner; and G.S. 14-258.4, Malicious conduct by prisoner.

(11) G.S. 14-277.3A, Stalking.

(12) G.S. 14-288.9, Assault on emergency personnel with a dangerous weapon or substance.

(13) G.S. 14-288.21, Unlawful manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of a nuclear, biological, or chemical weapon of mass destruction; exceptions; and G.S. 14-288.22, Unlawful use of a nuclear, biological, or chemical weapon of mass destruction.

(14) G.S. 14-318.4(a), Child abuse inflicting serious injury and G.S. 14-318.4(a3), Child abuse inflicting serious bodily injury.

(15) G.S. 14-360(a1), Cruelty to animals; maliciously kill by intentional deprivation of necessary sustenance; and G.S. 14-360(b), Cruelty to animals; maliciously torture, mutilate, maim, cruelly beat, disfigure, poison, or kill.

(16) G.S. 14-401.22(e), Attempt to conceal evidence of non-natural death by dismembering or destroying remains."

SECTION 17.3.(b) The Joint Legislative Oversight Committee on Justice and Public Safety shall study extending the collection of DNA samples to persons arrested for any felony and shall report its findings and recommendations to the 2016 Regular Session of the 2015 General Assembly. The report shall include all of the following:

(1) A recommended time line for implementing a requirement that DNA samples be collected for persons arrested for committing any felony.

(2) An estimate of initial nonrecurring costs and recurring operating costs required of implementing such a requirement.

(3) Other costs and benefits of implementing such a requirement.

(4) An estimate of capital costs to the State of implementing such a requirement.

(5) Any other information that the Committee deems relevant.

SECTION 17.3.(c) Subsection (a) of this section becomes effective December 1, 2015, and applies to arrests occurring on or after that date. The remainder of this section is effective on July 1, 2015.

Senate Version

STUDY COLLECTION OF DNA/ALL FELONY ARRESTS

SECTION 17.3. The Joint Legislative Oversight Committee on Justice and Public Safety shall study extending the collection of DNA samples to persons arrested for any felony and shall report its findings and recommendations to the 2016 Regular Session of the 2015 General Assembly. The report shall include all of the following:

(1) A recommended time line for implementing a requirement that DNA samples be collected for persons arrested for committing any felony.

(2) An estimate of initial nonrecurring costs and recurring operating costs required of implementing such a requirement.

(3) Other costs and benefits of implementing such a requirement.

(4) An estimate of capital costs to the State of implementing such a requirement.

(5) Any other information that the Committee deems relevant.

House Only

STUDY THE IMPLEMENTATION AND USE OF BODY WORN CAMERAS BY LOCAL AND STATE LAW ENFORCEMENT OFFICERS

SECTION 17.5.(a) Definition. – The term "body-worn camera" means an operational video camera, including a microphone or other mechanism for allowing audio capture, affixed to a law enforcement officer's uniform and positioned in a way that allows the video camera to capture interactions the law enforcement officer has with the public.

SECTION 17.5.(b) Study. – The Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission, in consultation with the School of Government at the University of North Carolina at Chapel Hill, the North Carolina Conference of District Attorneys, and any other organizations the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission jointly determine may assist with the completion of the study required under this section, shall jointly study the implementation and use of body-worn cameras by local and State law enforcement officers. The study shall consider all of the following:

(1) The feasibility of equipping all law enforcement officers with a body-worn camera, including (i) identifying costs that would be incurred by State and local law enforcement agencies, (ii) funding options available to State and local law enforcement agencies for the procurement of body-worn cameras, and (iii) whether the use of body-worn cameras should be restricted to certain types of law enforcement officers.

(2) The type and intensity of training a law enforcement officer should receive prior to using a body-worn camera.

(3) The best practices and procedures for recording, including an identification of (i) situations when the law enforcement officer should activate the body-worn camera to record and (ii) situations in which the law enforcement officer should deactivate the body-worn camera or seek permission prior to recording.

(4) The best practices and procedures for retaining and storing any recordings captured by body-worn cameras, including (i) the costs of retention and storage, (ii) the types of recordings that should be retained and stored, and (iii) the standard retention and storage schedules for the different types of recordings.

(5) The level of public access which should be allowed to recordings captured by body-worn cameras, including any legislative changes necessary to allow public access.

(6) Any potential constitutional or other legal issues that may arise from the use of body-worn cameras by law enforcement officers.

(7) Any other matters or information the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission jointly deem relevant to the study.

SECTION 17.5.(c) Report. – The Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission shall jointly report their findings and recommendations, including any legislative proposals, by May 1, 2016, to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety.

Senate Only

PRIVATE LABS MUST COMPLY WITH CODIS

SECTION 17.6.(a) Article 13 of Chapter 15A of the General Statutes is amended by adding a new section to read:

"**§ 15A-270.2. Obtaining DNA analyses from entities other than the State Crime Laboratory; use of local DNA databases prohibited.**

(a) Private Laboratories Shall Comply With CODIS Requirements. – A local law enforcement agency shall not obtain DNA analysis from an entity other than the State Crime Laboratory unless that entity meets the standards applicable to vendor laboratories as set forth in the Federal Bureau of Investigation's Quality Assurance Standards for Forensic DNA Testing and Databasing Laboratories. The State Crime Laboratory shall maintain a list of laboratories that meet those standards and shall make the list available on its Web site.

(b) Private DNA Databases Prohibited. – A local law enforcement agency shall not access or create any DNA database other than those that participate in the CODIS system."

SECTION 17.6.(b) This section becomes effective October 1, 2015.

House Only

CONSOLIDATE BUSINESS COURT REPORTS

SECTION 18A.2. G.S. 7A-343(8a) is repealed.

House and Senate Differ

House Version

ANNUAL REPORT ON CRIMINAL COURT COST WAIVERS

SECTION 18A.3. Article 29 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-350. Annual report on criminal court cost waivers.**

The Administrative Office of the Courts shall maintain records of all cases in which a judge makes a finding of just cause to grant a waiver of criminal court costs under G.S. 7A-304(a) and shall report on those waivers to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by February 1 of each year. The report shall aggregate the waivers by the district in which the waiver or waivers were granted and by the name of each judge granting a waiver or waivers."

Senate Version

ANNUAL REPORT ON CRIMINAL COURT COST WAIVERS

SECTION 18A.3.(a) Article 29 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-350. Annual report on criminal court cost waivers.**

The Administrative Office of the Courts shall maintain records of all cases in which a judge makes a finding of just cause to grant a waiver of criminal court costs under G.S. 7A-304(a) and shall report on those waivers to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by February 1 of each year. The report shall aggregate the waivers by the district in which the waiver or waivers were granted and by the name of each judge granting a waiver or waivers."

SECTION 18A.3.(b) The Administrative Office of the Courts shall make the necessary modifications to its information systems to maintain the records required under G.S. 7A-350, as enacted by subsection (a) of this section.

Senate Only

House and Senate Differ

House Version

GRANT FUNDS

SECTION 18A.4. Notwithstanding G.S. 143C-6-9, the Administrative Office of the Courts may use up to the sum of one million five hundred thousand dollars ($1,500,000) from funds available to the Department to provide the State match needed in order to receive grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

Senate Version

GRANT FUNDS

SECTION 18A.4. Notwithstanding G.S. 143C-6-9, the Administrative Office of the Courts may use up to the sum of one million five hundred thousand dollars ($1,500,000) during the 2015-2016 fiscal year from funds available to the Department to provide the State match needed in order to receive grant funds. Prior to using funds for this purpose, the Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

Senate Only

House and Senate Differ

House Version

COLLECTION OF WORTHLESS CHECK FUNDS

SECTION 18A.5. 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, 2015, for the purchase or repair of office or information technology equipment during the 2015-2016 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Office of State Budget and Management on the equipment to be purchased or repaired and the reasons for the purchases.

Senate Version

COLLECTION OF WORTHLESS CHECK FUNDS

SECTION 18A.5.(a) 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, 2015, for the purchase or repair of office or information technology equipment during the 2015-2016 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Office of State Budget and Management on the equipment to be purchased or repaired and the reasons for the purchases.

SECTION 18A.5.(b) This section becomes effective June 30, 2015.

Senate Only

House Only

REIMBURSEMENT FOR USE OF PERSONAL VEHICLES

SECTION 18A.6. Notwithstanding the provisions of G.S. 138-6(a)(1), the Judicial Department, during the 2015-2017 fiscal biennium, may elect to establish a per-mile reimbursement rate for transportation by privately owned vehicles at a rate less than the business standard mileage rate set by the Internal Revenue Service.

House and Senate Differ

House Version

CONFERENCE OF DISTRICT ATTORNEY GRANT FUNDS

SECTION 18A.7. Section 18B.4 of S.L. 2013-360 reads as rewritten:

"**SECTION 18B.4.** Of the funds appropriated in this act to the Judicial Department, the sum of five hundred thousand dollars ($500,000) in the 2013-2014 fiscal year shall be allocated to the Conference of District Attorneys and shall be used to establish a grant fund to provide district attorneys across the State with the resources to obtain toxicology analysis from local hospitals on persons charged with driving while impaired whose conduct did not result in serious injury or death to others. The Conference of District Attorneys shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety ~~by October 1, 2014,~~ on the expenditure of these ~~funds.~~funds by October 1 of each year until all of the grant funds have been expended."

Senate Version

CONFERENCE OF DISTRICT ATTORNEYS GRANT FUNDS/AUTHORIZE DISTRICT ATTORNEYS TO USE CERTAIN GRANT FUNDS TO OBTAIN TOXICOLOGY ANALYSIS FROM PROVIDERS OF TOXICOLOGY ANALYSES OTHER THAN HOSPITALS

SECTION 18A.7. Section 18B.4 of S.L. 2013-360 reads as rewritten:

"**SECTION 18B.4.** Of the funds appropriated in this act to the Judicial Department, the sum of five hundred thousand dollars ($500,000) in the 2013-2014 fiscal year shall be allocated to the Conference of District Attorneys and shall be used to establish a grant fund to provide district attorneys across the State with the resources to obtain toxicology analysis from local ~~hospitals~~hospitals, or from other providers of toxicology analyses, on persons charged with driving while impaired whose conduct did not result in serious injury or death to others. The Conference of District Attorneys shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety ~~by October 1, 2014,~~ on the expenditure of these ~~funds.~~funds by October 1 of each year until all of the grant funds have been expended."

Senate Only

House and Senate Differ

House Version

DISTRICT ATTORNEY LEGAL ASSISTANTS

SECTION 18A.8.(a) G.S. 7A-347 reads as rewritten:

"**§ 7A-347.** ~~**Assistants for administrative and victim and witness services.**~~**District attorney legal assistants.**

~~Assistant for administrative and victim and witness services~~ District attorney legal assistant positions are established under the district attorneys' offices. Each prosecutorial district is allocated at least one ~~assistant for administrative and victim and witness services~~ district attorney legal assistant to be employed by the district attorney. The Administrative Office of the Courts shall allocate additional assistants to prosecutorial districts on the basis of need and within available appropriations. Each district attorney may also use any volunteer or other personnel to assist the assistant. The assistant is responsible for coordinating efforts of the law-enforcement and judicial systems to assure that each victim and witness is provided fair treatment under Article 45 of Chapter 15A, Fair Treatment for Victims and Witnesses and shall also provide administrative and legal support to the district attorney's office."

SECTION 18A.8.(b) G.S. 7A-348 reads as rewritten:

"**§ 7A-348. Training and supervision of** ~~**assistants for administrative and victim and witness services.**~~**district attorney legal assistants.**

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;~~district attorney legal assistants; and

(2) Assist in the implementation and supervision of this program."

SECTION 18A.8.(c) G.S. 15A-826 reads as rewritten:

"**§ 15A-826.** ~~**Assistants for administrative and victim and witness services.**~~**District attorney legal assistants.**

In addition to providing administrative and legal support to the district attorney's office, ~~assistants for administrative and victim and witness services~~district attorney legal assistants are responsible for coordinating efforts within the law-enforcement and judicial systems to assure that each victim and witness is treated in accordance with this Article."

technical
Senate is correct

Senate Version

DISTRICT ATTORNEY LEGAL ASSISTANTS

SECTION 18A.8.(a) G.S. 7A-347 reads as rewritten:

"**§ 7A-347. ~~Assistants for administrative and victim and witness services.~~District attorney legal assistants.**

~~Assistant for administrative and victim and witness services~~ District attorney legal assistant positions are established under the district attorneys' offices. Each prosecutorial district is allocated at least one ~~assistant for administrative and victim and witness services~~ district attorney legal assistant to be employed by the district attorney. The Administrative Office of the Courts shall allocate additional assistants to prosecutorial districts on the basis of need and within available appropriations. Each district attorney may also use any volunteer or other personnel to assist the assistant. The assistant is responsible for coordinating efforts of the law-enforcement and judicial systems to assure that each victim and witness is provided fair treatment under Article 45 of Chapter 15A, Fair Treatment for Victims and Witnesses and shall also provide administrative and legal support to the district attorney's office."

SECTION 18A.8.(b) G.S. 7A-348 reads as rewritten:

"**§ 7A-348. Training and supervision of ~~assistants for administrative and victim and witness services.~~district attorney legal assistants.**

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;~~ district attorney legal assistants; and

(2) Assist in the implementation and supervision of this program."

SECTION 18A.8.(c) G.S. 15A-826 reads as rewritten:

"**§ 15A-826. ~~Assistants for administrative and victim and witness services.~~District attorney legal assistants.**

In addition to providing administrative and legal support to the district attorney's office, ~~assistants for administrative and victim and witness services~~ district attorney legal assistants are responsible for coordinating efforts within the law-enforcement and judicial systems to assure that each victim and witness is treated in accordance with this Article."

House and Senate Differ

House Version

ALLOCATION OF ASSISTANT DISTRICT ATTORNEYS

SECTION 18A.10.(a) G.S. 7A-60 reads as rewritten:

"**§ 7A-60. District attorneys and prosecutorial districts.**

...

(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	~~11~~
2	Beaufort, Hyde, Martin, Tyrrell, Washington	~~8~~
3A	Pitt	~~11~~
3B	Carteret, Craven, Pamlico	~~12~~
4	Duplin, Jones, Onslow, Sampson	~~18~~
5	New Hanover, Pender	~~18~~
6	Bertie, Halifax, Hertford, Northampton	~~10~~
7	Edgecombe, Nash, Wilson	~~18~~
8	Greene, Lenoir, Wayne	~~14~~
9	Franklin, Granville, Vance, Warren	~~10~~
9A	Person, Caswell	~~6~~
10	Wake	~~41~~
11A	Harnett, Lee	~~9~~
11B	Johnston	~~10~~
12	Cumberland	~~23~~
13	Bladen, Brunswick, Columbus	~~13~~
14	Durham	~~18~~
15A	Alamance	~~11~~
15B	Orange, Chatham	~~10~~
16A	Scotland, Hoke	~~7~~
16B	Robeson	~~12~~
16C	Anson, Richmond	~~6~~
17A	Rockingham	~~7~~
17B	Stokes, Surry	~~8~~
18	Guilford	~~32~~
19A	Cabarrus	~~9~~
19B	Montgomery, Randolph	~~9~~
19C	Rowan	~~8~~
19D	Moore	~~5~~

20A		~~5~~
	Stanly	
20B	Union	~~10~~
21	Forsyth	~~25~~
22A	Alexander, Iredell	~~11~~
22B	Davidson, Davie	~~11~~
23	Alleghany, Ashe, Wilkes, Yadkin	~~8~~
24	Avery, Madison, Mitchell, Watauga, Yancey	~~7~~
25	Burke, Caldwell, Catawba	~~18~~
26	Mecklenburg	~~58~~
27A	Gaston	~~14~~
27B	Cleveland, Lincoln	~~11~~
28	Buncombe	~~14~~
29A	McDowell, Rutherford	~~7~~
29B	Henderson, Polk, Transylvania	~~8~~
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain.	~~10~~

(a2) ~~Upon the convening of each regular session of the General Assembly and its reconvening in the even-numbered year, the~~The Administrative Office of the Courts shall report by March 15 of each year on its ~~recommendations regarding the~~ allocation of assistant district attorneys for the upcoming fiscal biennium and fiscal year to the General Assembly, including any request for additional assistant district attorneys. The report shall include the number of assistant district attorneys that the Administrative Office of the Courts ~~recommends to be~~has allocated to each prosecutorial district and the workload formula established through the National Center for State Courts on which each ~~recommended~~ allocation is based. Any reports required under this subsection shall be made to ~~the Joint Legislative Commission on Governmental Operations, the~~ House of Representatives and Senate Appropriations ~~Subcommittees~~Committees on Justice and Public, and the Fiscal Research Division.

...."

SECTION 18A.10.(b) The Administrative Office of the Courts, in conjunction with the National Center for State Courts and the Conference of District Attorneys, shall revisit the workload formula used to determine the allocation of assistant district attorneys under G.S. 7A-60 and determine whether any adjustments should be made to the formula. The Administrative Office of the Courts shall report by May 1, 2016, to the chairs of the Joint Legislative Committee on Justice and Public Safety and the chairs of House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the conclusions reached about the workload formula and any recommendations for adjustments.

Senate Version

ALLOCATION OF ASSISTANT DISTRICT ATTORNEYS

SECTION 18A.10.(a) G.S. 7A-60 reads as rewritten:

"**§ 7A-60. District attorneys and prosecutorial districts.**

...

(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	~~11~~
2	Beaufort, Hyde, Martin, Tyrrell, Washington	~~8~~
3A	Pitt	~~11~~
3B	Carteret, Craven, Pamlico	~~12~~
4	Duplin, Jones, Onslow, Sampson	~~18~~
5	New Hanover, Pender	~~18~~
6	Bertie, Halifax, Hertford, Northampton	~~10~~
7	Edgecombe, Nash, Wilson	~~18~~
8	Greene, Lenoir, Wayne	~~14~~
9	Franklin, Granville, Vance, Warren	~~10~~
9A	Person, Caswell	~~6~~
10	Wake	~~41~~
11A	Harnett, Lee	~~9~~
11B	Johnston	~~10~~
12	Cumberland	~~23~~
13	Bladen, Brunswick, Columbus	~~13~~
14	Durham	~~18~~
15A	Alamance	~~11~~
15B	Orange, Chatham	~~10~~
16A	Scotland, Hoke	~~7~~
16B	Robeson	~~12~~
16C	Anson, Richmond	~~6~~
17A	Rockingham	~~7~~
17B	Stokes, Surry	~~8~~
18	Guilford	~~32~~
19A	Cabarrus	~~9~~
19B	Montgomery, Randolph	~~9~~
19C	Rowan	~~8~~
19D	Moore	~~5~~
20A	Stanly	~~5~~
20B	Union	~~10~~
21	Forsyth	~~25~~

22A	Alexander, Iredell	~~11~~
22B	Davidson, Davie	~~11~~
23	Alleghany, Ashe, Wilkes, Yadkin	~~8~~
24	Avery, Madison, Mitchell, Watauga, Yancey	~~7~~
25	Burke, Caldwell, Catawba	~~18~~
26	Mecklenburg	~~58~~
27A	Gaston	~~14~~
27B	Cleveland, Lincoln	~~11~~
28	Buncombe	~~14~~
29A	McDowell, Rutherford	~~7~~
29B	Henderson, Polk, Transylvania	~~8~~
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain.	~~10~~

(a2) ~~Upon the convening of each regular session of the General Assembly and its reconvening in the even-numbered year, the~~ The Administrative Office of the Courts shall report by March 15 of each year on its ~~recommendations regarding the~~ allocation of assistant district attorneys for the upcoming fiscal biennium and fiscal year to the General Assembly, including any request for additional assistant district attorneys. The report shall include the number of assistant district attorneys that the Administrative Office of the Courts ~~recommends to be~~ has allocated to each prosecutorial district and the workload formula established through the National Center for State Courts on which each ~~recommended~~ allocation is based. Any reports required under this subsection shall be made to ~~the Joint Legislative Commission on Governmental Operations, the~~ House of Representatives and Senate Appropriations ~~Subcommittees~~ Committees on Justice and Public, and the Fiscal Research Division.

...."

SECTION 18A.10.(b) G.S. 7A-63 reads as rewritten:

"**§ 7A-63. Assistant district attorneys.**

Each district attorney shall be entitled to the number of full-time assistant district attorneys ~~set out in this Subchapter, such number to be developed by the General Assembly~~ allocated to that prosecutorial district by the Administrative Office of the Courts after consulting the workload formula established through the National Center for State Courts, to be appointed by the district attorney, to serve at the district attorney's pleasure. A vacancy in the office of assistant district attorney shall be filled in the same manner as the initial appointment. An assistant district attorney shall take the same oath of office as the district attorney, and shall perform such duties as may be assigned by the district attorney. The district attorney shall devote full time to the duties of the office and shall not engage in the private practice of law during his or her term."

Senate Only

SECTION 18A.10.(c) Article 9 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-69.2. Transfer of vacant positions.**

Any assistant district attorney positions within a prosecutorial district that become vacant shall be transferred by the Administrative Office of the Courts to prosecutorial districts that are determined to be understaffed under the workload formula established through the National Center for State Courts if the Administrative Office of the Courts makes a determination that the district in which the vacancy occurred is overstaffed under that workload formula."

SECTION 18A.10.(d) The Administrative Office of the Courts, in conjunction with the National Center for State Courts and the Conference of District Attorneys, shall revisit the workload

formula used to determine the allocation of assistant district attorneys under G.S. 7A-60 and determine whether any adjustments should be made to the formula. The Administrative Office of the Courts shall report by May 1, 2016, to the chairs of the Joint Legislative Committee on Justice and Public Safety and the chairs of House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the conclusions reached about the workload formula and any recommendations for adjustments.

House Only

AMEND CERTIFICATE OF RELIEF/FEE

SECTION 18A.12.(a) G.S. 15A-173.2(a) reads as rewritten:

"(a) An individual who is convicted of ~~no more than two Class G, H, or I felonies or misdemeanors in one session of court, and who has no other convictions for a felony or misdemeanor other than a traffic violation,~~criminal offenses no higher than a Class G felony may petition the court where the individual was convicted of his or her most serious offense for a Certificate of Relief relieving collateral consequences as permitted by this Article. Except as otherwise provided in this subsection, after payment by the petitioner of the fee required by G.S. 7A-313.2, the petition shall be heard by the senior resident superior court judge if the convictions were in superior court, or the chief district court judge if the convictions were in district court. The senior resident superior court judge and chief district court judge in each district may delegate their authority to hold hearings and issue, modify, or revoke Certificates of Relief to judges, clerks, or magistrates in that district."

SECTION 18A.12.(b) Article 28 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-313.2. Certificate of relief fee.**

A person who petitions the court for a Certificate of Relief pursuant to Article 6 of this Chapter shall pay an administrative fee of fifty dollars ($50.00) at the time of the filing of the petition. The fee shall be remitted to the State Treasurer for support of the General Court of Justice. This section does not apply to petitions for a certificate of relief filed by an indigent."

SECTION 18A.12.(c) This section becomes effective October 1, 2015, and applies to certificates issued on or after that date.

House and Senate Differ

House Version

SPECIALTY COURTS/USE CLERK OF COURT PERSONNEL AND RESOURCES

SECTION 18A.14. Article 14 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-146.1. Specialty sessions of court; use of clerk of court personnel and resources.**

Upon the request of a clerk of court or district attorney, or upon the judge's own initiative, a chief district court judge may, pursuant to the judge's authority under G.S. 7A-146(7) to arrange sessions for the trial of specialized cases, authorize the establishment in the district court district of the holding of sessions of court in which related specialized cases or matters are adjudicated, including the holding of family court, drug treatment court, veterans' court, DWI court, mental health court, or any other innovative use of a session of court. With the consent of the clerk of superior court, the court may make use of the personnel and resources of the clerk's office to administer these specialty sessions. The Administrative Office of the Courts shall provide direction and oversight to any such specialty session of district court in order to ensure that each district is utilizing best practices and is working effectively and efficiently in the disposition of such specialized cases and consistent with the provisions of G.S. 7A-272."

Senate Version

SPECIALTY COURTS/USE CLERK OF COURT PERSONNEL AND RESOURCES

SECTION 18A.14.(a) Article 14 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-146.1. Specialty sessions of court; use of clerk of court personnel and resources.**

Upon the request of a clerk of court or district attorney, or upon the judge's own initiative, a chief district court judge may, pursuant to the judge's authority under G.S. 7A-146(7) to arrange sessions for the trial of specialized cases, authorize the establishment in the district court district of the holding of sessions of court in which related specialized cases or matters are adjudicated, including the holding of family court, drug treatment court, veterans' court, DWI court, mental health court, or any other innovative use of a session of court. With the consent of the clerk of superior court, the court may make use of the personnel and resources of the clerk's office to administer these specialty sessions. The Administrative Office of the Courts shall provide direction and oversight to any such specialty session of district court in order to ensure that each district is utilizing best practices and is working effectively and efficiently in the disposition of such specialized cases and consistent with the provisions of G.S. 7A-272."

Senate Only

SECTION 18A.14.(b) This section becomes effective October 1, 2015.

House Only

COMPENSATION OF COURT REPORTERS

SECTION 18A.15. Section 18B.21A of S.L. 2013-360 is repealed.

Senate Only

COMPENSATION OF COURT REPORTERS

SECTION 18A.20. The Administrative Office of the Courts shall set the limits on compensation and allowances of court reporters provided for in G.S. 7A-95(e) and G.S. 7A-198(f) during the 2015-2017 fiscal biennium so that (i) the Administrative Office of the Courts pays no more than fifty percent (50%) of the per-transcript-page rate paid by the Administrative Office of the Courts during the 2011-2013 fiscal biennium and (ii) the Office of Indigent Defense Services pays no more than fifty percent (50%) of the per-transcript-page rate paid by the Office of Indigent Defense Services during the 2011-2013 fiscal biennium.

House and Senate Differ

House Version

TRANSFER OFFICE OF INDIGENT DEFENSE SERVICES TO THE ADMINISTRATIVE OFFICE OF THE COURTS

SECTION 18A.17. G.S. 7A-498.2 reads as rewritten:

"**§ 7A-498.2. Establishment of Office of Indigent Defense Services.**

(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 and the Sentencing Services Program established in Article 61 of this Chapter, is created within the ~~Judicial Department.~~ Administrative Office of the Courts. 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.

(b) The Office of Indigent Defense Services shall exercise its prescribed powers independently of the head of the Administrative Office of the Courts. The Office may enter into contracts, own property, and accept funds, grants, and gifts from any public or private source to pay expenses incident to implementing its purposes.

(c) The Director of the Administrative Office of the Courts shall provide general administrative support to the Office of Indigent Defense Services. The term "general administrative support" includes purchasing, payroll, and similar administrative services.

(d) The budget of the Office of Indigent Defense Services shall be a part of the ~~Judicial Department's budget.~~ budget of the Administrative Office of the Courts. The Commission on Indigent Defense Services shall consult with the Director of the Administrative Office of the Courts, who shall assist the Commission in preparing and presenting to the General Assembly the Office's budget, but the Commission shall have the final authority with respect to preparation of the Office's budget and with respect to representation of matters pertaining to the Office before the General Assembly. The Administrative Office of the Courts shall conduct an annual audit of the budget of the Office of Indigent Defense Services.

(e) The Director of the Administrative Office of the Courts shall not reduce or modify the budget of the Office of Indigent Defense Services or use funds appropriated to the Office without the approval of the Commission."

Senate Version

TRANSFER OFFICE OF INDIGENT DEFENSE SERVICES TO THE ADMINISTRATIVE OFFICE OF THE COURTS

SECTION 18A.17. G.S. 7A-498.2 reads as rewritten:

"**§ 7A-498.2. Establishment of Office of Indigent Defense Services.**

(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 and the Sentencing Services Program established in Article 61 of this Chapter, is created within the ~~Judicial Department.~~ Administrative Office of the Courts. 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.

(b) The Office of Indigent Defense Services shall exercise its prescribed powers independently of the head of the Administrative Office of the Courts. The Office may enter into contracts, own property, and accept funds, grants, and gifts from any public or private source to pay expenses incident to implementing its purposes.

(c) The Director of the Administrative Office of the Courts shall provide general administrative support to the Office of Indigent Defense Services. The term "general administrative support" includes purchasing, payroll, and similar administrative services.

(d) The budget of the Office of Indigent Defense Services shall be a part of the ~~Judicial Department's budget.~~ budget of the Administrative Office of the Courts. The Commission on Indigent Defense Services shall consult with the Director of the Administrative Office of the Courts, who shall assist the Commission in preparing and presenting to the General Assembly the Office's budget, but the Commission shall have the final authority with respect to preparation of the Office's budget and with respect to representation of matters pertaining to the Office before the General Assembly. The Administrative Office of the Courts shall conduct an annual audit of the budget of the Office of Indigent Defense Services.

(e) The Director of the Administrative Office of the Courts shall not ~~reduce or~~ modify the budget of the Office of Indigent Defense Services or use funds appropriated to the Office without the approval of the Commission."

House and Senate Differ

House Version

STUDY FUTURE OF INDIGENT DEFENSE SERVICES COMMISSION AND INNOCENCE INQUIRY COMMISSION

SECTION 18A.18. The Legislative Research Commission shall study:

(1) The Office of Indigent Defense Services and determine whether changes should be made to the ways in which appropriated funds are used to provide legal assistance and representation to indigent persons.

(2) The North Carolina Innocence Inquiry Commission and determine whether changes should be made to the way in which the Commission investigates and determines credible claims of factual innocence made by criminal defendants.

The Legislative Research Commission shall report its findings and recommendations, including any proposed legislation, to the 2015 General Assembly when it reconvenes in 2016.

Senate Version

STUDY FUTURE OF INDIGENT DEFENSE SERVICES COMMISSION AND INNOCENCE INQUIRY COMMISSION

SECTION 18A.18. The Joint Legislative Oversight Committee on Justice and Public Safety shall study:

(1) The Office of Indigent Defense Services and determine whether changes should be made to the ways in which appropriated funds are used to provide legal assistance and representation to indigent persons.

(2) The North Carolina Innocence Inquiry Commission and determine whether changes should be made to the way in which the Commission investigates and determines credible claims of factual innocence made by criminal defendants.

The Joint Legislative Oversight Committee on Justice and Public Safety shall report its findings and recommendations, including any proposed legislation, to the 2015 General Assembly when it reconvenes in 2016.

Senate Only

ABOLISH THREE SPECIAL SUPERIOR COURT JUDGESHIPS

SECTION 18A.19. G.S. 7A-45.1 reads as rewritten:

"**§ 7A-45.1. Special judges.**

...

(a8) Notwithstanding any other provision of this section, the four special superior court judgeships held as of April 1, 2014, by judges whose terms expire on April 29, 2015, October 20, 2015, and December 31, 2017, and the two special superior court judgeships held as of April 1, 2015, by judges whose terms expire January 26, 2016, are abolished when any of the following first occurs:

(1) Retirement of the incumbent judge.
(2) Resignation of the incumbent judge.
(3) Removal from office of the incumbent judge.
(4) Death of the incumbent judge.
(5) Expiration of the term of the incumbent judge.

(a9) Effective upon the retirement, resignation, removal from office, death, or expiration of the term of the special superior court judge held as of April 1, 2014, by the judge whose term expires on April 29, 2015, a new special superior court judgeship shall be created and filled through the procedure for nomination and confirmation provided for in subsection (a10) of this section. ~~Effective upon the retirement, resignation, removal from office, death, or expiration of the term of the special superior court judge held as of April 1, 2014, by the judge whose term expires on October 20, 2015, a new special superior court judgeship shall be created and filled through the procedure for nomination and confirmation provided for in subsection (a10) of this section.~~

Prior to submitting a nominee for the ~~judgeships~~ judgeship created under this subsection to the General Assembly for confirmation, the Governor shall consult with the Chief Justice to ensure that the ~~persons~~ person nominated to fill ~~these two judgeships have~~ this judgeship has the requisite expertise and experience to be designated by the Chief Justice as a business court ~~judges~~ judge under G.S. 7A-45.3, and the Chief Justice is requested to designate ~~those two judges as business court judges.~~this judge as a business court judge.

...

(a11) The Chief Justice is requested, pursuant to the authority under G.S. 7A-45.3 to designate business court judges, to maintain at least five business court judgeships from among the special superior court judgeships authorized under this section.

...."

Senate Only

E-COURTS INFORMATION TECHNOLOGY INITIATIVE/STRATEGIC PLAN/ADVISORY COMMITTEE

SECTION 18A.21.(a) The Administrative Office of the Courts shall establish a strategic plan for the design and implementation of its e-Courts information technology initiative by February 1, 2016. The plan shall:

(1) Clearly articulate the requirements for the e-Courts system, including well-defined milestones, costs parameters, and performance measures.

(2) Prioritize the funding needs for implementation of the various elements of the system, after consultation with the e-Courts advisory committee established by subsection (c) of this section.

(3) Identify any potential issues that may arise in the development of the system and plans for mitigating those issues.

(4) Address the potential for incorporating any currently existing resources into the e-Courts system.

SECTION 18A.21.(b) The Administrative Office of the Courts shall report quarterly beginning November 1, 2015, to the Joint Legislative Oversight Committee on Justice and Public Safety and the Joint Legislative Oversight Committee on Information Technology on the development, implementation, and specific costs of the strategic plan required by subsection (a) of this section and on any changes in the projected costs for implementing the e-Courts system or the schedule for implementation.

SECTION 18A.21.(c) The Administrative Office of the Courts shall establish an e-Courts advisory committee consisting of clerks of superior court, judges, district attorneys, public defenders, and representatives of the State Bar in order to ensure that, in the development and implementation of the strategic plan required by subsection (a) of this section, it has the input and advice of those stakeholders in the e-Courts system and the benefit of the various stakeholders' expertise on the information technology needs of the courts. The advisory committee shall be guided by an executive steering committee.

SECTION 18A.21.(d) Upon completion of the strategic plan required by subsection (a) of this section, the Administrative Office of the Courts shall issue a Request For Information (RFI) for a contractor to provide the e-Courts system as outlined in the strategic plan. The Administrative Office of the Courts shall evaluate the responses to the RFI before issuing a Request for Proposals (RFP) for the e-Courts system.

Senate Only

AMEND CHILD CUSTODY LAWS

SECTION 18A.22.(a) Article 1 of Chapter 50 of the General Statutes is amended by adding a new section to read:

"**§ 50-13.01. Purposes.**

It is the policy of the State of North Carolina to do the following:

(1) Encourage focused, good-faith, best interest, and child-centered joint parenting agreement development to reduce needless litigation over child custody matters and to promote the best interest of the child.

(2) Encourage parents to take responsibility for their child by setting the expectation that parenthood will be a significant and ongoing responsibility.

(3) Encourage programs and court practices that maximize participation of both parents in the child's life and contact with both parents when such is in the child's best interest, regardless of the parents' present marital status, subject to laws regarding abuse, neglect, and dependency.

(4) Encourage both parents to share equitably in the rights and responsibilities of raising their child, even after dissolution of marriage or unwed relationship.

(5) Encourage each parent to establish and maintain a healthy relationship with the other parent to promote the best interest and welfare of the child."

SECTION 18A.22.(b) G.S. 50-13.2 reads as rewritten:

"**§ 50-13.2. Who entitled to custody; terms of custody; visitation rights of grandparents; taking child out of State; consideration of parent's military service.**

(a) An order for custody of a minor child entered pursuant to this section shall award the custody of such child to such person, agency, organization or institution as will best promote the interest and welfare of the child. In making the determination, the court shall consider all relevant ~~factors~~ factors, including all of the following:

(1) ~~acts~~ Acts of domestic violence between the ~~parties,~~ parties.

(2) ~~the~~ The safety of the ~~child,~~ child.

(3) ~~and the~~ The safety of either party from domestic violence by the other ~~party and shall make findings accordingly.~~ party.

An order for custody must include findings of fact ~~which~~ that reflect the consideration of each of these factors and that support the determination of what is in the best interest of the child.

(a1) Between the mother and father, whether natural or adoptive, no presumption shall apply as to who will better promote the interest and welfare of the child. ~~Joint custody to the parents shall be considered upon the request of either parent.~~

(b) An order for custody of a minor child may grant joint custody to the parents, exclusive custody to one person, agency, organization, or institution, or grant custody to two or more persons, agencies, organizations, or institutions. Any order for custody shall include such terms, including visitation, as will best promote the interest and welfare of the child. If the court finds that domestic violence has occurred, the court shall enter such orders that best protect the children and party who were the victims of domestic violence, in accordance with the provisions of G.S. 50B-3(a1)(1), (2), and (3). If a party is absent or relocates with or without the children because of an act of domestic violence, the absence or relocation shall not be a factor that weighs against the party in determining custody or visitation. Absent an order of the court to the contrary, each parent shall have equal access to the records of the minor child involving the health, education, and welfare of the child.

...."

Senate Only

USE OF COURT INFORMATION TECHNOLOGY FUND

SECTION 18A.23. G.S. 7A-343.2(b) reads as rewritten:

"(b) Use. – Money in the Fund derived from State judicial facilities fees must be used to upgrade, maintain, and operate the judicial and county courthouse ~~phone systems.~~ data connectivity. All other monies in the Fund must be used to supplement funds otherwise available to the Judicial Department for court information technology and office automation needs."

Senate Only

CLARIFY AUTHORIZATION TO CONTRACT FOR THE PROVISION OF REMOTE ACCESS TO COURT RECORDS

SECTION 18A.24. G.S. 7A-109(d) reads as rewritten:

"(d) In order to facilitate public access to ~~court records,~~ the electronic data processing records or any compilation of electronic court records or data of the clerks of superior court, except where public access is prohibited by law, the Director may enter into one or more nonexclusive contracts under reasonable cost recovery terms with third parties to provide remote electronic access to the electronic data processing records or any compilation of electronic court records or data of the clerks of superior court by the public. Neither the Director nor the Administrative Office of the Courts is the custodian of the records of the clerks of superior court or of the electronic data processing records or any compilation of electronic court records or data of the clerks of superior court. Costs recovered pursuant to this subsection shall be remitted to the State Treasurer to be held in the Court Information Technology Fund established in G.S. 7A-343.2."

House and Senate Differ

House Version

INDIGENT DEFENSE SERVICES ANNUAL REPORT DATE CHANGE

SECTION 18B.1. G.S. 7A-498.9 reads as rewritten:

"**§ 7A-498.9. Annual report on Office of Indigent Defense Services.**

The Office of Indigent Defense Services shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House of Representatives ~~Subcommittee~~and Senate Committees on Justice and Public Safety ~~and the Senate Appropriations Committee on Justice and Public Safety~~ by ~~February 1~~March 15 of each year on the following:

(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 services, 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, including any recommendations concerning the feasibility and desirability of establishing regional public defender offices."

technical

Senate is correct

Senate Version

INDIGENT DEFENSE SERVICES ANNUAL REPORT DATE CHANGE

SECTION 18B.1. G.S. 7A-498.9 reads as rewritten:

"**§ 7A-498.9. Annual report on Office of Indigent Defense Services.**

The Office of Indigent Defense Services shall report to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House of Representatives ~~Subcommittee~~ and Senate Committees on Justice and Public Safety ~~and the Senate Appropriations Committee on Justice and Public Safety~~ by ~~February 1~~ March 15 of each year on the following:

(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 services, 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, including any recommendations concerning the feasibility and desirability of establishing regional public defender offices."

House and Senate Differ

House Version

OFFICE OF INDIGENT DEFENSE SERVICES/STATE MATCH FOR GRANTS

SECTION 18B.2. Notwithstanding G.S. 143C-6-9, during the 2015-2017 fiscal biennium, the Office of Indigent Defense Services may use the sum of up to fifty thousand dollars ($50,000) from funds available to provide the State matching funds needed to receive grant funds. Prior to using funds for this purpose, the Office shall report to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

(60)

Senate Version

OFFICE OF INDIGENT DEFENSE SERVICES/STATE MATCH FOR GRANTS

SECTION 18B.2. Notwithstanding G.S. 143C-6-9, the Office of Indigent Defense Services may use the sum of up to fifty thousand dollars ($50,000) during the 2015-2016 fiscal year from funds available to provide the State matching funds needed to receive grant funds. Prior to using funds for this purpose, the Office shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds.

House and Senate Differ

House Version

REPORTS ON CRIMINAL CASE INFORMATION SYSTEM

SECTION 18B.3. Section 18B.10 of S.L. 2014-100, as amended by Section 18A.2 of S.L. 2013-360, reads as rewritten:

"**SECTION 18B.10.** The Administrative Office of the Courts, in consultation with the Office of Indigent Defense Services, shall use the sum of three hundred fifty thousand dollars ($350,000) in funds available to the Administrative Office of the Courts for the 2013-2015 fiscal biennium and the sum of three hundred fifty thousand dollars ($350,000) in funds available to the Office of Indigent Defense Services for the 2013-2015 fiscal biennium to develop or acquire and to implement a component of the Department's criminal case information system for use by public defenders no later than February 1, 2015. The Administrative Office of the Courts shall make ~~an interim report~~ interim reports on the development and implementation of this system by February 1, 2014, and July 1, 2015, and ~~a final report on the completed implementation of the system by July 1, 2015,~~ by February 1 of each year through the completed implementation of the system to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House of Representatives and Senate Appropriations ~~Subcommittee~~ Committees on Justice and Public ~~Safety and the Senate Appropriations Committee on Justice and Public~~ Safety."

Senate Version

REPORTS ON CRIMINAL CASE INFORMATION SYSTEM

SECTION 18B.3.(a) Section 18B.10 of S.L. 2013-360, as amended by Section 18A.2 of S.L. 2014-100, reads as rewritten:

"**SECTION 18B.10.** The Administrative Office of the Courts, in consultation with the Office of Indigent Defense Services, shall use the sum of three hundred fifty thousand dollars ($350,000) in funds available to the Administrative Office of the Courts for the 2013-2015 fiscal biennium and the sum of three hundred fifty thousand dollars ($350,000) in funds available to the Office of Indigent Defense Services for the 2013-2015 fiscal biennium to develop or acquire and to implement a component of the Department's criminal case information system for use by public defenders no later than ~~February 1, 2015.~~ February 1, 2016. The Administrative Office of the Courts shall make ~~an interim report~~ quarterly reports on the development and implementation of this ~~system by February 1, 2014,~~ system, including costs, milestones, and performance measures, and a final report on the completed implementation of the system by ~~July 1, 2015,~~ July 1, 2016, to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and to the Chairs of the House of Representatives and Senate Appropriations ~~Subcommittee~~ Committees on Justice and Public ~~Safety and the Senate Appropriations Committee on Justice and Public~~ Safety."

SECTION 18B.3.(b) This section becomes effective June 30, 2015.

Senate Only

House and Senate Differ

House Version

STUDY EFFICIENCY OF ESTABLISHING A SYSTEM OF AUTOMATED KIOSKS IN LOCAL CONFINEMENT FACILITIES TO ALLOW ATTORNEYS REPRESENTING INDIGENT DEFENDANTS TO CONSULT WITH THEIR CLIENTS REMOTELY

SECTION 18B.4.(a) The Office of Indigent Defense Services shall study and determine whether savings can be realized through the establishment of a system of fully automated kiosks in local confinement facilities to allow attorneys representing indigent defendants to consult with their clients remotely. The system would incorporate technology through which meetings between attorneys and their clients cannot be monitored or recorded.

SECTION 18B.4.(b) The Office of Indigent Defense Services shall report its findings and recommendations, including recommendations of at least two potential pilot sites for the proposed system, to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by February 1, 2016.

Senate Version

STUDY EFFICIENCY OF ESTABLISHING A SYSTEM OF AUTOMATED KIOSKS IN LOCAL CONFINEMENT FACILITIES TO ALLOW ATTORNEYS REPRESENTING INDIGENT DEFENDANTS TO CONSULT WITH THEIR CLIENTS REMOTELY

SECTION 18B.4.(a) The Administrative Office of the Courts, in conjunction with the Office of Indigent Defense Services and the North Carolina Sheriffs' Association, shall study and determine whether savings can be realized through the establishment of a system of fully automated kiosks in local confinement facilities to allow attorneys representing indigent defendants to consult with their clients remotely. The system would incorporate technology through which meetings between attorneys and their clients cannot be monitored or recorded, would provide for end-to-end message encryption, and would have scheduling software integrated into the system.

SECTION 18B.4.(b) The Administrative Office of the Courts shall report its findings and recommendations, including recommendations of ~~at least~~ two potential pilot sites for the proposed system, to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by February 1, 2016.

Senate Only

STUDY FEE SCHEDULES USED BY OFFICE OF INDIGENT DEFENSE SERVICES

SECTION 18B.5. The Joint Legislative Oversight Committee on Justice and Public Safety shall study the creation and implementation of fee schedules to be used by the Office of Indigent Defense Services to compensate private assigned counsel representing indigent defendants. The Committee shall include its findings and recommendations in its report to the 2015 General Assembly when it reconvenes in 2016.

North Carolina General Assembly - House Sergeant-at-Arms

House Staff

Committee: Justice & Public Safety Date: 1 July 2015

Pages

Name: LAUREN LUTHER

County: PASQUOTANK Sponsor: BOB STEINBURG

Name: JATE RUSSELL

County: WAKE Sponsor: GEN. GARY PENDLETON

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Sergeants-at-Arms

BARRY MOORE

B H POWELL

DAVID LINTHICUM

North Carolina General Assembly - House Sergeant-at-Arms

Visitors

Committee: HOUSE CMTE ON ~~AIRPORTS~~ JUSTICE & PUBLIC SAFETY Date: 1 July 2015

Name	Organization
Hayden McGuire	FSP
TERRI CATLETT	DPS
Tom Mills	NCAOC
Peg Dorer	Conf. of DAs
George Solomon	NCDPS
Bill Grey	NCSHP
Mildred Spearman	NCAOC
Nicole Sullivan	NCDPS
William Lassiter	NCDPS
Anne Precythe	NCDPS
Flint Benson	SEANC
MATT LONGO ~~SARDE~~	NCDOT
Chris Agee	NCDOJ
Mary Irvine	NC Equal Justice Alliance
Thomas Mahcl	TDS
Ken Pike	NC ALE
Jason Lockleur	NC ALE

(over)

Name	Organization
Bryan House	NCALE
Annaliese Dolph	DL
Andy Brandon	DPS
JOE EATER	DPS
David Guice	DPS
Kemil Casserta	DPS
Tracy Little	OSBM
[illegible]	TLC
Sammy Roberson	TLC
Carol Townsend	Gov. office

House Appropriations Committee on Justice and Public Safety

2016 Short Session

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Minutes of Meetings by Date Tab

HOUSE APPROPRIATIONS, JUSTICE AND PUBLIC SAFETY

Rev. 1.30.2015

MEMBER	ASSISTANT	PHONE	OFFICE	SEAT
Rep. Jamie Boles, Chair	Kerry Guice, Clerk	3-5903	528	25
Rep. Leo Daughtry, Chair	Jan Copeland	3-5605	2207	2
Rep. John Faircloth, Chair	Becky Bauerband	3-5877	613	39
Rep. Pat Hurley, Chair	Debbie Holder	3-5865	532	10
Rep. Darren Jackson, Vice-Chair	Angela McMillan	3-5974	1013	34
Rep. Allen McNeill, Vice-Chair	Laura Sullivan	5-4946	418C	56
Rep. Sarah Stevens, Vice-Chair	Lisa Brown	5-1883	635	13
Rep. Charles Graham	Linda Laton	5-0875	1309	84
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Rep. Brad Salmon	Katie Stanley	5-3026	1319	107
Rep. Michael Speciale	Hazel Speciale	3-5853	1008	52
Rep. Rena Turner	Barb Gaiser	3-5661	602	68

HOUSE COMMITTEE ON APPROPRIATIONS JUSTICE AND PUBLIC SAFETY
2015 SESSION

Clerks: Kerry Guice, Becky Bauerband, Debbie Holder



Rep. Jamie Boles, Chairman



Rep. Leo Daughtry, Chairman



Rep. John Faircloth, Chairman



Rep. Pat Hurley, Chairman



Rep. Darrin Jackson, Vice-Chairman



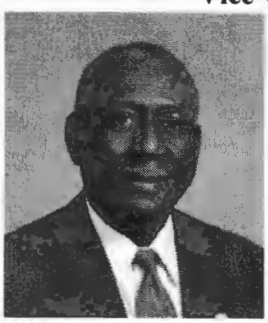
Rep. Allen McNeill, Vice-Chairman



Rep. Sarah Stevens, Vice-Chairman



Rep. Charles Graham



Rep. George Graham



Rep. Ralph Johnson



Rep. Brad Salmon



Rep. Michael Speciale



Rep. Rena Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	5.4.16	5.12.16													
Rep. Jamie Boles, Co-Chair	✓	✓													
Rep. Leo Daughtry, Co-Chair	✓	✓													
Rep. John Faircloth, Co-Chair	✓	✓													
Rep. Pat Hurley, Co-Chair	✓	✓													
Rep. Darren Jackson, Vice Chair		✓													
Rep. Allen McNeill, Vice Chair	✓	✓													
Rep. Sarah Stevens, Vice Chair	✓	✓													
Rep. Charles Graham	✓	✓													
Rep. George Graham	✓	✓													
Rep. Brad Salmon	✓	✓													
Rep. Chris Sgro	✓	✓													
Rep. Michael Speciale	✓	✓													
Rep. Rena Turner	✓	✓													
Sen. Stan Bingham, Co-Chair															
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair															
Sen. Tom Apocaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson															
Sen. Michael Lee															

House Committee on Appropriations, Justice and Public Safety
Wednesday, May 4, 2016 at 8:30 a.m.
Room 643

MINUTES

The House Committee on Appropriations, Justice and Public Safety met at 8:30 a.m. on Wednesday, May 4, 2016 in Room 643. Representatives Boles, Daughtry, Faircloth, C. Graham, G. Graham, Hurley, McNeill, Salmon, Sgro, Speciale, Stevens, and Turner attended.

Rep. Jamie Boles presided and called the meeting to order at 8:31 a.m.

Chairman boles introduced the Sergeant at Arms and Pages present and then introduced Rep. Chris Sgro, a newly appointed member who fills the seat of Rep. Ralph Johnson who passed away in March. He then asked each of the committee members to introduce themselves to the new member.

Chairman Boles recognized Tracy Little, Assistant State Budget Officer, Office of State Budget and Management, to present the Governor's recommended budget for Justice and Public Safety (Attachment 1). Following her presentation, Rep. Boles opened the floor for questions regarding the presentation.

Chairman Boles recognized John Poteat, NCGA Fiscal Research, to present the Inmate Road Crew Continuation Review (Attachment 2). Following Mr. Poteat's presentation, Chairman Boles recognized Melissa Earp, Assistant Director for Administrative Services, Prisons, NC Department of Public Safety (Attachment 3) to further review the Inmate Road Crew work. Following these presentations, Chairman Boles opened the floor for questions.

Chairman Boles took a moment of personal privilege to introduce Mr. Robert Schurmeier, the Governor's nominee for Director of the NC SBI and Janie Sutton, Acting Director of the NC SBI. He then recognized Col. Bill Grey of the NC SHP and reminded members of the committee of the National Peace Officer's Day Memorial Services at Colonial Baptist Church and the SHP facility on May 5th.

The meeting adjourned at 9:53 a.m.

James L Boles

Rep. James L. Boles, Jr.
Presiding

Kerry L Guice

Kerry L. Guice, Committee Clerk

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Wednesday, May 4, 2016
TIME: **8:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Members please be sure to bring your copy of the Governors Proposed Budget with you to the Committee meeting.**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:14 AM on Tuesday, May 03, 2016.

___ Principal Clerk
___ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

May 4, 2016 8:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles, Presiding
Representative Leo Daughtry
Representative John Faircloth
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Governor's Recommended JPS Budget
Tracy Little, Assistant State Budget Officer
Justice and Public Safety / Natural and Economic Resources

Inmate Road Squad and Litter Crew Continuation Review
John Poteat, Fiscal Research Division

Melissa B. Earp, Assistant. Director
Administrative Services, Prisons
Department of Public Safety

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. Salmon, Rep. Sgro, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	5.4.16	5.12.16													
Rep. Jamie Boles, Co-Chair	✓	✓													
Rep. Leo Daughtry, Co-Chair	✓	✓													
Rep. John Faircloth, Co-Chair	✓	✓													
Rep. Pat Hurley, Co-Chair	✓	✓													
Rep. Darren Jackson, Vice Chair		✓													
Rep. Allen McNeill, Vice Chair	✓	✓													
Rep. Sarah Stevens, Vice Chair	✓	✓													
Rep. Charles Graham	✓	✓													
Rep. George Graham	✓	✓													
Rep. Brad Salmon	✓	✓													
Rep. Chris Sgro	✓	✓													
Rep. Michael Speciale	✓	✓													
Rep. Rena Turner	✓	✓													
Sen. Stan Bingham, Co-Chair															
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair															
Sen. Tom Apocaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson															
Sen. Michael Lee															

Attachment 1

Justice and Public Safety

Total Spend: $2.6 billion
12% of General Fund Budget

Increasing Salaries for Law Enforcement, Justice and Public Safety Employees
Invests $10 million to support pay increases and an updated salary schedule for correctional officers.

Provides an average 5 percent pay increase for State Bureau of Investigation and Alcohol Law Enforcement agents, Assistant District Attorneys and Assistant Public Defenders.

Funds experience-based pay increases for qualifying State Highway Patrol Troopers, Assistant and Deputy Clerks and Magistrates.

Promoting Safer Schools
Deploys an anonymous tip reporting application ('SPK UP NC') for students in schools across the state.

Supports four new emergency management professionals to help local schools districts develop and implement school safety plans.

Leveraging Technology to Deter and Combat Crime
Uses technology to detect and prevent prisoner access to cell phones.

Enhances highway safety and improves response time by adding additional State Highway Patrol emergency telecommunicators.

Safeguards law enforcement communications by replacing the outdated monitoring system for the Voice Interoperability Plan for Emergency Responders (VIPER) network enabling law enforcement to more effectively communicate and respond during emergencies.

Improves criminal justice intelligence capabilities by investing in a case management tool that gives law enforcement officers analytics to solve crimes.

Improving Our Criminal Justice System
Supports the recommendations of the Governor's Task Force on Mental Health and Substance Use by establishing evidence-based specialty courts, such as treatment courts.

Provides additional resources to support the payment of private assigned counsel to represent indigent clients throughout the state.

Increases resources for State Crime Lab analysis and outsourcing cases to significantly reduce criminal case backlogs and improve turnaround time.

Reduces the backlog of criminal cases by opening the Western Crime Lab and increasing the capabilities of the State Crime Lab.

Judicial Branch (12000)

	2015 Session Law-Enacted			2016 Legislative Session-Recommended Change				% Change from	% Change from
	2014-15 Actual	2015-16 Certified	2016-17 Certified	Net Recurring	Net Non-Recurring	Recommended Adjustment	Revised 2016-17	2015-16 Certified	2016-17 Certified
Total Requirements	$468,817,401	$486,212,689	$485,407,793	$11,665,520	$9,958,855	$21,624,375	$507,032,168	4.28%	4.45%
Less Receipts	$1,327,486	$1,281,472	$1,281,472	$2,500,000	-	$2,500,000	$3,781,472	195.09%	195.09%
Total Appropriation	$467,489,915	$484,931,217	$484,126,321	$9,165,520	$9,958,855	$19,124,375	$503,250,696	3.78%	3.95%
Total Positions	-	5,788.313	5,794.313	-	-	-	5,794.313	0.10%	0.00%

		2016-2017 Recommended		
		Recurring Changes	Non Recurring Changes	Total Adjustments
1. **Reward State Employees with One-Time Bonus** Provides funds for an average 3.0% bonus for State employees (up to a maximum bonus of $3,000 per employee). Each agency head, in consultation with the Office of State Human Resources, will determine the distribution of the bonus. This bonus shall not be considered part of an employee's annual salary or base rate of pay for retirement purposes.	**Requirements**	-	$9,958,855	$9,958,855
	Less Receipts	-	-	-
	Appropriation	-	$9,958,855	$9,958,855
	Positions	-	-	-
2. **Increase Salaries for Qualifying Assistant and Deputy Clerks** Provides funds for an experience-based step increase for Assistant and Deputy Clerks pursuant to GS 7A-102.	**Requirements**	$3,713,393	-	$3,713,393
	Less Receipts	-	-	-
	Appropriation	$3,713,393	-	$3,713,393
	Positions	-	-	-
3. **Increase Salaries for Qualifying Magistrates** Provides funds for an experience-based step increase for Magistrates pursuant to GS 7A-171.1.	**Requirements**	$1,205,761	-	$1,205,761
	Less Receipts	-	-	-
	Appropriation	$1,205,761	-	$1,205,761
	Positions	-	-	-
4. **Increase Salaries for Assistant District Attorneys** Provides funding for a market-based adjustment, averaging 5.0%, for Assistant District Attorneys.	**Requirements**	$2,494,062	-	$2,494,062
	Less Receipts	-	-	-
	Appropriation	$2,494,062	-	$2,494,062
	Positions	-	-	-
5. **Implement Governor's Task Force for Mental Health and Substance Use Recommendations** Provides $2.5 million through a transfer from the Department of Health and Human Services for specialty courts serving special populations including veterans, and those with mental health and substance abuse issues. DHHS shall allocate $2.5 million for treatment for individuals assigned to specialty court programs. AOC is directed to conduct or contract for a study to develop the most effective program model, develop criteria and standards, and identify appropriate judicial districts for establishing new specialty courts leveraging existing resources for such courts currently operating. The Drug Treatment Court Advisory Committee shall review the proposed framework and locations, and provide recommendations to the AOC Director regarding implementation. AOC may use up to 10% of transferred funds to administer the specialty courts.	**Requirements**	$2,500,000		$2,500,000
	Less Receipts	$2,500,000		$2,500,000
	Appropriation	-	-	-
	Positions	-	-	-
6. **Improve Transparency of Agency IT Expenses** Increases funding for agency IT budgets to fund Department of Information Technology rates that were updated last year to reflect actual costs.	**Requirements**	$57,300	-	$57,300
	Less Receipts	-	-	-
	Appropriation	$57,300	-	$57,300
	Positions	-	-	-

7. **State Retirement Contribution Rate Increase**

Increases the State's contribution for members of the Teachers' and State Employees' Retirement System and the Consolidated Judicial Retirement System to fully fund the Actuarially Determined Contribution. The State's total General Fund contribution for retirement systems, disability benefits, death benefits, and retiree health benefits is more than $1.7 billion annually. For TSERS in FY 2016-17, the State will contribute an amount equal to 15.67% of each employee's salary for these benefits; for Law Enforcement Officers, the State will contribute an amount equal to 20.67% of each officer's salary for these benefits. For CJRS in FY 2016-17, the State will contribute an amount equal to 34.13% of each employee's salary for these benefits.

Requirements	$1,695,004	-	$1,695,004
Less Receipts	-	-	-
Appropriation	$1,695,004	-	$1,695,004
Positions	-	-	-

Net Adjustments			
Requirements	$11,665,520	$9,958,855	$21,624,375
Less Receipts	$2,500,000	-	$2,500,000
Appropriation	$9,165,520	$9,958,855	$19,124,375
Positions	-	-	-

Administrative Office of the Courts

		FY 2016-17 Certified				FY 2016-17 Recommended Adjustments		
		Requirements	Receipts	Appropriation	FTE	Total Appropriation	Net Changes to Appropriation	Net Position Changes
1XXXX								
12000								
1100	Administration and Services	50,772,638	681,041	50,091,597	296.850	61,802,756	11,711,159	-
1200	Appellate Division	13,868,952	-	13,868,952	128.000	13,868,952	-	-
1300	Trial Court Division	298,536,162	-	298,536,162	3,980.336	303,455,316	4,919,154	-
1410	Specialty Services and Programs	20,429,106	200,000	20,229,106	236.497	20,229,106	-	-
1600	Office - District Attorney	99,565,686	134,807	99,430,879	1,130.130	101,924,941	2,494,062	-
1700	Independent Commissions	2,235,249	265,624	1,969,625	22.500	1,969,625	-	-
Total 1XXXX		**485,407,793**	**1,281,472**	**484,126,321**	**5,794.313**	**503,250,696**	**19,124,375**	**-**

Judicial Branch - Indigent Defense (12001)

	2014-15 Actual	2015 Session Law-Enacted 2015-16 Certified	2015 Session Law-Enacted 2016-17 Certified	2016 Legislative Session-Recommended Change Net Recurring	2016 Legislative Session-Recommended Change Net Non-Recurring	2016 Legislative Session-Recommended Change Recommended Adjustment	Revised 2016-17	% Change from 2015-16 Certified	% Change from 2016-17 Certified
Total Requirements	$122,430,307	$126,347,025	$126,974,092	$1,222,832	$4,540,578	$5,763,410	$132,737,502	5.06%	4.54%
Less Receipts	$10,332,515	$10,344,128	$10,344,128	-	-	-	$10,344,128	-%	-%
Total Appropriation	$112,097,792	$116,002,897	$116,629,964	$1,222,832	$4,540,578	$5,763,410	$122,393,374	5.51%	4.94%
Total Positions	-	519.350	519.350	-	-	-	519.350	-%	-%

		2016-2017 Recommended Recurring Changes	Non Recurring Changes	Total Adjustments
1. **Reward State Employees with One-Time Bonus**	**Requirements**	-	$1,040,578	$1,040,578
Provides funds for an average 3.0% bonus for State employees (up to a maximum bonus of $3,000 per employee). Each agency head, in consultation with the Office of State Human Resources, will determine the distribution of the bonus. This bonus shall not be considered part of an employee's annual salary or base rate of pay for retirement purposes.	**Less Receipts**	-	-	-
	Appropriation	-	$1,040,578	$1,040,578
	Positions	-	-	-
2. **Increase Salaries for Assistant Public Defenders**	**Requirements**	$1,081,439	-	$1,081,439
Provides funding for a market-based adjustment, averaging 5.0%, for Assistant Public Defenders.	**Less Receipts**	-	-	-
	Appropriation	$1,081,439	-	$1,081,439
	Positions	-	-	-
3. **Increase Funds for Indigent Defense**	**Requirements**	-	$3,500,000	$3,500,000
Provides additional resources for private counsel assigned to represent persons declared indigent by the courts. This investment reduces a budget shortfall that traditionally requires suspension of payments prior to the end of the fiscal year. Since FY 2012-13, an additional $11.6 million in funds has substantially reduced the amount of debt carried into subsequent fiscal years.	**Less Receipts**	-	-	-
	Appropriation	-	$3,500,000	$3,500,000
	Positions	-	-	-
4. **State Retirement Contribution Rate Increase**	**Requirements**	$141,393	-	$141,393
Increases the State's contribution for members of the Teachers' and State Employees' Retirement System and the Consolidated Judicial Retirement System to fully fund the Actuarially Determined Contribution. The State's total General Fund contribution for retirement systems, disability benefits, death benefits, and retiree health benefits is more than $1.7 billion annually. For TSERS in FY 2016-17, the State will contribute an amount equal to 15.67% of each employee's salary for these benefits; for CJRS in FY 2016-17, the State will contribute an amount equal to 34.13% of each employee's salary for these benefits.	**Less Receipts**	-	-	-
	Appropriation	$141,393	-	$141,393
	Positions	-	-	-
Net Adjustments				
Requirements		$1,222,832	$4,540,578	$5,763,410
Less Receipts		-	-	-
Appropriation		$1,222,832	$4,540,578	$5,763,410
Positions		-	-	-

Indigent Defense Services

		FY 2016-17 Certified				FY 2016-17 Recommended Adjustments		
		Requirements	Receipts	Appropriation	FTE	Total Appropriation	Net Changes to Appropriation	Net Position Changes
1XXXX								
12001								
1310	Indigent Persons Attorney	76,152,404	10,125,135	66,027,269	-	69,527,269	3,500,000	-
1320	Public Defender Service	48,473,979	35,664	48,438,315	499.750	49,519,754	1,081,439	-
1380	Indigent Defense Service	2,347,709	183,329	2,164,380	19.600	3,346,351	1,181,971	-
Total 1XXXX		**126,974,092**	**10,344,128**	**116,629,964**	**519.350**	**122,393,374**	**5,763,410**	**-**

Department of Justice (13600)

	2014-15 Actual	2015 Session Law-Enacted 2015-16 Certified	2015 Session Law-Enacted 2016-17 Certified	2016 Legislative Session-Recommended Change Net Recurring	2016 Legislative Session-Recommended Change Net Non-Recurring	2016 Legislative Session-Recommended Change Recommended Adjustment	Revised 2016-17	% Change from 2015-16 Certified	% Change from 2016-17 Certified
Total Requirements	$78,676,345	$86,342,312	$85,208,440	$424,787	$4,370,122	$4,794,909	$90,003,349	4.24%	5.63%
Less Receipts	$28,810,653	$32,492,848	$32,492,848	-	-	-	$32,492,848	-%	-%
Total Appropriation	$49,865,692	$53,849,464	$52,715,592	$424,787	$4,370,122	$4,794,909	$57,510,501	6.80%	9.10%
Total Positions	-	820.760	820.760	1.000	-	1.000	821.760	0.12%	0.12%

		2016-2017 Recommended Recurring Changes	Non Recurring Changes	Total Adjustments
1. **Reward State Employees with One-Time Bonus**	**Requirements**	-	$1,085,205	$1,085,205
Provides funds for an average 3.0% bonus for State employees (up to a maximum bonus of $3,000 per employee). Each agency head, in consultation with the Office of State Human Resources, will determine the distribution of the bonus. This bonus shall not be considered part of an employee's annual salary or base rate of pay for retirement purposes.	**Less Receipts**	-	-	-
	Appropriation	-	$1,085,205	$1,085,205
	Positions	-	-	-
2. **Reduce Crime Lab Backlog of Criminal Drug Cases**	**Requirements**	-	$2,197,114	$2,197,114
Provides additional funds for outsourcing toxicology cases in order to improve turnaround time of evidence analysis. These funds will enable the Crime Lab to substantially reduce its backlog of cases. This increase raises the total outsourcing budget in FY 2016-17 to $2,447,114.	**Less Receipts**	-	-	-
	Appropriation	-	$2,197,114	$2,197,114
	Positions	-	-	-
3. **Establish Western Crime Lab Operations**	**Requirements**	$301,276	$1,087,803	$1,389,079
Funds startup utilities, equipment, and one maintenance position, for the Western regional lab in Edneyville, scheduled for completion in March 2017.	**Less Receipts**	-	-	-
	Appropriation	$301,276	$1,087,803	$1,389,079
	Positions	1.000	-	1.000
4. **State Retirement Contribution Rate Increase**	**Requirements**	$123,511	-	$123,511
Increases the State's contribution for members of the Teachers' and State Employees' Retirement System to fully fund the Actuarially Determined Contribution. The State's total General Fund contribution for retirement systems, disability benefits, death benefits, and retiree health benefits is more than $1.7 billion annually. For TSERS in FY 2016-17, the State will contribute an amount equal to 15.67% of each employee's salary for these benefits; for Law Enforcement Officers, the State will contribute an amount equal to 20.67% of each officer's salary for these benefits.	**Less Receipts**	-	-	-
	Appropriation	$123,511	-	$123,511
	Positions	-	-	-

Net Adjustments			
Requirements	$424,787	$4,370,122	$4,794,909
Less Receipts	-	-	-
Appropriation	$424,787	$4,370,122	$4,794,909
Positions	1.000	-	1.000

Department of Justice

		FY 2016-17 Certified				FY 2016-17 Recommended Adjustments		
		Requirements	Receipts	Appropriation	FTE	Total Appropriation	Net Changes to Appropriation	Net Position Changes
1XXXX								
13600								
1100	General Administration	2,355,194	-	2,355,194	24.000	3,563,910	1,208,716	-
1200	Legal Services	51,996,584	27,867,541	24,129,043	442.760	24,129,043	-	-
1400	State Crime Laboratory	19,457,635	1,736,138	17,721,497	218.000	21,307,690	3,586,193	1.000
1500	Criminal Justice Training and Standards	11,015,417	2,471,035	8,544,382	132.000	8,544,382	-	-
1991	Indirect Reserve	383,610	418,134	(34,524)	4.000	(34,524)	-	-
Total 1XXXX		**85,208,440**	**32,492,848**	**52,715,592**	**820.760**	**57,510,501**	**4,794,909**	**1.000**

Department of Public Safety (14550)

	2014-15 Actual	2015 Session Law-Enacted 2015-16 Certified	2016-17 Certified	2016 Legislative Session-Recommended Change Net Recurring	Net Non-Recurring	Recommended Adjustment	Revised 2016-17	% Change from 2015-16 Certified	% Change from 2016-17 Certified
Total Requirements	$1,908,153,518	$1,999,614,278	$2,000,925,794	$28,343,880	$38,006,422	$66,350,302	$2,067,276,096	3.38%	3.32%
Less Receipts	$181,488,340	$151,485,168	$153,560,168	$9,040,000	-	$9,040,000	$162,600,168	7.34%	5.89%
Total Appropriation	$1,726,665,179	$1,848,129,110	$1,847,365,626	$19,303,880	$38,006,422	$57,310,302	$1,904,675,928	3.06%	3.10%
Total Positions	-	24,790.446	24,900.446	12.000	-	12.000	24,912.446	0.49%	0.05%

		2016-2017 Recommended Recurring Changes	Non Recurring Changes	Total Adjustments
1. **Reward State Employees with One-Time Bonus** Provides funds for an average 3.0% bonus for State employees (up to a maximum bonus of $3,000 per employee). Each agency head, in consultation with the Office of State Human Resources, will determine the distribution of the bonus. This bonus shall not be considered part of an employee's annual salary or base rate of pay for retirement purposes.	**Requirements**	-	$31,070,089	$31,070,089
	Less Receipts	-	-	-
	Appropriation	-	$31,070,089	$31,070,089
	Positions	-	-	-
2. **Continue Commitment to Increase Pay for Correctional Officers** Provides funds to continue implementation of custody-level pay for correctional officers, custody supervisors, and prison facility administrators. This builds on $26M already invested in the new pay plan.	**Requirements**	$10,000,000	-	$10,000,000
	Less Receipts	-	-	-
	Appropriation	$10,000,000	-	$10,000,000
	Positions	-	-	-
3. **Increase Salaries for Qualifying State Highway Patrol Troopers** Provides funds for an experience-based step increase for eligible State Highway Patrol Troopers pursuant to GS 20-187.3.	**Requirements**	$1,840,597	-	$1,840,597
	Less Receipts	-	-	-
	Appropriation	$1,840,597	-	$1,840,597
	Positions	-	-	-
4. **Increase Salaries for State Bureau of Investigation and Alcohol Law Enforcement Agents** Provides average 5.0% salary increases for State Bureau of Investigation and Alcohol Law Enforcement agents. The Director of the SBI, in consultation with the Office of State Human Resources, will determine the distribution of the increases.	**Requirements**	$986,487	-	$986,487
	Less Receipts	-	-	-
	Appropriation	$986,487	-	$986,487
	Positions	-	-	-
5. **Increase Salaries for Teachers and Principals in Public Safety Facilities** Supports experience-based step increases and salary increases associated with the changes to the North Carolina Public School Salary Schedule for State agency teachers and school-based administrators.	**Requirements**	$280,098	-	$280,098
	Less Receipts	-	-	-
	Appropriation	$280,098	-	$280,098
	Positions	-	-	-
6. **Detect and Prevent Prisoner Access to Cell Phones** Enhances prison security and public safety through the use of technology to secure cell phone access inside prison facilities. Funding to implement this technology at two prisons is included in the 2015-17 biennial budget, and this recommendation will support system implementation at two additional prisons.	**Requirements**	$600,000	$4,000,000	$4,600,000
	Less Receipts	-	-	-
	Appropriation	$600,000	$4,000,000	$4,600,000
	Positions	-	-	-
7. **Promote Safer Schools** Provides nonrecurring funds to deploy a student anonymous tip reporting application (SPK UP NC) statewide, and to complete development of mandated school risk management plans. Invests recurring funds for four positions in Emergency Management - two IT positions to maintain the applications required by the School Risk and Response Management System and two community planners to provide support and technical assistance to schools in planning and executing required school safety drills and exercises. Additionally, this recommendation includes operating funds for the Center for Safer Schools and ongoing maintenance costs for the school safety applications.	**Requirements**	$1,287,156	$1,536,333	$2,823,489
	Less Receipts	-	-	-
	Appropriation	$1,287,156	$1,536,333	$2,823,489
	Positions	4.000	-	4.000
8. **Improve Intelligence Capabilities for State and Local Law Enforcement Officers** Funds a data analysis and case management tool to improve ability to detect and predict crime trends, and to solve crimes.	**Requirements**	$500,000	$100,000	$600,000
	Less Receipts	-	-	-
	Appropriation	$500,000	$100,000	$600,000
	Positions	-	-	-

9. **Safeguard Law Enforcement Communication** Safeguards law enforcement communications by replacing the monitoring system for the Voice Interoperability Plan for Emergency Responders (VIPER) network to allow for real-time detection of system malfunction.	**Requirements**	-	$1,300,000	$1,300,000
	Less Receipts	-	-	-
	Appropriation	-	$1,300,000	$1,300,000
	Positions	-	-	-
10. **Improve State Highway Patrol Telecommunications Capacity** Funds eight non-sworn telecommunicator positions to improve response to increased call volume due to the state's population growth.	**Requirements**	$426,126	-	$426,126
	Less Receipts	-	-	-
	Appropriation	$426,126	-	$426,126
	Positions	8.000	-	8.000
11. **Reinvest Savings from Lower Fuel Costs to Fund Core Public Safety Needs** Adjusts Highway Patrol budget by $4.1 million due to lower fuel costs and redirects those funds to core operating needs to establish recurring budgets and replacement schedules for mobile and hand-held radios at $1.8 million, in-car computers at $1.3 million, tasers at $780,000 and safety equipment and safety supplies for Basic Schools at $220,000.	**Requirements**	-	-	-
	Less Receipts	-	-	-
	Appropriation	-	-	-
	Positions	-	-	-
12. **Continue Highway Litter Collection by Inmates** Continues transfer of funds from DOT for the use of inmate labor for litter removal. The prison system is revamping its program model to improve efficiency, utilize more inmate laborers and clean more highway miles. This program was subject to a continuation review.	**Requirements**	$9,040,000	-	$9,040,000
	Less Receipts	$9,040,000	-	$9,040,000
	Appropriation	-	-	-
	Positions	-	-	-
13. **State Retirement Contribution Rate Increase** Increases the State's contribution for members of the Teachers' and State Employees' Retirement System to fully fund the Actuarially Determined Contribution. The State's total General Fund contribution for retirement systems, disability benefits, death benefits, and retiree health benefits is more than $1.7 billion annually. For TSERS in FY 2016-17, the State will contribute an amount equal to 15.67% of each employee's salary for these benefits; for Law Enforcement Officers, the State will contribute an amount equal to 20.67% of each officer's salary for these benefits.	**Requirements**	$3,383,416	-	$3,383,416
	Less Receipts	-	-	-
	Appropriation	$3,383,416	-	$3,383,416
	Positions	-	-	-

Net Adjustments			
Requirements	$28,343,880	$38,006,422	$66,350,302
Less Receipts	$9,040,000	-	$9,040,000
Appropriation	$19,303,880	$38,006,422	$57,310,302
Positions	12.000	-	12.000

Department of Public Safety

		FY 2016-17 Certified				FY 2016-17 Recommended Adjustments		
		Requirements	Receipts	Appropriation	FTE	Total Appropriation	Net Changes to Appropriation	Net Position Changes
1XXXX								
14550								
1100	Division of Administration	64,934,710	138,899	64,795,811	703.120	99,849,316	35,053,505	-
1115	Victims Services	9,948,019	3,767,421	6,180,598	18.500	6,180,598	-	-
1170	Governor's Crime Commission	29,466,131	25,347,073	4,119,058	25.000	4,119,058	-	-
1210	Youth Detention Center Services	12,967,007	5,853,114	7,113,893	185.500	7,113,893	-	-
1220	Youth Development Center Services	17,516,531	456,372	17,060,159	252.000	17,060,159	-	-
1225	Youth Treatment Services	15,879,568	-	15,879,568	244.000	15,879,568	-	-
1226	Youth Education Services	6,258,629	1,284,938	4,973,691	72.750	4,973,691	-	-
1230	Community Program Services	20,110,490	298,078	19,812,412	21.000	19,812,412	-	-
1240	JCPC - Grants Management System	22,745,217	-	22,745,217	-	22,745,217	-	-
1250	Juvenile Court Services	33,300,985	146,597	33,154,388	537.750	33,154,388	-	-
1260	Safer Schools Initiative	359,132	-	359,132	4.000	2,231,849	1,872,717	-
1305	Prison Management	12,486,399	58,699	12,427,700	169.140	12,427,700	-	-
1307	Inmate Construction Program	1,263,799	-	1,263,799	4.000	1,263,799	-	-
1310	Prison Custody and Security	775,535,274	8,471,996	767,063,278	12,604.780	781,663,278	14,600,000	-
1314	Prison Road Squad and Litter Crews	9,040,000	9,040,000	-	183.000	-	-	-
1316	Prison Center for Community Transition	513,072	-	513,072	-	513,072	-	-
1318	Prison Gang Unit Management	437,947	-	437,947	8.000	437,947	-	-
1320	Prison Food Service and Cleaning	72,815,524	8,625,820	64,189,704	483.000	64,189,704	-	-
1321	Prison Inmate Clothing and Bedding	17,049,824	-	17,049,824	-	17,049,824	-	-
1331	Prison General Health	160,109,955	4,792,710	155,317,245	1,346.000	155,317,245	-	-
1332	Prison Mental Health	36,851,743	-	36,851,743	557.000	36,851,743	-	-
1333	Prison Dental Health	11,712,752	-	11,712,752	107.000	11,712,752	-	-
1334	Prison Pharmacy Services	38,142,587	515,201	37,627,386	82.500	37,627,386	-	-
1340	Prison Inmate Education	10,381,498	1,930,411	8,451,087	60.000	8,451,087	-	-
1345	Prison Corrective Programs	44,459,459	-	44,459,459	899.110	44,459,459	-	-
1346	SOAR Program	122,752	-	122,752	2.000	122,752	-	-
1347	Prison Work Release	996,108	-	996,108	19.360	996,108	-	-
1350	Alcohol and Chemical Dependency Programs - Administration	493,292	-	493,292	4.310	493,292	-	-
1352	Alcohol and Chemical Dependency Programs - In Prison Treatme	6,521,347	797,000	5,724,347	104.000	5,724,347	-	-
1354	Alcohol and Chemical Dependency Programs - Community Base	7,637,084	-	7,637,084	113.000	7,637,084	-	-
1355	DPS Confinement in Response to Violation Facilities	8,933,220	-	8,933,220	86.000	8,933,220	-	-
1360	Community Corrections - Management	2,642,976	90,628	2,552,348	31.700	2,552,348	-	-
1365	Community Corrections - Interstate Compact	729,093	199,845	529,248	11.000	529,248	-	-
1370	Community Corrections - Regular Supervision	156,198,351	109,372	156,088,979	2,415.000	156,088,979	-	-
1375	Community Corrections - Community Supervision Programs	12,409,189	-	12,409,189	4.500	12,409,189	-	-
1377	Community Corrections - Electronic Monitoring	6,853,623	11,704	6,841,919	7.000	6,841,919	-	-
1380	Community Corrections - Judicial Services	12,441,828	-	12,441,828	241.000	12,441,828	-	-

		FY 2016-17 Certified				FY 2016-17 Recommended Adjustments		
		Requirements	Receipts	Appropriation	FTE	Total Appropriation	Net Changes to Appropriation	Net Position Changes
1385	Security Services for Adult Correction and Juvenile Justice	4,356,945	-	4,356,945	58.100	4,356,945	-	-
1390	Post-Release Supervision and Parole Commission	2,496,316	-	2,496,316	32.000	2,496,316	-	-
1392	Grievance Resolution Board	590,016	-	590,016	7.000	590,016	-	-
1399	Division Wide Operations	911,859	760,986	150,873	10.000	430,971	280,098	-
1401	Law Enforcement - Alcohol Law Enforcement	-	-	-	-	308,694	308,694	-
1402	Law Enforcement - State Capitol Police (SCP)	4,726,888	2,958,933	1,767,955	94.000	1,767,955	-	-
1405	Law Enforcement - Law Enforcement Support Services (LESS)	8,920	8,920	-	-	-	-	-
1408	Law Enforcement - SHP Missing Persons - Administration	113,032	-	113,032	1.000	113,032	-	-
1410	Law Enforcement - SHP Aviation Administration	2,336,053	232,091	2,103,962	13.000	2,103,962	-	-
1411	Law Enforcement - SHP Field Administration	206,089,271	3,988,064	202,101,207	2,088.000	204,367,930	2,266,723	8.000
1414	Law Enforcement - SHP VIPER Administration	13,256,517	-	13,256,517	52.000	14,556,517	1,300,000	-
1450	State Bureau of Investigation	54,317,468	13,521,050	40,796,418	560.000	41,474,211	677,793	-
1500	Emergency Management - EMPG Operations	11,459,238	9,085,482	2,373,756	67.859	2,373,756	-	-
1501	Emergency Management - Planning	2,655,979	2,655,979	-	23.441	-	-	-
1502	Emergency Management - Homeland Security	10,104,465	10,104,465	-	17.380	-	-	-
1504	Emergency Management - Geospatial (GTM)	7,865,098	7,865,098	-	29.880	950,772	950,772	4.000
1505	Emergency Management - Recovery	558,834	558,834	-	9.545	-	-	-
1506	Emergency Management - Operations	1,078,600	1,078,600	-	6.500	-	-	-
1507	Emergency Management - CAP	159,211	-	159,211	2.000	159,211	-	-
1509	Emergency Management - Hazard Mitigation - Non-Disaster	387,776	169,204	218,572	3.000	218,572	-	-
1511	Geodetic Survey	1,445,000	607,616	837,384	18.220	837,384	-	-
1600	National Guard	5,757,511	1,733,804	4,023,707	26.000	4,023,707	-	-
1601	National Guard - Armory	20,021,396	18,597,004	1,424,392	57.000	1,424,392	-	-
1602	National Guard - Air	4,739,906	4,299,960	439,946	52.751	439,946	-	-
1603	National Guard - Youth Programs	5,224,380	3,398,200	1,826,180	65.750	1,826,180	-	-
Total 1XXXX		**2,000,925,794**	**153,560,168**	**1,847,365,626**	**24,900.446**	**1,904,675,928**	**57,310,302**	**12.000**

Attachment 2

Continuation Review—Inmate Road Squads and Litter Crews

Background

Continuation Reviews are program evaluations conducted by State agencies at the direction of the General Assembly. The General Assembly created this oversight program in the 2007 Appropriations Act (S.L. 2007-323). In the 2015 Appropriations Act (S.L. 2015-241, Section 6.20), the General Assembly focused on 14 agencies, divisions, and programs financed by transfers from the Highway Fund.

To help the General Assembly determine whether to continue funding the programs, the legislation directed agencies to provide written reports to the Fiscal Research Division in accordance with certain specified requirements. The continuation review process helps the Appropriations Committees determine whether to increase, continue, reduce, or eliminate funding for the selected programs.

The Appropriations Subcommittees hear reports from the agencies and makes budget recommendations to restore or eliminate funding or modify the program. The Continuation Reviews require agencies to including the following information:

- Description of program
- Measures of performance
- Program objectives and performance measures achieved
- Sources of funding
- Recommendations for statutory, budgetary, or administrative changes needed to improve efficiency and effectiveness of services, including recommendations regarding whether to transfer the program to the Division of Motor Vehicles or to elsewhere in the Department of Transportation.
- Identification of policy issues requiring attention by NCGA
- Consequences of discontinuing funding or of continuing funding with a source other than a transfer from the Highway Fund.

2015 Continuation Review List of Funds, Agencies, Divisions, and Programs:

(1) Funds, agencies, divisions, and programs financed by transfers from the Highway Fund:

a. Department of Environment and Natural Resources –

1. Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund.

2. Division of Air Quality Inspection and Maintenance Fees.

3. Division of Air Quality Water and Air Quality Account.

4. Shallow Draft Navigation Channel Dredging and Lake Maintenance Fund.

5. Mercury Pollution Prevention Account.

b. Department of Insurance –

1. Rescue Squad Workers' Relief Fund.

2. Volunteer Rescue/EMS Grant Program.

3. State Fire Protection.

c. Department of Public Safety – Inmate Road Squads and Litter Crews.

d. Office of the State Controller – Funding transferred for BEACON support.

e. Wildlife Resources Commission – Boating Account.

(2) Other agencies, divisions, and programs:

a. North Carolina Human Relations Commission.

b. Department of Health and Human Services –

1. Office of Minority Health.

2. Maternal and Child Health Programs

Attachment 3

North Carolina Department of Public Safety

Adult Correction and Juvenile Justice

Pat McCrory, Governor
Frank L. Perry, Secretary

W. David Guice, Commissioner

MEMORANDUM

TO: John Poteat, Fiscal Research Division
NC General Assembly

FROM: Frank L. Perry, Secretary
W. David Guice, Commissioner

RE: Session Law 2015- 241,
Section 6.20 (d), Final Report (Revised)

DATE: April 26, 2016

Pursuant to Session Law 2015-241, Section 6.20(d).
State departments and agencies identified in subsection (b) of this section shall submit a report of the preliminary findings of the continuation review to the Fiscal Research Division no later than December 1, 2015, and shall submit a final report to the Fiscal Research Division no later than April 1, 2016.

The Continuation Review Report on Inmate Road Squads and Litter Crews has been revised and follows for your review.

cc: Frank L. Perry
W. David Guice
Joe Prater
George Solomon
Gay McMichael
Kenneth Lassiter
Tim Moose
Melissa Earp
Kristine Leggett
Tracy Little
Lisa Fox
Gwen Norville
Ryan Combs
Andy Brandon

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Inmate Road Squads and Litter Crews
Final Report of the Continuation Review
Prepared by: NC DPS / Prisons
March 18, 2016

The North Carolina General Statute, Section 148-26(b) as amended by Chapter 802 of the 1977 Session Laws, provides in part, as follows: "As many minimum custody prisoners as are available and fit for road work, who cannot appropriately be placed on work release, study release, or other full-time programs, and as many medium custody prisoners as are available, fit for road work and can be adequately guarded during such work without reducing security levels at prison units, shall be employed in the maintenance and construction of public roads of the State." As a result of the aforementioned legislation, the Medium Custody Road Squads were added to the program in the years following 1977. The Minimum Custody Litter Crews were added in the early to mid-2000s. For at least thirty-eight (38) years the State of North Carolina has employed inmate labor crews for various road work assignments and litter pick up.

To date, there are currently (66) Medium Custody Road Squads assigned throughout the state and (50) Minimum Custody Litter Crews. Medium Custody Road Squads require two armed officers with (8) Medium Custody inmates, while Minimum Custody Litter Crews require one unarmed officer with (8-10) Minimum Custody Inmates. Approximately 700 inmates were assigned to participate on the Road Squads and Litter Crews from adult facilities in 2014; in 2015 approximately 750 inmates participated. The Squads and Crews cover 80 of the 100 counties in North Carolina **(TABLE 3)**, providing some degree of labor related assistance to NC Department of Transportation (NCDOT).

Inmate Work Crews, Medium and Minimum Custody alike assist with litter removal on right of ways throughout the state. During the Fiscal Year 2014-2015 approximately 88.75% of inmate labor from the Minimum Highway Work Crews was dedicated to litter pickup, while during the same year approximately 71% of Inmate Labor from the Medium Custody Road Squads was dedicated. However, litter removal is only part of their responsibility. Crews also complete other various assignments to include, clearing & grubbing, erosion control, snow and ice control, manual clearing of state right of ways, removal of hazards, debris removal, shoulder maintenance, ditches, roadway fences, maintenance of pipe culverts, maintenance of outfall ditches, weed control under guardrails, maintenance of facilities/buildings, construction, general labor, grounds maintenance, landscaping, moving/relocating, painting, sidewalk/curbing, and vehicle maintenance. All job tasks and area assignments are determined by NCDOT.

During the year of 2014, 707,700 pounds (47,180 bags) of debris was collected as a result of the spring and fall Litter Sweep events (Roadside Litter Removal), covering 4,178 miles of North Carolina's roads and highways. During the year of 2015, 583,560 pounds (38,904 bags) of debris/litter collected as a result of the spring and fall Litter Sweep Events covering 3,183 miles of North Carolina's roads and highways. The numbers represent the four weeks each year that the work crews dedicate time solely to litter removal, two weeks in the spring of each year and two weeks in the fall. These numbers are specific to the Litter Sweep Event only and do not represent litter removal efforts during the rest of the year outside of the four weeks spent for the Litter Sweep event.

The expected efficiency of Litter Crews and Road Squads is 70%; however, from January 1, 2015 through December 31, 2015 the average efficiency of crews reporting from all facilities statewide was 54%. The reasons cited for not reporting for assignment include inclement weather, management decisions, and facility staff shortage. **TABLE 1 (attached)** illustrates the inmate hours dedicated by Minimum Custody Litter Crews/Highway Work Squads and Medium Custody Road Squads. Each chart also shows the road miles covered by each custody squad for each month, to include a total for the year. **TABLE 2 (attached)** shows the Minimum and Medium Custody Crews' summary of tasks and assignments covered during the year. The chart reports the number of days and inmate hours that were dedicated to each task while working. The chart further shows the percentage of time spent on each task throughout the year. **TABLE 3 (attached)** outlines the counties covered by each facility's assigned Road Squads/Litter Crews. Area and road assignments are distributed to inmate work crews by NCDOT Supervisors. The assignments are based on the need for litter pick up, maintenance, as well as requests by the general public regarding litter and/or debris removal.

In an effort to provide a more efficient inmate labor work force from NCDPS Prisons, a recommendation will be made to convert many of the Medium Custody Road Squads to Minimum Custody Work Crews. Currently a Medium Custody Road Squad requires two armed Correctional Officers, one of which is required to be a Lead Correctional Officer, to supervise (8) Medium Custody Inmates. By converting the Medium Road Squads to Minimum Custody Litter/Work Crews, the Correctional Officer requirement would be reduced from two to one per squad/work crew. Also, with a Minimum Custody Work Crew, up to (10) inmates could be utilized per crew as opposed to (8) with each Medium Custody Squad. There is also more flexibility with Minimum Custody Litter/Work Crews as to the roads, highways, and interstate areas that can be covered. This would increase productivity for NCDOT assignments and reduce costs of the program. The Minimum Custody Facilities that could be utilized for this purpose include Sanford CC, New Hanover CC, Johnston CC, Davidson CC, and Caldwell CC. (This list is not inclusive and is subject to change.)

Many counties within the state of North Carolina rely heavily on inmate labor for regular litter removal and would immediately require an identical service at a potentially higher cost to maintain services. The inmate crews provide an organized and efficient clean-up effort. Inmate crews also provide a financially responsible, streamlined and dependable workforce. This program undoubtedly offers structure and meaningful work for approximately 700 inmates, who will hopefully return to our communities with a solid work ethic and marketable skills. With an overall prison population of 37,000, 700 inmates assigned to work crews also assists prison facilities with combating idleness and mischief.

Litter is not only unsightly, but also poses real dangers to motorists and pedestrians if not regularly removed. Accumulated litter has harmful effects over time on the highway infrastructure itself, affecting drainage systems and proper runoff, which can lead to flooding of roadways in the short term and serious corrosion in the long term. A structured litter program has an immeasurable environmental benefit. Littering affects the well-being of wildlife and the natural environment. The consequences of eliminating funding for the Prisons litter removal program would be detrimental to the state's ability to attract new residents, potential economic business growth, and tourism. It is for these reasons, an effective litter removal strategy is an important part of maintaining the roadway system, which makes the functions of the litter removal program closely related to transportation.

As an agency we stand firmly behind our mission to "protect the public, by providing a safe, secure and humane environment, and offering services that prepare offenders for transition into society."

TABLE 1:

MINIMUM CUSTODY HIGHWAY WORK SQUAD

MONTH	INMATE HOURS	ROAD MILES
July, 2014	29,624.25	2,501.55
August, 2014	27,927.75	2,520.43
September, 2014	27,246.75	2,408.05
October, 2014	30,484.00	2,813.89
November, 2014	20,716.50	1,766.90
December, 2014	23,041.00	2,093.86
January, 2015	21,843.50	1,837.15
February, 2015	14,476.50	1,280.50
March, 2015	30,086.00	2,603.01
April, 2015	32,805.00	2,733.10
May, 2015	29,221.00	2,581.75
June, 2015	30,339.25	2,738.41
TOTALS	**317,811.50**	**27,878.60**

MEDIUM CUSTODY ROAD SQUAD

MONTH	INMATE HOURS	ROAD MILES
July, 2014	32,550.75	1,068.45
August, 2014	27,014.75	873.36
September, 2014	26,479.00	955.00
October, 2014	32,033.50	1,164.82
November, 2014	16,565.75	560.51
December, 2014	20,327.75	702.62
January, 2015	15,655.75	631.81
February, 2015	9,031.00	356.03
March, 2015	20,940.75	862.22
April, 2015	24,052.75	973.50
May, 2015	21,952.75	773.67
June, 2015	17,339.50	603.00
TOTALS	**263,944.00**	**9,524.99**

TABLE 2:

MINIMUM HIGHWAY WORK CREW
&
MEDIUM ROAD SQUAD
(JULY 2014 - JUNE 2015)

Work Function	Description	Days	Percent (%) By Function	Hours
3605	CLEARING AND GRUBBING	3,848	4.43%	26,185.75
3621	EROSION CONTROL	203	0.26%	1,565.50
3745	SNOW AND ICE CONTROL	454	0.49%	2,914.00
3755	MANUAL CLEARING OF R-O-W	4,002	4.75%	28,132.50
3761	REMOVAL OF HAZARDS	111	0.15%	876.50
3762	DEBRIS REMOVAL	233	0.25%	1,492.00
3763	REMOVE DEBRIS FROM R-O-W	540	0.67%	3,957.75
3765	LITTER PICKUP	67,705	80.45%	475,977.50
3773	SHOULDER MAINTENANCE	183	0.25%	1,480.50
3774	DITCHES	391	0.49%	2,918.00
3825	ROADWAY FENCES	67	0.07%	430.00
3861	MNTC OF PIPE CULVERTS	699	0.90%	5,347.00
3862	MNTC OF OUTFALL DITCHES	86	0.12%	690.00
4311	WEED CTRL UNDER GUARDRAIL	1,377	1.95%	11,540.75
6040	CONSTR/MAINT OF FACILITY	75	0.11%	621.50
9010	BUILDING MAINTENANCE	349	0.46%	2,727.50
9030	CONSTRUCTION	5	0.01%	35.00
9040	GENERAL LABOR	1,837	1.94%	11,502.75
9050	GROUNDS MAINTENANCE	596	0.71%	4,223.00
9060	LANDSCAPING	35	0.05%	269.50
9070	MOVING/RELOCATING	73	0.09%	525.25
9090	PAINTING	15	0.01%	88.50
9100	SIDEWALK/CURBING	24	0.01%	86.00
9110	VEHICLE MAINTENANCE	447	0.54%	3,196.25
9999	UNKNOWN	738	0.82%	4,862.75
Totals:		**84,093**		**591,645.75**

TABLE 3:

Facility	Counties Covered
Albemarle CI	Cabarrus, Stanly, Rowan
Alexander CI	Alexander
Avery Mitchell CI	Avery, Mitchell, Yancey, Watauga
Brown Creek CI	Anson, Richmond, Union
Caldwell CC	Caldwell, Alexander
Carteret CC	Carteret, Craven, Pamlico, Jones, Onslow
Caswell CC	Caswell, Guilford, Person, Orange, Rockingham, Alamance
Catawba CC	Catawba, Iredell
Columbus CI	Columbus, Brunswick
Craggy CC	Buncombe, Haywood, Madison, Henderson
Dan River PWF	Alamance, Guilford, Randolph
Davidson CC	Davidson, Davie
Eastern CI	Pitt
Foothills CI	Burke
Forsyth CC	Forsyth
Franklin CC	Franklin, Nash, Wake
Gaston CC	Gaston
Greene CI	Greene, Pitt
Harnett CI	Harnett, Lee, Chatham
Hoke CI	Hoke
Hyde CI	Hyde, Beaufort, Washington
Johnston CI	Johnston
Lincoln CC	Lincoln, Cleveland, Gaston, Catawba
Lumberton CI	Robeson, Cumberland, Scotland, Bladen
Marion CI	McDowell
Morrison CI	Rockingham
NCCIW	Wake
New Hanover CC	New Hanover, Brunswick, Pender
Odom CI	Northampton, Halifax
Orange CC	Orange
Pasquotank CI	Pasquotank, Camden, Gates, Currituck
Pender CI	Pender, Duplin, Onslow
Piedmont CI	Rowan
Rutherford CC	Rutherford
Sampson CI	Sampson
Sanford CC	Lee
Scotland	Scotland
Tabor	Columbus
Tyrrell PWF	Martin, Chowan, Perquimans
Wake CC	Wake
Warren CI	Granville, Franklin, Halifax, Warren, Vance
Wilkes CC	Wilkes, Yadkin, Alexander, Ashe

Daily County Coverage/Assignments for Inmate Work Crews



Committee Sergeants at Arms

NAME OF COMMITTEE House Approp Justice & Public ~~Safety~~

DATE: 5/4/16 Room: 415

House Sgt-At Arms:

1. Name: DAVE LINTHICUM Ralph Johnson
2. Name: Bill Riley
3. Name: BARRY MOORE
4. Name: _____
5. Name: _____

Senate Sgt-At Arms:

1. Name: _____
2. Name: _____
3. Name: _____
4. Name: _____
5. Name: _____

HOUSE PAGES
(APPROPRIATIONS JUSTICE AND PUBLIC SAFETY)

Week of May 2-5, 2016

Name:	County:	Sponsor:
KENDAL MOORE	CUMBERLAND	MARVIN LUCAS
JAMES BRITT	WAYNE	JIMMY DIXON

VISITOR REGISTRATION SHEET

May 4, 2016

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
TOM Bowlin	NCNG
Bill Grey	NCSHP
Marsha Overby	NCSHP
Chris Agner	DOJ
Janie Sutton	NCSBI
Gwen Norville	NCDPS
Joe Peaton	NCDPS
Melissa Earp	NCDPS
Tim Moore	NCDPS
WDAVID GUICK	NCDPS
Caroline Daly	Governor's Office

VISITOR REGISTRATION SHEET

House Approp. Justice & Public Safety — 5/4/16

Name of Committee — Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Peg Dorn	Conf of DAs
JARRET BURR	NC DPS
Bob Schurmeier	SBI
MARK SENTER	ALCOHOL LAW ENFORCEMENT
Rodney T Beckom	NC ALE
Sharon Orr	TCC Judicial District 29B
Barbara Moore	Judical Branch
Carol Allen White	Clerk of Superior Courts
Mike Sprayberry	NCEM
Darlene Langston	NC DPS
Andy Brandon	NC DPS

VISITOR REGISTRATION SHEET

Approriations, Justice and Public Safety — May 4, 2016

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Mildred Spearman	NCAOC
Wesley Fricks	NCDOT
Elisa Wolper	IDS
[illegible]	IDS
Alex Holbrook	NCDOT
DON [illegible]	NCDOT

House Committee on Appropriations Subcommittee on Justice and Public Safety
Thursday, May 12, 2016 at 9:30 AM
Room 415 of the Legislative Office Building

MINUTES

The House Committee on Appropriations Subcommittee on Justice and Public Safety met at 9:30 AM on May 12, 2016 in Room 415 of the Legislative Office Building. Representatives Boles, Daughtry, Faircloth, Hurley, Jackson, McNeill, Stevens, C. Graham, G. Graham, Salmon, Speciale, Sgro, Speciale, and Turner attended.

Representative John Faircloth, Chair, presided and called the meeting to order at 9:31 AM. He introduced the Sergeant at Arms and House Pages that were present. Chairman Faircloth asked the co-chairs to make comments regarding today's meeting.

Chairman Faircloth called on Kristine Leggett, Fiscal Research, to review the Rules for Subject Area Committee Procedures. (**See Attachment 1**)

Chairman Faircloth called on Lisa Fox, Fiscal Research, to present a review of the Department of Public Safety portion of the budget. Kristine Leggett, Fiscal Research, reviewed the budget proposals for the Department of Justice, Indigent Defense Services, and Administrative office of the Courts. (**See Attachment 2**) As each staff member presented, Chairman Faircloth opened the floor to questions from committee members. Budget reviews continued with Ms. Leggett discussing proposed special provisions for HB 1030, 2016 Appropriations Act. John Poteat, Fiscal Staff, presented budget information on Misdemeanant Confinement. Ms. Fox discussed Probation Parole. The final presentation was by Ms. Leggett on the Administrative Office of the Courts. (**See Attachment 3**)

The committee went into recess at 10:10 AM, to reconvene 15 minutes after session adjourns, to take up amendments from the members.

Chairman Faircloth called the meeting back to order at 12:10 PM.

Representative Faircloth was recognized to send forth amendment #H1030-AMS-2 [v. 3] and to explain the amendment. There being no discussion, a vote was taken and the amendment was adopted. (**See Attachment 4**)

Representative Boles was recognized to send forth amendment #H1030-AMD-98 [v. 3] and to explain the amendment. There being some discussion, a vote was taken and the amendment was adopted. (**See Attachment 5**)

Representative Boles was recognized to send forth amendment #H1030-AMD-100 [v.2] and Kristine Leggett, Fiscal Staff, explained the amendment. There being some discussion, a vote was taken and the amendment was adopted. (**See Attachment 6**)

Chairman Faircloth thanked the committee members.

There being no further amendments, Representative Daughtry moved that the Justice and Public Safety Appropriations Subcommittee adopt the Appropriations Subcommittee report, as amended; and further move that staff be authorized to make technical corrections and conforming changes, and that the appropriate totals may be adjusted accordingly.

The meeting adjourned at 12:39 PM.

Representative John Faircloth, Chair
Presiding

Rebecca Bauerband, Committee Clerk

Becky Bauerband (Rep. John Faircloth)

From: Becky Bauerband (Rep. John Faircloth)
Sent: Wednesday, May 11, 2016 01:17 PM
To: Becky Bauerband (Rep. John Faircloth)
Subject: <NCGA> House Appropriations, Justice and Public Safety Committee Meeting Notice for Thursday, May 12, 2016 at 9:30 AM
Attachments: Add Meeting to Calendar_LINC_.ics

NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2015-2016 SESSION

You are hereby notified that the **House Committee on Appropriations, Justice and Public Safety** will meet as follows:

DAY & DATE: Thursday, May 12, 2016
TIME: **9:30 AM**
LOCATION: **415 LOB**
COMMENTS: **Members should be prepared to come back after session.**

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative N. Leo Daughtry, Co-Chair
Representative John Faircloth, Co-Chair
Representative Pat B. Hurley, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 1:06 PM on Wednesday, May 11, 2016.

___ Principal Clerk
___ Reading Clerk – House Chamber

Rebecca Bauerband (Committee Assistant)

HOUSE APPROPRIATIONS COMMITTEE ON JUSTICE AND PUBLIC SAFETY
Room 415 Legislative Office Building

May 12, 2016 9:30 A.M.

I. CALL TO ORDER

Chairs: Representative Jamie Boles
Representative Leo Daughtry
Representative John Faircloth, Presiding
Representative Pat Hurley

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

House Appropriations Committee Rules
Kristine Leggett, Fiscal Research Division

JPS Committee Budget
Fiscal Research Division Staff

IV. COMMITTEE DISCUSSION

The Committee will recess for a period of time following discussion of the Budget.

V. AMENDMENTS AND COMMITTEE VOTE

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS
Rep. Boles (Chair)
Rep. Daughtry (Chair)
Rep. Faircloth (Chair)
Rep. Hurley (Chair)
Rep. Jackson (Vice Chair), Rep. McNeill (Vice Chair), Rep. Stevens (Vice Chair)
Rep. C. Graham, Rep. G. Graham, Rep. Salmon, Rep. Sgro, Rep. Speciale, Rep. Turner

ATTENDANCE

House Appropriations, Justice & Public Safety

DATES	5/12/16														
Rep. Jamie Boles, Co-Chair	✓														
Rep. Leo Daughtry, Co-Chair	✓														
Rep. John Faircloth, Co-Chair	✓														
Rep. Pat Hurley, Co-Chair	✓														
Rep. Darren Jackson, Vice Chair	✓														
Rep. Allen McNeill, Vice Chair	✓														
Rep. Sarah Stevens, Vice Chair	✓														
Rep. Charles Graham	✓														
Rep. George Graham	✓														
Rep. Brad Salmon	✓														
Rep. Chris Sgro	✓														
Rep. Michael Speciale	✓														
Rep. Rena Turner	✓														
Sen. Stan Bingham, Co-Chair															
Sen. Buck Newton, Co-Chair															
Sen. Shirley Randleman, Co-Chair															
Sen. Tom Apocaca, Vice-Chair															
Sen. Valerie Foushee															
Sen. Fletcher Hartsell, Jr.															
Sen. Jeff Jackson															
Sen. Michael Lee															

ATTENDANCE

House Appropriations Committee on Justice and Public Safety

(Name of Committee)

DATES															
, Fiscal Research															
Lisa Fox, Fiscal Research	✓														
Kristine Leggett, Fiscal Research	✓														
John Poteat, Fiscal Research	✓														
Becky Bauerband, Clerk	✓														
Kerry Guice, Clerk	✓														
Debbie Holder, Clerk	✓														
Jeb Kelly, Clerk															
Maria Kinnaird, Clerk															
Carol Wilson, Clerk															
Matt Hambidge, Speaker's Office															
Stephen Ogden, Senate Office															
Emily Johnson	✓														
Ben Stanley	✓														
Nicole Dupree	✓														

Attachment 1

North Carolina House of Representatives
Appropriations Committee

RULES FOR SUBJECT AREA COMMITTEE PROCEDURES

May 12, 2016

The following rules govern the eligibility of amendments to proposed committee reports:

1. Amendments must be offered by formal amendments.
2. Amendments cannot increase total spending within the proposed committee report.
3. Amendments can only affect appropriations within the departments, agencies, or programs within the jurisdiction of the committee and may not cause a change in another committee's appropriations.
4. Amendments cannot adjust salary and benefit appropriations for the departments, agencies, or programs within the committee report.
5. Amendments cannot spend reversions or include "shall not revert" or "carry forward" language.
6. Amendments cannot use nonrecurring reductions to fund recurring items.
7. Amendments cannot change the recurring and nonrecurring designation of funds.
8. Amendments cannot change substantive policy or law.
9. Amendments may not fund items with "management flexibility reductions."
10. Amendments may not affect agency or program transfers to other committees.
11. Amendments may not include fees or other Finance-related matters.

Harwood 2

HOUSE APPROPRIATIONS COMMITTEE

ON

JUSTICE AND PUBLIC SAFETY

REPORT
ON THE
CONTINUATION AND EXPANSION BUDGETS

House Bill 1030

May 12, 2016

Department of Public Safety
Budget Code 14550

General Fund Budget

	FY 2016-17
Enacted Budget	
Requirements	$2,000,925,794
Receipts	$153,560,168
Net Appropriation	$1,847,365,626
Legislative Changes	
Requirements	$1,044,854
Receipts	$0
Net Appropriation	$1,044,854
Revised Budget	
Requirements	$2,001,970,648
Receipts	$153,560,168
Net Appropriation	$1,848,410,480

General Fund FTE

Enacted Budget	24,900.45
Legislative Changes	0.00
Revised Budget	24,900.45

Summary of General Fund Appropriations
Fiscal Year 2016-17
2016 Legislative Session

Department of Public Safety Budget Code 14550		Enacted Budget			Legislative Changes			Revised Budget		
Fund Code	Fund Name	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation
1100	Division of Administration	64,934,710	138,899	64,795,811	-	-	-	64,934,710	138,899	64,795,811
1115	Victims Services	9,948,019	3,767,421	6,180,598	-	-	-	9,948,019	3,767,421	6,180,598
1170	Governor's Crime Commission	29,466,131	25,347,073	4,119,058	-	-	-	29,466,131	25,347,073	4,119,058
1210	Youth Detention Center Services	12,967,007	5,853,114	7,113,893	-	-	-	12,967,007	5,853,114	7,113,893
1220	Youth Development Center Services	17,516,531	456,372	17,060,159	-	-	-	17,516,531	456,372	17,060,159
1225	Youth Treatment Services	15,879,568	-	15,879,568	-	-	-	15,879,568	-	15,879,568
1226	Youth Education Services	6,258,629	1,284,938	4,973,691	-	-	-	6,258,629	1,284,938	4,973,691
1230	Community Program Services	20,110,490	298,078	19,812,412	-	-	-	20,110,490	298,078	19,812,412
1240	JCPC Grants Management System	22,745,217	-	22,745,217	-	-	-	22,745,217	-	22,745,217
1250	Juvenile Court Services	33,300,985	146,597	33,154,388	-	-	-	33,300,985	146,597	33,154,388
1260	Safer Schools Initiative	359,132	-	359,132	187,070	-	187,070	546,202	-	546,202
1305	Prison Management	12,486,399	58,699	12,427,700	-	-	-	12,486,399	58,699	12,427,700
1307	Inmate Construction Program	1,263,799	-	1,263,799	-	-	-	1,263,799	-	1,263,799
1310	Prison Custody and Security	775,535,274	8,471,996	767,063,278	-	-	-	775,535,274	8,471,996	767,063,278
1314	Prison Road Squad and Litter Crews	9,040,000	9,040,000	-	-	-	-	9,040,000	9,040,000	-
1316	Prison Center for Community Transition	513,072	-	513,072	-	-	-	513,072	-	513,072
1318	Prison Gang Unit Management	437,947	-	437,947	-	-	-	437,947	-	437,947
1320	Prison Food Service and Cleaning	72,815,524	8,625,820	64,189,704	-	-	-	72,815,524	8,625,820	64,189,704
1321	Prison Inmate Clothing and Bedding	17,049,824	-	17,049,824	-	-	-	17,049,824	-	17,049,824
1331	Prison General Health	160,109,955	4,792,710	155,317,245	-	-	-	160,109,955	4,792,710	155,317,245
1332	Prison Mental Health	36,851,743	-	36,851,743	-	-	-	36,851,743	-	36,851,743
1333	Prison Dental Health	11,712,752	-	11,712,752	-	-	-	11,712,752	-	11,712,752
1334	Prison Pharmacy Services	38,142,587	515,201	37,627,386	-	-	-	38,142,587	515,201	37,627,386
1340	Prison Inmate Education	10,381,498	1,930,411	8,451,087	-	-	-	10,381,498	1,930,411	8,451,087
1345	Prison Corrective Programs	44,459,459	-	44,459,459	-	-	-	44,459,459	-	44,459,459
1346	SOAR Program	122,752	-	122,752	-	-	-	122,752	-	122,752
1347	Prison Work Release	996,108	-	996,108	-	-	-	996,108	-	996,108
1350	ACDP - Administration	493,292	-	493,292	-	-	-	493,292	-	493,292
1352	ACDP - In Prison Treatment	6,521,347	797,000	5,724,347	-	-	-	6,521,347	797,000	5,724,347
1354	ACDP - Community Based Treatment	7,637,084	-	7,637,084	-	-	-	7,637,084	-	7,637,084
1355	DPS Confinement in Response to Violation (CRV)	8,933,220	-	8,933,220	-	-	-	8,933,220	-	8,933,220
1360	Community Corrections - Management	2,642,976	90,628	2,552,348	-	-	-	2,642,976	90,628	2,552,348
1365	Community Corrections - Interstate Compact	729,093	199,845	529,248	-	-	-	729,093	199,845	529,248
1370	Community Corrections - Regular Supervision	156,198,351	109,372	156,088,979	-	-	-	156,198,351	109,372	156,088,979
1375	Community Corrections - Community Supervision	12,409,189	-	12,409,189	-	-	-	12,409,189	-	12,409,189
1377	Community Corrections - Electronic Monitoring	6,853,623	11,704	6,841,919	-	-	-	6,853,623	11,704	6,841,919
1380	Community Corrections - Judicial Services	12,441,828	-	12,441,828	-	-	-	12,441,828	-	12,441,828
1385	Security Services for ACJJ	4,356,945	-	4,356,945	-	-	-	4,356,945	-	4,356,945
1390	Post-Release Supervision and Parole Commission	2,496,316	-	2,496,316	-	-	-	2,496,316	-	2,496,316
1392	Grievance Resolution Board	590,016	-	590,016	-	-	-	590,016	-	590,016
1399	Division Wide Operations	911,859	760,986	150,873	-	-	-	911,859	760,986	150,873
1402	LE - State Capitol Police	4,726,888	2,958,933	1,767,955	-	-	-	4,726,888	2,958,933	1,767,955
1405	LE - Law Enforcement Support Services	8,920	8,920	-	-	-	-	8,920	8,920	-

Summary of General Fund Appropriations
Fiscal Year 2016-17
2016 Legislative Session

Department of Public Safety Budget Code 14550		Enacted Budget			Legislative Changes			Revised Budget		
Fund Code	Fund Name	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation
1408	LE - SHP Missing Persons Administration	113,032	-	113,032	-	-	-	113,032	-	113,032
1410	LE - SHP Aviation Administration	2,336,053	232,091	2,103,962	-	-	-	2,336,053	232,091	2,103,962
1411	LE - SHP Field Administration	206,089,271	3,988,064	202,101,207	-	-	-	206,089,271	3,988,064	202,101,207
1414	LE - SHP VIPER Administration	13,256,517	-	13,256,517	-	-	-	13,256,517	-	13,256,517
1450	State Bureau of Investigation	54,317,468	13,521,050	40,796,418	350,000	-	350,000	54,667,468	13,521,050	41,146,418
1500	EM - EMPG Operations	11,459,238	9,085,482	2,373,756	-	-	-	11,459,238	9,085,482	2,373,756
1501	EM - Planning	2,655,979	2,655,979	-	-	-	-	2,655,979	2,655,979	-
1502	EM - Homeland Security	10,104,465	10,104,465	-	-	-	-	10,104,465	10,104,465	-
1504	EM - Geospatial (GTM)	7,865,098	7,865,098	-	507,784	-	507,784	8,372,882	7,865,098	507,784
1505	EM - Recovery	558,834	558,834	-	-	-	-	558,834	558,834	-
1506	EM - Operations	1,078,600	1,078,600	-	-	-	-	1,078,600	1,078,600	-
1507	EM - CAP	159,211	-	159,211	-	-	-	159,211	-	159,211
1509	EM - Hazard Mitigation - Non-Disaster	387,776	169,204	218,572	-	-	-	387,776	169,204	218,572
1511	Geodetic Survey	1,445,000	607,616	837,384	-	-	-	1,445,000	607,616	837,384
1600	National Guard	5,757,511	1,733,804	4,023,707	-	-	-	5,757,511	1,733,804	4,023,707
1601	National Guard - Armory	20,021,396	18,597,004	1,424,392	-	-	-	20,021,396	18,597,004	1,424,392
1602	National Guard - Air	4,739,906	4,299,960	439,946	-	-	-	4,739,906	4,299,960	439,946
1603	National Guard - Youth Programs	5,224,380	3,398,200	1,826,180	-	-	-	5,224,380	3,398,200	1,826,180
Department-wide Items										
	Compensation Reserve				-	-	-	-	-	-
	State Retirement Contributions				-	-	-	-	-	-
	State Health Plan				-	-	-	-	-	-
					-	-	-	-	-	-
Total		**$2,000,925,794**	**$153,560,168**	**$1,847,365,626**	**$1,044,854**	**$0**	**$1,044,854**	**$2,001,970,648**	**$153,560,168**	**$1,848,410,480**

Summary of General Fund Total Requirement FTE
Fiscal Year 2016-17
2016 Legislative Session

Department of Public Safety					
Budget Code 14550		Enacted	Legislative Changes		Revised
Fund Code	Fund Name	Total Requirements	Net Appropriation	Receipts	Total Requirements
1100	Division of Administration	703.12	-	-	703.12
1115	Victims Services	18.50	-	-	18.50
1170	Governor's Crime Commission	25.00	-	-	25.00
1210	Youth Detention Center Services	185.50	-	-	185.50
1220	Youth Development Center Services	252.00	-	-	252.00
1225	Youth Treatment Services	244.00	-	-	244.00
1226	Youth Education Services	72.75	-	-	72.75
1230	Community Program Services	21.00	-	-	21.00
1240	JCPC Grants Management System	-	-	-	-
1250	Juvenile Court Services	537.75	-	-	537.75
1260	Safer Schools Initiative	4.00	-	-	4.00
1305	Prison Management	169.14	-	-	169.14
1307	Inmate Construction Program	4.00	-	-	4.00
1310	Prison Custody and Security	12,604.78	-	-	12,604.78
1314	Prison Road Squad and Litter Crews	183.00	-	-	183.00
1316	Prison Center for Community Transition	-	-	-	-
1318	Prison Gang Unit Management	8.00	-	-	8.00
1320	Prison Food Service and Cleaning	483.00	-	-	483.00
1321	Prison Inmate Clothing and Bedding	-	-	-	-
1331	Prison General Health	1,346.00	-	-	1,346.00
1332	Prison Mental Health	557.00	-	-	557.00
1333	Prison Dental Health	107.00	-	-	107.00
1334	Prison Pharmacy Services	82.50	-	-	82.50
1340	Prison Inmate Education	60.00	-	-	60.00
1345	Prison Corrective Programs	899.11	-	-	899.11
1346	SOAR Program	2.00	-	-	2.00
1347	Prison Work Release	19.36	-	-	19.36
1350	ACDP - Administration	4.31	-	-	4.31
1352	ACDP - In Prison Treatment	104.00	-	-	104.00
1354	ACDP - Community Based Treatment	113.00	-	-	113.00
1355	DPS Confinement in Response to Violation (CRV)	86.00	-	-	86.00
1360	Community Corrections - Management	31.70	-	-	31.70
1365	Community Corrections - Interstate Compact	11.00	-	-	11.00
1370	Community Corrections - Regular Supervision	2,415.00	-	-	2,415.00
1375	Community Corrections - Community Supervision	4.50	-	-	4.50

Summary of General Fund Total Requirement FTE
Fiscal Year 2016-17
2016 Legislative Session

Department of Public Safety					
Budget Code 14550		Enacted	Legislative Changes		Revised
Fund Code	Fund Name	Total Requirements	Net Appropriation	Receipts	Total Requirements
1377	Community Corrections - Electronic Monitoring	7.00	-	-	7.00
1380	Community Corrections - Judicial Services	241.00	-	-	241.00
1385	Security Services for ACJJ	58.10	-	-	58.10
1390	Post-Release Supervision and Parole Commission	32.00	-	-	32.00
1392	Grievance Resolution Board	7.00	-	-	7.00
1399	Division Wide Operations	10.00	-	-	10.00
1402	LE - State Capitol Police	94.00	-	-	94.00
1405	LE - Law Enforcement Support Services	-	-	-	-
1408	LE - SHP Missing Persons Administration	1.00	-	-	1.00
1410	LE - SHP Aviation Administration	13.00	-	-	13.00
1411	LE - SHP Field Administration	2,088.00	-	-	2,088.00
1414	LE - SHP VIPER Administration	52.00	-	-	52.00
1450	State Bureau of Investigation	560.00	-	-	560.00
1500	EM - EMPG Operations	67.86	-	-	67.86
1501	EM - Planning	23.44	-	-	23.44
1502	EM - Homeland Security	17.38	-	-	17.38
1504	EM - Geospatial (GTM)	29.88	-	-	29.88
1505	EM - Recovery	9.55	-	-	9.55
1506	EM - Operations	6.50	-	-	6.50
1507	EM - CAP	2.00	-	-	2.00
1509	EM - Hazard Mitigation - Non-Disaster	3.00	-	-	3.00
1511	Geodetic Survey	18.22	-	-	18.22
1600	National Guard	26.00	-	-	26.00
1601	National Guard - Armory	57.00	-	-	57.00
1602	National Guard - Air	52.75	-	-	52.75
1603	National Guard - Youth Programs	65.75	-	-	65.75
			-	-	-
Total FTE		**24,900.45**	**-**	**-**	**24,900.45**

Public Safety

GENERAL FUND

	FY 16-17
Total Budget Enacted 2015 Session	**$1,847,365,626**

Legislative Changes

B. Law Enforcement

1 State Bureau of Investigation - ALE Radios — $350,000 **NR**

Fund Code: 1450

Provides funds to replace Alcohol Law Enforcement's outdated radios. The revised net appropriation for the State Bureau of Investigation is $54,667,468 in FY 2016- 17.

C. Emergency Management and National Guard

2 School Risk Management Plans — $507,784 **NR**

Fund Code: 1504

Provides funds for the construction and development of first generation School Risk Management Plans for 835 public schools in accordance with G.S.115C-105.49. Federal grant funds were used to complete plans for the other 1,500 schools. The revised net appropriation for Emergency Management - Geospatial (GTM) is $507,784.

D. Adult Correction and Juvenile Justice - Juvenile Justice

3 Anonymous Tip Line Application (SPK UP NC) — $187,070 **NR**

Fund Code: 1260

Provides funds to the Center for Safer Schools to expand the pilot program SPK UP NC, an anonymous tip reporting application for use in middle and high schools, from 70 schools up to 1500 schools. The creation of an anonymous tip line was mandated in S.L.2015-241, Section 8.26. The revised net appropriation for the Center for Safer Schools in FY 2016-17 is $546,202.

Total Legislative Changes	**$1,044,854 NR**
Total Position Changes	
Revised Budget	**$1,848,410,480**

Department of Justice
Budget Code 13600

General Fund Budget

	FY 2016-17
Enacted Budget	
Requirements	$85,208,440
Receipts	$32,492,848
Net Appropriation	$52,715,592
Legislative Changes	
Requirements	$4,051,704
Receipts	$0
Net Appropriation	$4,051,704
Revised Budget	
Requirements	$89,260,144
Receipts	$32,492,848
Net Appropriation	$56,767,296

General Fund FTE

Enacted Budget	820.76
Legislative Changes	1.00
Revised Budget	821.76

Summary of General Fund Appropriations
Fiscal Year 2016-17
2016 Legislative Session

Department of Justice Budget Code 13600		Enacted Budget			Legislative Changes			Revised Budget		
Fund Code	Fund Name	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation
1100	General Administration	2,355,194	-	2,355,194	-	-	-	2,355,194	-	2,355,194
1200	Legal Services	51,996,584	27,867,541	24,129,043	-	-	-	51,996,584	27,867,541	24,129,043
1400	State Crime Laboratory	19,457,635	1,736,138	17,721,497	4,051,704	-	4,051,704	23,509,339	1,736,138	21,773,201
1500	Criminal Justice Training and Standards	11,015,417	2,471,035	8,544,382	-	-	-	11,015,417	2,471,035	8,544,382
1991	Indirect Reserve	383,610	418,134	(34,524)	-	-	-	383,610	418,134	(34,524)
Department-wide Items										
	Compensation Reserve				-	-	-			
	State Retirement Contributions				-	-	-			
	State Health Plan				-	-	-			
Total		$85,208,440	$32,492,848	$52,715,592	$4,051,704	$0	$4,051,704	$89,260,144	$32,492,848	$56,767,296

Summary of General Fund Total Requirement FTE
Fiscal Year 2016-17
2016 Legislative Session

Department of Justice					
Budget Code 13600		Enacted	Legislative Changes		Revised
Fund Code	Fund Name	Total Requirements	Net Appropriation	Receipts	Total Requirements
1100	General Administration	24.00	-	-	24.00
1200	Legal Services	442.76	-	-	442.76
1400	State Crime Laboratory	218.00	1.00	-	219.00
1500	Criminal Justice Training and Standards	132.00	-	-	132.00
1991	Indirect Reserve	4.00	-	-	4.00
Total FTE		**820.76**	**1.00**	**-**	**821.76**

Justice

GENERAL FUND

	FY 16-17
Total Budget Enacted 2015 Session	**$52,715,592**
Legislative Changes	
B. State Crime Laboratory	
4 Western Crime Lab Funds	$301,276 R
Fund Code: 1400	$1,087,803 NR
	1.00
Provides funds to equip and operate the new Western Crime Lab in Edneyville. Construction of the new 36,000 square foot facility is expected to be completed in February 2017. Funds are provided for an HVAC Technician, effective September 1, 2016 ($52,867), scientific supplies ($120,000), and increased maintenance and utility costs ($128,409). The annualized amount will be $494,361 beginning July 1, 2017. An additional $1.1 million is provided to purchase new equipment for the lab. The revised net appropriation for the State Crime Lab is $19,110,576 in FY 2016-17, a 7.3% increase over the certified budget.	
5 Raleigh Crime Lab Equipment	
Fund Code: 1400	$640,000 NR
Provides additional funds for equipment needs at the State Crime Laboratory facility in Raleigh. The revised net appropriation for the State Crime Lab is $18,361,497 in FY 2016-17, a 3.5% increase over the certified budget.	
6 Outsourcing Funds for Forensic Analysis	
Fund Code: 1400	$2,022,625 NR
Provides additional funds for outsourcing forensic analysis services, including toxicology and DNA. The revised net appropriation for the State Crime Lab is $19,744,122 in FY 2016-17, a 10.2% increase over the certified budget.	
Total Legislative Changes	**$301,276 R**
	$3,750,428 NR
Total Position Changes	1.00
Revised Budget	**$56,767,296**

Office of Indigent Defense Services
Budget Code 12001

General Fund Budget

	FY 2016-17
Enacted Budget	
Requirements	$126,974,092
Receipts	$10,344,128
Net Appropriation	$116,629,964
Legislative Changes	
Requirements	$0
Receipts	$0
Net Appropriation	$0
Revised Budget	
Requirements	$126,974,092
Receipts	$10,344,128
Net Appropriation	$116,629,964

General Fund FTE

Enacted Budget	519.35
Legislative Changes	0.00
Revised Budget	519.35

Summary of General Fund Appropriations
Fiscal Year 2016-17
2016 Legislative Session

Office of Indigent Defense Services Budget Code 12001		Enacted Budget			Legislative Changes			Revised Budget		
Fund Code	Fund Name	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation
1310	Indigent Persons Attorney	76,152,404	10,125,135	66,027,269	-	-	-	76,152,404	10,125,135	66,027,269
1320	Public Defender Service	48,473,979	35,664	48,438,315	-	-	-	48,473,979	35,664	48,438,315
1380	Indigent Defense Service	2,347,709	183,329	2,164,380	-	-	-	2,347,709	183,329	2,164,380
Department-wide Items										
	Compensation Reserve				-	-	-	-	-	-
	State Retirement Contributions				-	-	-	-	-	-
	State Health Plan				-	-	-	-	-	-
					-	-	-	-	-	-
Total		$126,974,092	$10,344,128	$116,629,964	$0	$0	$0	$126,974,092	$10,344,128	$116,629,964

Summary of General Fund Total Requirement FTE
Fiscal Year 2016-17
2016 Legislative Session

Office of Indigent Defense Services					
Budget Code 12001		Enacted	Legislative Changes		Revised
Fund Code	Fund Name	Total Requirements	Net Appropriation	Receipts	Total Requirements
1310	Indigent Persons Attorney	-	-	-	-
1320	Public Defender Service	499.75	-	-	499.75
1380	Indigent Defense Service	19.60	-	-	19.60
			-	-	-
Total FTE		519.35	-	-	519.35

Judicial - Indigent Defense

GENERAL FUND

	FY 16-17
Total Budget Enacted 2015 Session	**$116,629,964**

Legislative Changes

7 No Legislative Changes
Fund Code: N/A

Total Legislative Changes	
Total Position Changes	
Revised Budget	**$116,629,964**

Administrative Office of the Courts
Budget Code 12000

General Fund Budget

	FY 2016-17
Enacted Budget	
Requirements	$485,407,793
Receipts	$1,281,472
Net Appropriation	$484,126,321
Legislative Changes	
Requirements	$250,000
Receipts	$0
Net Appropriation	$250,000
Revised Budget	
Requirements	$485,657,793
Receipts	$1,281,472
Net Appropriation	$484,376,321

General Fund FTE

Enacted Budget	5,794.31
Legislative Changes	0.00
Revised Budget	5,794.31

Summary of General Fund Appropriations
Fiscal Year 2016-17
2016 Legislative Session

Administrative Office of the Courts Budget Code 12000		Enacted Budget			Legislative Changes			Revised Budget		
Fund Code	Fund Name	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation	Requirements	Receipts	Net Appropriation
1100	Administration and Services	50,772,638	681,041	50,091,597	250,000	-	250,000	51,022,638	681,041	50,341,597
1200	Appellate Division	13,868,952	-	13,868,952	-	-	-	13,868,952	-	13,868,952
1300	Trial Court Division	298,536,162	-	298,536,162	-	-	-	298,536,162	-	298,536,162
1410	Specialty Services and Programs	20,429,106	200,000	20,229,106	-	-	-	20,429,106	200,000	20,229,106
1600	Office- District Attorney	99,565,686	134,807	99,430,879	-	-	-	99,565,686	134,807	99,430,879
1700	Independent Commissions	2,235,249	265,624	1,969,625	-	-	-	2,235,249	265,624	1,969,625
Department-wide Items										
	Compensation Reserve				-	-	-	-	-	-
	State Retirement Contributions				-	-	-	-	-	-
	State Health Plan				-	-	-	-	-	-
					-	-	-	-	-	-
Total		$485,407,793	$1,281,472	$484,126,321	$250,000	$0	$250,000	$485,657,793	$1,281,472	$484,376,321

Summary of General Fund Total Requirement FTE
Fiscal Year 2016-17
2016 Legislative Session

Administrative Office of the Courts					
Budget Code 12000		Enacted	Legislative Changes		Revised
Fund Code	Fund Name	Total Requirements	Net Appropriation	Receipts	Total Requirements
1100	Administration and Services	296.85	-	-	296.85
1200	Appellate Division	128.00	-	-	128.00
1300	Trial Court Division	3,980.34	-	-	3,980.34
1410	Specialty Services and Programs	236.50	-	-	236.50
1600	Office- District Attorney	1,130.13	-	-	1,130.13
1700	Independent Commissions	22.50	-	-	22.50
			-	-	-
Total FTE		**5,794.31**	**-**	**-**	**5,794.31**

Judicial

GENERAL FUND

	FY 16-17
Total Budget Enacted 2015 Session	**$484,126,321**
Legislative Changes	
B. Administration	
8 Mental Health Records Database	
Fund Code: 1100	$250,000 **NR**
Provides funds to digitize mental health records to facilitate clerks' compliance with the requirements of S.L. 2015-195, Amend Firearm Laws. The revised net appropriation for AOC Administration is $50,341,597.	
Total Legislative Changes	**$250,000 NR**
Total Position Changes	
Revised Budget	**$484,376,321**

Attachment 3

House Appropriations Committee on Justice and Public Safety

Proposed Special Provisions for H.B. 1030, 2016 Appropriations Act

May 12, 2016

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed
SPECIAL PROVISION

2016-DPS-H3-P

Department of Public Safety
House Appropriations, Justice and Public Safety

Requested by

REPEAL POSITION RECLASSIFICATION AUTHORITY

SECTION #. Section 16A.3 of S.L. 2015-241 is repealed.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed
SPECIAL PROVISION

2016-DPS-H4-P

Department of Public Safety
House Appropriations, Justice and Public Safety

Requested by

EXEMPT SBI & DPS FROM DIT OVERSIGHT

SECTION #. G.S. 143B-1320(b) reads as rewritten:

"(b) Exemptions. – Except as otherwise specifically provided by law, the provisions of this Chapter do not apply to the following entities: the General Assembly, the Judicial Department, the State Bureau of Investigation, the Department of Public Safety, and The University of North Carolina and its constituent institutions. These entities may elect to participate in the information technology programs, services, or contracts offered by the Department, including information technology procurement, in accordance with the statutes, policies, and rules of the Department. The election must be made in writing, as follows:

(1) For the General Assembly, by the Legislative Services Commission.
(2) For the Judicial Department, by the Chief Justice.
(3) For The University of North Carolina, by the Board of Governors.
(4) For the constituent institutions of The University of North Carolina, by the respective boards of trustees.
(5) For the State Bureau of Investigation, by the Director.
(6) For other divisions or sections of the Department of Public Safety, by the Secretary."

Included for Information Only

Proofed
SPECIAL PROVISION

2016-DPS-H5-P

Department of Public Safety
House Appropriations, Justice and Public Safety

Requested by

EXEMPT SBI & DPS FROM ENTERPRISE ACTIVE DIRECTORY PARTICIPATION

SECTION #. Section 7.25 of S.L. 2015-241 reads as rewritten:

"**AGENCY USE OF ENTERPRISE ACTIVE DIRECTORY**

"**SECTION 7.25.(a)** On or before July 1, 2016, unless exempted by the Governor, all State agencies identified as principal departments under G.S. 143B-6 shall become direct members of and shall use the Enterprise Active Directory. A principal department may submit to the State Chief Information Officer a written request to deviate from certain requirements of the Enterprise Active Directory, provided that any deviation shall be consistent with available funding and shall be subject to any terms and conditions specified by the State Chief Information Officer.

"**SECTION 7.25.(b)** Subsection (a) of this section shall not apply to the State Bureau of Investigation or to the Department of Public Safety."

Included for Information Only

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed
SPECIAL PROVISION

2016-LAW-H1-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by

REQUIRE QUARTERLY VIPER REPORT

SECTION #. Section 16B.2 of S.L. 2015-241 reads as rewritten:

"**VOICE INTEROPERABILITY PLAN FOR EMERGENCY RESPONSE (VIPER) SYSTEM**

"**SECTION 16B.2.** The Department of Public Safety shall report ~~annually~~ no later than March 1 and quarterly thereafter to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on the progress of the State's VIPER system."

Proofed
SPECIAL PROVISION

2016-LAW-H2-P

Division of Law Enforcement - DPS
House Appropriations, Justice and Public Safety

Requested by

CHANGE DOMESTIC VIOLENCE HOMICIDE REPORT DUE DATE

SECTION #. G.S. 143B-901 reads as rewritten:

"**§ 143B-901. Reporting system and database on certain domestic-violence-related homicides; reports by law enforcement agencies required; annual report to the General Assembly.**

The Department of Public Safety, in consultation with the North Carolina Council for Women/Domestic Violence Commission, the North Carolina Sheriffs' Association, and the North Carolina Association of Chiefs of Police, shall develop a reporting system and database that reflects the number of homicides in the State where the offender and the victim had a personal relationship, as defined by G.S. 50B-1(b). The information in the database shall also include the type of personal relationship that existed between the offender and the victim, whether the victim had obtained an order pursuant to G.S. 50B-3, and whether there was a pending charge for which the offender was on pretrial release pursuant to G.S. 15A-534.1. All State and local law enforcement agencies shall report information to the Department of Public Safety upon making a determination that a homicide meets the reporting system's criteria. The report shall be made in the format adopted by the Department of Public Safety. The Department of Public Safety shall report to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety, no later than ~~February~~ April 1 of each year, with the data collected for the previous calendar year."

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by

MISDEMEANANT CONFINEMENT FUND

SECTION #. Funds appropriated for the Statewide Misdemeanant Confinement Program shall not be transferred to a special fund.

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by

INMATE GRIEVANCE RESOLUTION BOARD REPORT CHANGES

SECTION #. Section 16C.13B(b) of S.L. 2015-241 reads as rewritten:

"**SECTION 16C.13B.(b).** The Department of Public Safety and the Inmate Grievance Resolution Board shall report by October 1 of each year to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Joint Legislative Oversight Committee on Justice and Public Safety on the Inmate Grievance Resolution Board. The annual report shall include the following with respect to the prior fiscal year:

(1) Brief summary of the inmate grievance process.

(2) Number of ~~grievances submitted~~grievance appeals received to the Board.

(3) Number of ~~grievances~~grievance appeals resolved by the Board.

(4) Type of grievance by category.

(5) Number of orders ~~filed~~written by examiners."

Proofed
SPECIAL PROVISION

2016-CORR-H2-P

Adult Correction Division of DPS
House Appropriations, Justice and Public Safety

Requested by

STUDY WHETHER PROBATION AND PAROLE OFFICERS SHOULD TAKE STATE VEHICLES HOME

SECTION #. The Department of Public Safety in consultation with the Division of Adult Correction shall study whether probation and parole officers should be allowed to take their State vehicles home with them and the possible tax implications of doing so and report their findings and recommendations to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by March 1, 2017.

REVISION TO TREATMENT FOR EFFECTIVE COMMUNITY SUPERVISION REPORT

SECTION #. G.S. 143B-1155(c) reads as rewritten:

"(c) ~~The Division of Adult Correction~~ The Department of Public Safety, Community Corrections Section, 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 Oversight Committee on Justice and Public Safety on the status of the programs funded through the Treatment for Effective Community Supervision Program. The report shall include the following ~~information:~~information from each of the following components:

(1) ~~The dollar amount and purpose of funds provided on a contractual basis to service providers for the previous fiscal year and the amount of any funds carried over from the previous fiscal year.~~Recidivism Reduction Services:

a. The method by which offenders are referred to the program.

b. The target population.

c. The amount of services contracted for and the amount of funding expended in each fiscal year.

d. The supervision type.

e. The risk level of the offenders served.

f. The number of successful and unsuccessful core service exits with a breakdown of reasons for unsuccessful exits.

g. The demographics of the population served.

h. The number and kind of mandatory and optional services received by offenders in this program.

i. Employment status at entry and exit.

j. Supervision outcomes, including completion, revocation, and termination.

(2) ~~An analysis of offender participation data received, including the following:~~Community Intervention Centers (CIC):

a. ~~The number of people on probation and post-release supervision that are in the priority population that received services.~~The target population.

b. ~~The number of people on probation and post-release supervision that are in the priority population that did not receive services.~~The amount of funds contracted for and expended each fiscal year.

c. ~~The number of people on probation and post-release supervision outside of the priority population that received services.~~The supervision type.

d. ~~The type of services provided to these populations, including data on each program's utilization, capacity, and completion rates.~~The risk level of the offenders served.

e. ~~The rate of revocations and the educational progress and employment status of people who received services.~~The number of successful and

unsuccessful core service exits with a breakdown of reasons for unsuccessful exits.

f. ~~Other measures as determined appropriate.~~The demographics of the population served.

g. Supervision outcomes, including completion, revocation, and termination.

(3) ~~The dollar amount needed to provide additional services to meet the needs of the priority population in the upcoming budget year.~~Transitional and Temporary Housing:

a. The target population.

b. The amount of funds contracted for and expended each fiscal year.

c. The supervision type.

d. The risk level of the offenders served.

e. The number of successful and unsuccessful core service exits with a breakdown of reasons for unsuccessful exits.

f. The demographics of the population served.

g. The employment status at entry and exit.

h. Supervision outcomes, including completion, revocation, and termination.

(4) ~~Details of personnel, travel, contractual, operating, and equipment expenditures for each program type.~~Local Reentry Councils (LRC):

a. The target population.

b. The amount of funds contracted for and expended each fiscal year.

c. The supervision type.

d. The risk level of the offenders served.

e. The number of successful and unsuccessful core service exits with a breakdown of reasons for unsuccessful exits.

f. The demographics of the population served.

g. The employment status at entry and exit including, wherever possible, the average wage received at entry and exit.

h. Supervision outcomes, including completion, revocation, and termination.

(5) Intensive Outpatient Services. – If the Department enters into a contract for Intensive Outpatient Services, the Department of Public Safety shall report in the next fiscal year on this service including the following:

a. The target population.

b. The amount of funds contracted for and expended each fiscal year.

c. The supervision type.

d. The risk level of the offenders served.

e. The number of successful and unsuccessful core service exits with a breakdown of reasons for unsuccessful exits.

f. The demographics of the population served.

g. Supervision outcomes, including completion, revocation, and termination."

Attorney General's Office
House Appropriations, Justice and Public Safety

Requested by

CREATION OF SOCIAL MEDIA TRAINING FOR LAW ENFORCEMENT

SECTION #. The North Carolina Justice Academy shall develop and make available to law enforcement officers in this State an online training course on the use of social media. The course shall include methods individual law enforcement officers can take to protect their personal information.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2016

Proofed
SPECIAL PROVISION

2016-IDS-H2-P

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by

CLARIFICATION OF IDS BUDGET AUTHORITY

SECTION #. G.S. 7A-498.2(e) reads as rewritten:

"(e) The Director of the Administrative Office of the Courts may modify the budget of the Office of Indigent Defense Services and may use funds appropriated to the Office ~~without the approval of the Commission or the Office of Indigent Defense Services~~only after direct consultation with a quorum of the Commission."

Proofed
SPECIAL PROVISION

2016-IDS-H3-P

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by

DIRECT IDS TO STUDY THE NEED FOR SATELLITE OFFICES FOR CAPITAL DEFENDERS

SECTION #.(a) The Office of Indigent Defense Services may use appropriated funds during the 2016-2017 fiscal year for the expansion of existing offices currently providing legal services to the indigent population under the oversight of the Office of Indigent Defense Services, considering cost-effectiveness and other needs. Funds may be used for the creation of new positions or offices within existing public defender programs including satellite offices of the Office of Capital Defender, for the establishment of regional public defender programs, or for positions related to the contract system of providing legal services. Notwithstanding the defender districts established by G.S. 7A-498.7, the Office of Indigent Defense Services may use a portion of these funds to create positions within existing public defender programs to handle cases in adjacent counties or districts. These funds may be used for the salaries, benefits, equipment, and related expenses for up to eight attorney positions and four nonattorney positions during the fiscal year with the total annualized cost of these positions to be no more than one million two hundred fifty thousand dollars ($1,250,000). Prior to using funds for this purpose, the Office of Indigent Defense Services shall report to the chairs of the House of Representatives and the Senate Appropriations Committees on Justice and Public Safety on the proposed expansion by March 1, 2017.

SECTION #.(b) The Office of Indigent Defense Services shall study the need for new satellite offices to handle potentially capital cases at the trial level which shall be staffed by full-time assistant capital defenders and appropriate support staff in areas in which the use of salaried attorneys will ensure that effective representation is provided in a cost-effective manner. The Office of Indigent Defense Services shall consider the addition of capital defenders to existing public defender offices before making a recommendation as to the creation of separate satellite offices. If it is determined that such offices should be established, the Office of Indigent Defense Services shall provide data regarding (i) the determination to create new satellite offices, (ii) the counties to be serviced by the offices, (iii) the number of attorney appointments made in the counties served, (iv) the number of attorney appointments made in the counties served in the past three fiscal years, and (v) the current number of eligible private counsel and local public defenders who are available in those counties. The Office of Indigent Services shall report its findings and recommendations to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by March 1, 2017.

Proofed
SPECIAL PROVISION

2016-IDS-H4-P

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by

STUDY CAPITAL CASE PROSECUTION

SECTION #. The Office of Indigent Defense Services in consultation with the Conference of District Attorneys shall study what changes can be made to the current system of identifying, from the pool of cases in which a defendant is charged with first-degree or undesignated murder, (i) those that merit the cost of a capital prosecution and defense and (ii) what steps can be taken to facilitate the appointment of local counsel in most cases. The Office of Indigent Defense Services shall report its findings and make any recommendations to the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety by October 1, 2016.

Indigent Defense Services
House Appropriations, Justice and Public Safety

Requested by

PRIVATE ASSIGNED COUNSEL FUNDING

SECTION #.(a) There is appropriated from the General Fund to the Office of Indigent Defense Services the sum of five million one hundred thousand dollars ($5,100,000) for the 2015-2016 fiscal year to compensate private assigned counsel who have represented indigent defendants. Any of these funds that are not needed to pay private assigned counsel bills received by the Office of Indigent Defense Services by June 30, 2016, shall revert to the General Fund.

SECTION #.(b) This section is effective when it becomes law.

Included for Information Only

GRANT FUNDS

SECTION #. Section 18A.4 of S.L. 2015-241 reads as rewritten:

"**SECTION 18A.4.** Notwithstanding G.S. 143C-6-9, the Administrative Office of the Courts may use up to the sum of one million five hundred thousand dollars ($1,500,000) in each year of the fiscal biennium from funds available to the Department to provide the State match needed in order to receive grant funds. Prior to using funds for this purpose, the Department shall report to the Chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety on the grants to be matched using these funds."

Proofed
SPECIAL PROVISION

2016-AOC-H2-P

Administrative Office of the Courts
House Appropriations, Justice and Public Safety

Requested by

COLLECTION OF WORTHLESS CHECK FUNDS

SECTION #. Section 18A.5(a) of S.L. 2015-241 reads as rewritten

"**SECTION 18A.5.(a)** 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, 2015, for the purchase or repair of office or information technology equipment during the 2015-2016 fiscal ~~year.~~year and may use any balance remaining in the Collection of Worthless Checks Fund on June 30, 2016, for the purchase or repair of office or information technology equipment during the 2016-2017 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Office of State Budget and Management on the equipment to be purchased or repaired and the reasons for the purchases."

ALLOCATION OF ASSISTANT DISTRICT ATTORNEYS

SECTION #. G.S. 7A-60 reads as rewritten:

"**§ 7A-60. District attorneys and prosecutorial districts.**

...

(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	~~11~~
2	Beaufort, Hyde, Martin, Tyrrell, Washington	~~8~~
3A	Pitt	~~11~~
3B	Carteret, Craven, Pamlico	~~12~~
4	Duplin, Jones, Onslow, Sampson	~~18~~
5	New Hanover, Pender	~~18~~
6	Bertie, Halifax, Hertford, Northampton	~~10~~
7	Edgecombe, Nash, Wilson	~~18~~
8	Greene, Lenoir, Wayne	~~14~~
9	Franklin, Granville, Vance, Warren	~~10~~
9A	Person, Caswell	~~6~~
10	Wake	~~41~~
11A	Harnett, Lee	~~9~~
11B	Johnston	~~10~~
12	Cumberland	~~23~~
13	Bladen, Brunswick, Columbus	~~13~~
14	Durham	~~18~~
15A	Alamance	~~11~~
15B	Orange, Chatham	~~10~~
16A	Scotland, Hoke	~~7~~
16B	Robeson	~~12~~
16C	Anson, Richmond	~~6~~
17A	Rockingham	~~7~~
17B	Stokes, Surry	~~8~~
18	Guilford	~~32~~

19A	Cabarrus	~~9~~
19B	Montgomery, Randolph	~~9~~
19C	Rowan	~~8~~
19D	Moore	~~5~~
20A	Stanly	~~5~~
20B	Union	~~10~~
21	Forsyth	~~25~~
22A	Alexander, Iredell	~~11~~
22B	Davidson, Davie	~~11~~
23	Alleghany, Ashe, Wilkes, Yadkin	~~8~~
24	Avery, Madison, Mitchell, Watauga, Yancey	~~7~~
25	Burke, Caldwell, Catawba	~~18~~
26	Mecklenburg	~~58~~
27A	Gaston	~~14~~
27B	Cleveland, Lincoln	~~11~~
28	Buncombe	~~14~~
29A	McDowell, Rutherford	~~7~~
29B	Henderson, Polk, Transylvania	~~8~~
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain.	~~10~~

(a2) ~~Upon the convening of each regular session of the General Assembly and its reconvening in the even-numbered year, the~~The Administrative Office of the Courts shall report by March 15 of each year on its ~~recommendations regarding the~~ allocation of assistant district attorneys for the upcoming fiscal biennium and fiscal year to the General Assembly, including any request for additional assistant district attorneys. The report shall include the number of assistant district attorneys that the Administrative Office of the Courts ~~recommends to be~~has allocated to each prosecutorial district and the workload formula established through the National Center for State Courts on which each ~~recommended~~ allocation is based. Any reports required under this subsection shall be made to ~~the Joint Legislative Commission on Governmental Operations,~~ the House of Representatives and Senate Appropriations ~~Subcommittees~~Committees on Justice and Public, and the Fiscal Research Division.

...."

District Attorney and Assistant District Attorney Actual FTE Compared to Workload Need and Statutory Requirements

A	B	C	D	E	F	G	H	I	J	K
District	Counties	State FTE	Grant FTE	Total FTE	Workload Need	Total vs. Workload Over/(Under)	Statutory FTE Including DA (G.S. 7A-60(a) and (a1))	State vs. Statutory Over/(Under)	Total vs. Statutory Over/(Under)	Workload vs. Statutory Over/(Under)
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	12.0		**12.0**	11.3	0.7	12.0	0.0	0.0	(0.7)
2	Beaufort, Hyde, Martin, Tyrell, Washington	9.0		**9.0**	8.6	0.4	9.0	0.0	0.0	(0.4)
3A	Pitt	12.0	1.0	**13.0**	15.2	(2.2)	12.0	0.0	1.0	3.2
3B	Carteret, Craven, Pamlico	13.0		**13.0**	13.3	(0.3)	13.0	0.0	0.0	0.3
4	Duplin, Jones, Onslow, Sampson	19.0		**19.0**	20.4	(1.4)	19.0	0.0	0.0	1.4
5	New Hanover, Pender	19.0		**19.0**	21.0	(2.0)	19.0	0.0	0.0	2.0
6A	Bertie, Halifax, Hertford, Northampton	11.0		**11.0**	11.8	(0.8)	11.0	0.0	0.0	0.8
6B	Edgecombe, Nash, Wilson	19.0		**19.0**	24.1	(5.1)	19.0	0.0	0.0	5.1
7	Greene, Lenoir, Wayne	15.0	1.0	**16.0**	14.9	1.1	15.0	0.0	1.0	(0.1)
8	Franklin, Granville, Vance, Warren	11.0		**11.0**	13.8	(2.8)	11.0	0.0	0.0	2.8
9	Person, Caswell	6.0		**6.0**	5.7	0.3	7.0	(1.0)	(1.0)	(1.3)
9A	Wake	42.0		**42.0**	50.9	(8.9)	42.0	0.0	0.0	8.9
10	Harnett, Lee	10.0	2.0	**12.0**	16.7	(4.7)	10.0	0.0	2.0	6.7
11A	Johnston	11.0	1.0	**12.0**	11.2	0.8	11.0	0.0	1.0	0.2
11B	Cumberland	24.0	1.0	**25.0**	28.0	(3.0)	24.0	0.0	1.0	4.0
12	Bladen, Brunswick, Columbus	14.0	2.0	**16.0**	18.2	(2.2)	14.0	0.0	2.0	4.2
13	Durham	19.0	2.0	**21.0**	21.0	0.0	19.0	0.0	2.0	2.0
14	Alamance	12.0	4.0	**16.0**	10.6	5.4	12.0	0.0	4.0	(1.4)
15A	Orange, Chatham	10.0	2.0	**12.0**	9.6	2.4	11.0	(1.0)	1.0	(1.4)
15B	Scotland, Hoke	8.0		**8.0**	6.9	1.1	8.0	0.0	0.0	(1.1)
16A	Robeson	13.0		**13.0**	12.9	0.1	13.0	0.0	0.0	(0.1)
16B	Anson, Richmond	7.0		**7.0**	7.3	(0.3)	7.0	0.0	0.0	0.3
17A	Rockingham	8.0		**8.0**	6.3	1.7	8.0	0.0	0.0	(1.7)
17B	Stokes, Surry	9.0		**9.0**	8.7	0.3	9.0	0.0	0.0	(0.3)
18	Guilford	33.0	1.0	**34.0**	46.2	(12.2)	33.0	0.0	1.0	13.2
19A	Cabarrus	10.0		**10.0**	10.3	(0.3)	10.0	0.0	0.0	0.3
19B	Montgomery, Randolph	10.0		**10.0**	11.7	(1.7)	10.0	0.0	0.0	1.7
19C	Rowan	9.0		**9.0**	9.1	(0.1)	9.0	0.0	0.0	0.1
19D	Moore	6.0		**6.0**	6.1	(0.1)	6.0	0.0	0.0	0.1
20A	Stanly	6.0		**6.0**	3.9	2.1	6.0	0.0	0.0	(2.1)

District Attorney and Assistant District Attorney Actual FTE Compared to Workload Need and Statutory Requirements

District	Counties	State FTE	Grant FTE	Total FTE	Workload Need	Total vs. Workload Over/(Under)	Statutory FTE Including DA (G.S. 7A-60(a) and (a1))	State vs. Statutory Over/(Under)	Total vs. Statutory Over/(Under)	Workload vs. Statutory Over/(Under)
20B	Union	10.0	2.0	**12.0**	9.5	2.5	11.0	(1.0)	1.0	(1.5)
21	Forsyth	26.0	2.0	**28.0**	27.7	0.3	26.0	0.0	2.0	1.7
22A	Alexander, Iredell	12.0	1.0	**13.0**	14.0	(1.0)	12.0	0.0	1.0	2.0
22B	Davidson, Davie	12.0		**12.0**	12.7	(0.7)	12.0	0.0	0.0	0.7
23	Alleghany, Ashe, Wilkes, Yadkin	9.0		**9.0**	10.4	(1.4)	9.0	0.0	0.0	1.4
24	Avery, Madison, Mitchell, Watauga, Yancey	8.0		**8.0**	7.7	0.3	8.0	0.0	0.0	(0.3)
25	Burke, Caldwell, Catawba	19.0		**19.0**	21.1	(2.1)	19.0	0.0	0.0	2.1
26	Mecklenburg	62.0	23.0	**85.0**	59.5	25.5	59.0	3.0	26.0	0.5
27A	Gaston	15.0		**15.0**	17.3	(2.3)	15.0	0.0	0.0	2.3
27B	Cleveland, Lincoln	12.0		**12.0**	12.2	(0.2)	12.0	0.0	0.0	0.2
28	Buncombe	15.0	1.0	**16.0**	15.3	0.7	15.0	0.0	1.0	0.3
29A	McDowell, Rutherford	8.0		**8.0**	8.8	(0.8)	8.0	0.0	0.0	0.8
29B	Henderson, Polk, Transylvania	9.0		**9.0**	10.3	(1.3)	9.0	0.0	0.0	1.3
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	11.0	1.0	**12.0**	15.4	(3.4)	11.0	0.0	1.0	4.4
	Total	**635.0**	**47.0**	**682.0**	**697.6**	**(15.6)**	**635.0**	**0.0**	**47.0**	**62.6**

Attachment 4

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H1030-AMS-2 [v.3]

Amends Title [NO]
JPS Special Provisions Package

Date May 12 ,2016

Representative Faircloth

moves to amend the JPS Special Provisions Package on page 7, line 9 by deleting the phrase "~~grievances submitted~~grievance appeals received to" and substituting the phrase, "~~grievances submitted to~~grievance appeals received by"; and

moves to amends the Committee Report on page I-10, item 5, by deleting the item and substituting the following:

"**5 Crime Lab Equipment** **$640,000 NR**
Fund Code: 1400
Provides additional funds for equipment needs at State Crime Laboratory facilities in Raleigh and Greensboro. The revised net appropriation for the State Crime Lab is $18,361,497 in FY 2016-2017, a 3.5% increase over the certified budget.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

H1030-AMS-2-V-3

Attachment 5

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H1030-AMD-98 [v.3]

Amends Title [NO]
JPS Subcommittee Package

Date May 12 ,2016

Representative Boles

moves to amend the JPS Committee Report on page I-6, by inserting two new items to read:

"1A **SBI Airwing** ($249,907) R
Fund Code: 1450

Eliminates funding for the SBI Airwing. These funds are no longer required since the Airwing does not have a functional aircraft. The SBI will no longer engage in marijuana eradication, prisoner extradition, aerial surveillance, or search and rescue missions. SBI agent positions currently assigned to the Airwing shall be transferred to other SBI divisions as determined by the Director. Existing aircraft shall be sold. The revised net appropriation for the State Bureau of Investigation will be $40,546,511.

1B **SHP Viper** $249,907 R
Fund Code: 1414

Provides funds to the State Highway Patrol (SHP) for VIPER tower maintenance needs. The revised net appropriation for the SHP VIPER Administration will be $13,506,424, a 1.8% increase to the certified budget.";

and moves to adjust the appropriate totals accordingly.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H1030-AMD-98 [v.3]

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

Attachment 4

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. _____
(to be filled in by Principal Clerk)

H1030-AMD-100 [v.2]

Amends Title [NO]
JPS Subcommittee Package

Date May 12 ,2016

Representative Boles

moves to amend the JPS Subcommittee Package on pages 11 and 12, by inserting between the pages a new special provision to read:

"**LAW ENFORCEMENT CERTIFICATION AND TRAINING CLARIFICATIONS**

SECTION #.(a) Article 4 of Chapter 20 of the General Statutes is amended by adding a new section to read:

'**§ 20-188.1 Specialized instructor training.**

Notwithstanding any other provision of law, the State Highway Patrol may conduct specialized instructor training as deemed necessary to enhance the efficacy and overall effectiveness of the State Highway Patrol. That training shall be consistent with Chapter 17C of the General Statutes and such rules as may be promulgated by the North Carolina Criminal Justice Education and Training Standards Commission. Topical training areas may include:

(1) Specialized driver instructor training.
(2) Specialized firearms instructor training.
(3) Specialized subject control arrest techniques instructor training.
(4) Specialized physical fitness instructor training.
(5) Any other specialized instructor training as mandated by the North Carolina Education and Training Standards Commission or the North Carolina Sheriffs' Education and Training Standards Commission."

SECTION #.(b) G.S. 17C-6(a)(7) reads as rewritten:

"(7) Certify and recertify, suspend, revoke, or deny, pursuant to the standards that it has established for the purpose, criminal justice instructors and school directors who participate in programs or courses of instruction that are required by this ~~Chapter.~~Chapter or that are required or approved by their respective agency head.".

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1030

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H1030-AMD-100 [v.2]

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED ✓ FAILED _____ TABLED _____

MOVE THAT THE JUSTICE AND PUBLIC SAFETY APPROPRIATIONS SUBCOMMITTEE ADOPT THE APPROPRIATIONS SUBCOMMITTEE REPORT, AS AMENDED; AND FURTHER MOVE THAT STAFF BE AUTHORIZED TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES, AND THAT THE APPROPRIATE TOTALS MAY BE ADJUSTED ACCORDINGLY.

Committee Sergeants at Arms

NAME OF COMMITTEE Joint Com. on Approp. Justice & Public Safety

DATE: 5/12/16 **Room:** 415

House Sgt-At Arms:

1. **Name:** Billy Jones
2. **Name:** Barry Moore
3. **Name:** Will Crocker
4. **Name:** Bill Riley
5. **Name:**

Senate Sgt-At Arms:

1. **Name:**
2. **Name:**
3. **Name:**
4. **Name:**
5. **Name:**

HOUSE PAGES
(Appropriations on Justice and Public Safety)

Week of May 9-12, 2016

Name:	County:	Sponsor:
Reece Patterson	Harnett	Rep. Brad Salmon
Belinda Shepard	Onslow	Rep. Phillip Shepard

VISITOR REGISTRATION SHEET

~~Joint~~ Committee on Approp. Justice & Public Safety May 12, 2016

Name of Committee **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Skye David	AMGA
Kristin Parks	DRNC
Rodney T. Beckom	NC ACE
JARRET BURR	NC DPS
Kay Castillo	NASW-NC
Thomas Moore	CGA
Marsha Overby	SHP
Chris Broughton	McGuireWoods
Thomas Mann	DPS
Tom Mann	Judicial Branch
John Byrd	SCL/DOS

VISITOR REGISTRATION SHEET

[redacted]t Committee on Approp. Justice & Public Safety — May 12, 2016

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
Brian C Neil	SBI
Terrance Merriweather	ALE
MARK SENTER	ALCOHOL LAW ENFORCEMENT
CASANDRA HOEFSTRA	NCACC
Traci Little	OSBM
Bill Grey	NCSHP
Gordon Keath	FCNC
William Lassiter	NCDPS
Tim Moose	NCDPS
Gwen Norville	NCDPS
Jamie P. Smith	NCSBI

VISITOR REGISTRATION SHEET

Joint Committee on Approp. Justice & Public Safety — May 12, 2016

Name of Committee — **Date**

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME	FIRM OR AGENCY AND ADDRESS
JENNIFER KNOX	WAKE COUNTY CLERK of SUPERIOR COURT PO BOX 351 RALEIGH 27602
Barbara Moore	NCAOC
Pam Barlow	Ashe Co CSC / NCCSCC
Todd Williams	DA Buncombe County
Seth Banks	DA 24th Judicial District
NELLS ROSELAND	NC DOJ
Fred Bone	B&L
Clyde Lovette	[illegible]
Elisa Wolper	IDS
Carmen Hoke	NVA