

2017

**JOINT
APPROPRIATIONS –
JUSTICE & PUBLIC
SAFETY**

MINUTES

House Appropriations Committee on Justice and Public Safety

2017 Long Session

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March 1, 2017

March 8, 2017

March 14, 2017

March 21, 2017

May 25, 2017



HOUSE APPROPRIATIONS, JUSTICE AND PUBLIC SAFETY

Rev. 2.1.2017

MEMBER	ASSISTANT	PHONE	OFFICE	SEAT
Rep. Jamie Boles, Chair	Kerry Guice, Clerk	3-5903	528	25
Rep. Ted Davis, Chair	Judy Lowe, Clerk	3-5786	417B	27
Rep. Allen McNeill, Chair	Laura Sullivan, Clerk	5-4946	418C	55
Rep. Rena Turner, Chair	Barb Gaiser, Clerk	3-5661	606	52
Rep. Mary Belk	Ralph Belk	3-5607	1424	116
Rep. Charles Graham	Linda Laton	5-0875	1309	84
Rep. George Graham	Beverly Baker	3-5995	1321	79
Rep. Joe John	Katie Stanley	3-5530	1013	117
Rep. Brenden Jones	Andrew Bailey	3-5821	2217	88
Rep. Billy Richardson	Leigh Lawrence	3-5601	1021	71
Rep. David Rogers	Baxter Knight	3-5749	418C	86
Rep. Mitch Setzer	Margaret Herring	3-4948	2204	2
Rep. Michael Speciale	Hazel Speciale	3-5853	1008	50
Rep. Sarah Stevens	Lisa Brown	5-1883	419	7
Rep. Shelly Willingham	Johnna Smith	5-3024	513	96



HOUSE COMMITTEE ON APPROPRIATIONS, JUSTICE & PUBLIC SAFETY
2017 – 2018 SESSION

Clerks: Kerry Guice, Judy Lowe, Laura Sullivan, Barb Gaiser



Rep. Jamie Boles, Chair



Rep. Ted Davis, Chair



Rep. Allen McNeill, Chair



Rep. Rena Turner, Chair



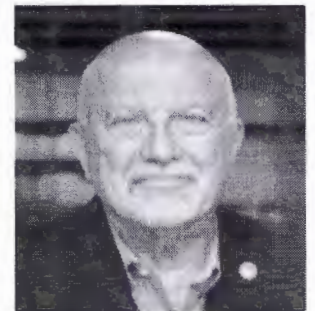
Rep. Mary Belk



Rep. Charles Graham



Rep. George Graham



Rep. Joe John



Rep. Brenden Jones



Rep. Billy Richardson



Rep. David Rogers



Rep. Mitch Setzer



Rep. Michael Speciale



Rep. Sarah Stevens



Rep. Shelly Willingham



Appropriations, Justice and Public Safety

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Appropriations, Justice and Public Safety

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Joint Appropriations Committees on Justice and Public Safety

Committee Protocol

These guidelines are intended to make the committee process as orderly and efficient as possible.

- Please wait for recognition by the chair before speaking. Only the chair has the authority to call on someone to speak or to answer questions.
- Once recognized by the chair, please:
 - Stand up when speaking.
 - State your name and who you represent.
- Materials may only be distributed to the committee after prior approval from the chair.
 - Copies should be double-sided, three-hole punched, and stapled in the corner. All documents should have a date and numbered pages. If slides are being printed, two slides per page is preferred.
 - Please bring any copies to be distributed to the committee room no later than thirty minutes before the scheduled meeting time.
 - Electronic copies of presentations should be submitted to Fiscal Research staff 24 hours before the committee meeting.
- Please respect your fellow presenters and adhere to the time limits.



Justice and Public Safety Acronyms

ACJJ	Division of Adult Correction and Juvenile Justice
ACIS	Automated Criminal/Infractions System
ADA	Assistant District Attorney
ALE	Alcohol Law Enforcement
AOC	Administrative Office of the Courts
ASAC	Assistant Special Agent in Charge
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
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
PAC	Private Assigned Counsel
PD	Public Defender
SBI	State Bureau of Investigation
SCP	State Capitol Police
SHP	State Highway Patrol
SMCP	Statewide Misdemeanant Confinement Program
TECS	Treatment for Effective Community Supervision
YDC	Youth Development Center



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 misdemeanor.

APPROPRIATION: An action by the General Assembly authorizing the withdrawal of funds from the State treasury pursuant to Article V, Section 7 of the NC Constitution. 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 working budget composed of the certified budget plus allowable budget revisions and adjustments authorized in G.S. 143C-6-4.

BASE BUDGET: That part of the State budget that provides the baseline for the next biennium. The authorized budget is used as the starting point and may be adjusted 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 intergovernmental 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 a fiscal year that are brought forward for expenditure in the following year.

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.

COMMITTEE REPORT: A compilation of all legislative adjustments made to the Governor's Recommended Base Budget. The Committee Report lists each adjustment and provides a brief description along with guidance on specific items or explicit legislative intent. This report is used to construe the intent of the appropriations act (G.S. 143C-5-5).



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.

ENACTED BUDGET: The budget as enacted by the General Assembly in the annual Current Operations Appropriations Act in accordance with Article 5 of Chapter 143C. The enacted budget usually includes items funded through various reserves but not yet distributed to State agencies. Examples include the funding needed to bring a new building online during the fiscal year and funds anticipated for economic incentive projects.

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.

FISCAL NOTE: A formal fiscal estimate, including a brief statement of costs and revenue impact, for the first five fiscal years the legislation would be in effect. GS 143C-2-3 requires a State agency proposing a bill that affects the State budget to prepare a fiscal analysis for the bill and submit the analysis to the Fiscal Research Division upon introduction of the bill.

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 OPERATING BUDGET: The sum of all appropriations from the General Fund for a fiscal year, except appropriations for (i) capital improvements, including repairs and renovations, and (ii) one-time expenditures due to natural disasters or other emergencies.



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: Surplus funds resulting from the salary and associated benefits not expended for temporarily vacant positions. GS 143C-6-9 prohibits the use of lapsed salaries for recurring purposes.

MANAGEMENT FLEXIBILITY RESERVE: A method by which a legislatively mandated budget reduction is imposed without detailing the specific lines of expenditure to be decreased. This method is also known as a negative reserve.

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: A budget reduction imposed without detailing the specific lines of expenditure to be decreased. (See also management flexibility reserve.)

NONRECURRING: A term applied to revenue or expenditures that are for one-year only.

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: The unexpended, unencumbered balance of an appropriation at fiscal year end that reverts, as required by law, to the fund from which the appropriation was made.

SALARY RESERVE: Funds that accumulate when a position is downgraded or filled at a salary amount less than the amount at which it was budgeted. Salary reserve can be used to increase the salary of other positions due to promotion and/or reclassification or filling a position at a salary higher than that at which the position was vacated.

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 REVENUE FUND: A fund used to account for revenue designated by law for a specific purpose; revenue deposited must remain in the fund until expended for that purpose.

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 PROGRAM: A program that pays counties for voluntarily housing misdemeanants and DWI offenders. 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.



Senate Committee on Appropriations on Justice and Public Safety
Tuesday, February 21, 2017 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:30 AM on February 21, 2017 in Room 415 of the Legislative Office Building. 19 members were present.

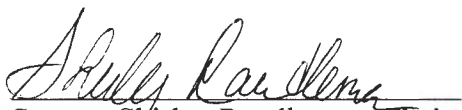
Senator Shirley Randleman, Chair, presided.

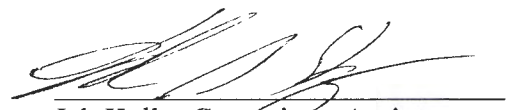
The chair introduced pages Andrew Fisher, sponsored by Senator Michael Woodard and Kurtis Johnson, sponsored by speaker Tim Moore. The chair recognized House Sergeant at Arms Barry Moore and Bill Moore, and Senate Sergeant at Arms Sham Patel and Hal Roach. Senator Randleman asked each member of the committee to introduce themselves since this was the first meeting.

Senator Randleman recognized Kristine Leggett, Fiscal Research Division. Ms. Leggett explained the committee notebooks and committee website to the members. She also explained the Fiscal Research Division's role to the committee and gave an overview of fiscal notes and incarcerations notes and how to request them. Ms. Leggett gave a PowerPoint presentation to provide an overview of the Justice and Public Safety Budget. See attachments.

Following the presentation, Senator Randleman asked for questions from the committee. Senator Richardson asked how members should suggest budget items to the chairs. Senator Randleman replied that they could be discussed in committee and she highly recommends members begin talking to the chairs.

The meeting adjourned at 9:16 AM


Senator Shirley Randleman, Chair
Presiding


Jeb Kelly, Committee Assistant



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

February 21, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Warren Daniel	Representative Jamie Boles
	Senator Shirley Randleman, Presiding	Representative Ted Davis
	Senator Norm Sanderson	Representative Allen McNeill
		Representative Rena Turner

II. OPENING REMARKS AND INTRODUCTIONS BY CHAIRS

III. PRESENTATIONS

Justice and Public Safety Budget Overview
Kristine Leggett, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Wednesday, February 22 – Structured Sentencing

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Joint Appropriations Committees on
Justice and Public Safety

JPS Overview



February 21, 2017



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

Outline

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



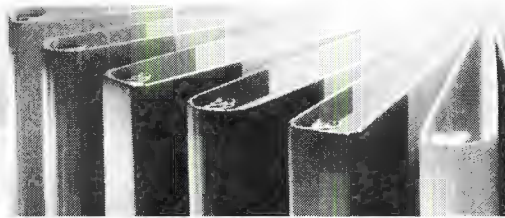
FISCAL RESEARCH DIVISION
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Committee Notebooks

Committee notebooks are created for every member with tabs for each meeting date.

- Member picture page
- JPS Acronyms and Glossary
- Daily handouts
- Table of contents updated weekly

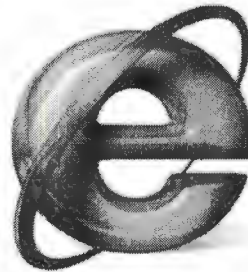
Members can take the handouts with them, but please leave the notebooks in the room



Committee Website

Joint Justice and Public Safety Meetings have a website that is linked off either the House or Senate committee websites.

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



North Carolina General Assembly - Joint Meetings of House and Senate
Appropriations on Justice and Public Safety

Fiscal Research Division

- Nonpartisan, professional staff serving all 170 members
- 32 analysts divided into 8 teams
- Primary responsibilities during Session:

- Staff Appropriations committees
- Respond to member requests
- Write fiscal notes, fiscal memos, and incarceration notes

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"My spreadsheet says we must lighten by 155 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 Research Division

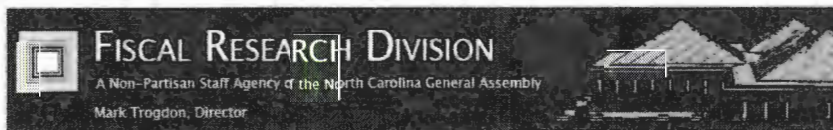
Fiscal or incarceration note requests should be e-mailed to:

@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/index.html>

- 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

Top Secret

Budget Terms: Appropriation

Appropriation

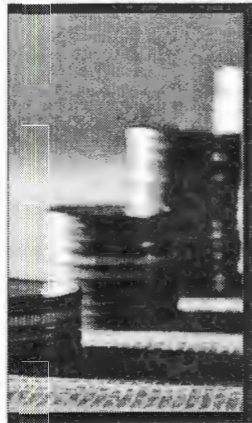
An enactment by the General Assembly authorizing the withdrawal of money from the State treasury.

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

Budget Terms: Base Budget

Total Requirements

The total cost associated with a proposed expenditure of funds regardless of the source of funds

Departmental Receipts

Fees, licenses, federal funds, grants, fines, penalties, tuition, and other similar collections or credits generated by State agencies that are applied to the cost of a program

Net General Fund Appropriation

An appropriation of the General Fund's general purpose revenue

$$\begin{aligned} &\text{Total Requirements} - \text{Department Receipts} \\ &= \text{Net General Fund Appropriation} \end{aligned}$$

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) as authorized by G.S. 143C-6-4.

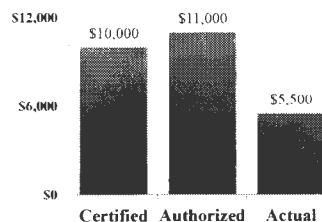
Ex.: Agency Y needs 11 computers. They want to take some money from the furniture budget to pay for it.

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



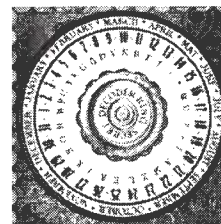
Budgeting Terms: Codes

Budget Code: A five digit code assigned by OSBM that identifies the fund type (General Fund, Highway Fund, etc.) and the entity.

Example: Department of Public Safety General Fund is **14550**

Fund Code: A four digit code identifying funds designated for a specific purpose or program within an agency. Fund Codes are a subset of the Budget Code.

Example: DPS – Administration is **14550-1100**



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.
(1xxx budget codes)

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.
(2xxx budget codes)

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. (5xxx budget codes)

Example: ABC Commission



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

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February 21, 2017

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



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

16

February 21, 2017

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



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

Deciphering the Base Budget

HEIBIS

Budget Code

Recomr
Fund De
Bienniu
Status :

190-Department of Public Safety

14550-Public Safety - General Fund

1334-Prison Pharmacy Services

Fund Code

Requirements

PERSONAL SERVICES

Account Account Title

Code

Actual

2015-16

531211 SPA-REG SALARIES-APPRO

\$5,285,494

531311 REG(N S) TEMP WAGES-APPR

\$405,143

531411 OT PAY - APPROPRIATED

\$32,446

531421 HOLIDAY PAY - APPRO

\$4,289

531431 SHIFT PREM PAY - APPRO

\$795

531441 CALLBK/STBY PREM PAY-APPR

\$34,363

531461 EPA&SPA-LONGVTY PAY-APPRO

\$35,639

531471 BONUS-INCENTIVE PAY-APPRO

\$57,375

531511 SOCIAL SEC CONTRIB-APPRO

\$432,663

531521 REG RETIRE CONTRIB-APPRO

\$816,699

Accounts

Deciphering the Base Budget

130-Department of Public Safety
1300-Public Safety - General Fund
1334-Person Pharmacy Services
Requirements

PERSONAL SERVICES

Account Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Actual/Total 2015-16	Total 2015-16	Actual/Total 2016-17	Total 2016-17
531211 SPA-REG SALARIES-APPRO	\$5,285,454	\$5,887,411	\$5,828,884	\$0	\$5,828,884	\$0	\$5,828,884
531212 REGULAR TEMP WAGES-APPRO	\$405,141	\$481,080	\$476,341	\$0	\$476,341	\$0	\$476,341
531213 OT PAY - APPROPRIATED	\$12,440	\$130,575	\$120,575	\$0	\$120,575	\$0	\$120,575
531221 HOLIDAY PAY - APPRO	\$4,289	\$4,650	\$4,650	\$0	\$4,650	\$0	\$4,650
531222 SICK/PT. PRESENCE PAY - APPRO	\$750	\$1,200	\$1,200	\$0	\$1,200	\$0	\$1,200
531223 CALL/OUT/TRY PRESENCE PAY-APPRO	\$14,881	\$1,142	\$51,641	\$0	\$71,042	\$0	\$71,042
531240 EPABSPA-CONVOTY PAY-APPRO	\$75,839	\$28,641	\$56,941	\$51,514	\$37,345	\$38,514	\$37,345
531241 BONUS INCENTIVE PAY-APPRO	\$57,375	\$0	\$0	\$0	\$0	\$0	\$0
531511 NON-CAL SEC. CONTRIBUTION-APPRO	\$412,983	\$962,011	\$444,000	\$305	\$962,045	\$305	\$962,045
531521 REG RETIRE CONTRIBUTION-APPRO	\$415,599	\$961,772	\$348,368	\$76,771	\$983,739	\$76,771	\$983,739
531568 MED INS CONTRIB-APPRO	\$468,281	\$461,412	\$455,549	\$0	\$455,549	\$0	\$455,549
531578 FLEXIBLE SPENDING EUG-ACCT	\$7,081	\$0	\$0	\$0	\$0	\$0	\$0
531590 RESERVES FOR STAFF BENE	\$20	\$0	\$0	\$0	\$0	\$0	\$0
531617 ST DISABILITY PAY-APPRO	\$1,742	\$0	\$0	\$0	\$0	\$0	\$0
531631 WORKER COMPENSATION PAYMENTS	\$12,206	\$684	\$1,175	\$0	\$1,175	\$0	\$1,175
Total PERSONAL SERVICES	\$7,426,188	\$11,880,897	\$11,880,897	\$48,180	\$11,880,897	\$48,180	\$11,880,897

PERSONAL SERVICES

Account Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Actual/Total 2015-16	Total 2015-16	Actual/Total 2016-17	Total 2016-17
531511 NON-CAL SEC. CONTRIBUTION-APPRO	\$412,983	\$962,011	\$444,000	\$305	\$962,045	\$305	\$962,045
531521 REG RETIRE CONTRIBUTION-APPRO	\$415,599	\$961,772	\$348,368	\$76,771	\$983,739	\$76,771	\$983,739
531568 MED INS CONTRIB-APPRO	\$468,281	\$461,412	\$455,549	\$0	\$455,549	\$0	\$455,549
531578 FLEXIBLE SPENDING EUG-ACCT	\$7,081	\$0	\$0	\$0	\$0	\$0	\$0
531590 RESERVES FOR STAFF BENE	\$20	\$0	\$0	\$0	\$0	\$0	\$0
531617 ST DISABILITY PAY-APPRO	\$1,742	\$0	\$0	\$0	\$0	\$0	\$0
531631 WORKER COMPENSATION PAYMENTS	\$12,206	\$684	\$1,175	\$0	\$1,175	\$0	\$1,175
Total PERSONAL SERVICES	\$7,426,188	\$11,880,897	\$11,880,897	\$48,180	\$11,880,897	\$48,180	\$11,880,897



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

19

February 21, 2017

Deciphering the Base Budget

Total Requirements	\$8,673	\$29,200
Code	2015-16	2016-17
53510X LEGAL, LICENSES, & PERMIT COSTS	\$0	\$800
Total OTHER EXPENSES & ADJUSTMENTS	\$0	\$800
Total Requirements	\$54,626,516	\$58,319,733

Receipts

MISCELLANEOUS

Account Account Title	Actual 2015-16	Certified 2016-17
437120 MED RECOUP NON-ST AGENCY	\$516,774	\$515,201
Total MISCELLANEOUS	\$516,774	\$515,201
Total Receipts	\$516,774	\$515,201
Net Appropriation	\$58,909,741	\$57,804,532

FTE

Account Account Title	Actual 2015-16	Certified 2016-17
531211 SPA-REG SALARIES-APPRO	80.500	81.500
Total FTE	80.500	81.500



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

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February 21, 2017

Deciphering the Base Budget

TOTAL PROPERTY, PLANT & EQUIPMENT	\$8,673	\$29,290
OTHER EXPENSES & ADJUSTMENTS		
Account Account Title	Actual	Certified
Code	2015-16	2016-17
5351XX LEGAL, LICENSES, & PERMIT COSTS	\$0	\$800
Total OTHER EXPENSES & ADJUSTMENTS	\$0	\$800
Total Requirements	\$54,426,516	\$38,319,733

Receipts		
MISCELLANEOUS		
Account Account Title	Actual	Certified
Code	2015-16	2016-17
437120 MED RECOUP NON ST AGENCY	\$516,774	\$515,201
Total MISCELLANEOUS	\$516,774	\$515,201
Total Receipts	\$516,774	\$515,201

Net Appropriation	\$53,909,741	\$37,804,532
FTE		
Account Account Title	Actual	Certified
Code	2015-16	2016-17
531211 SPA-REG SALARIES-APPRO	80.500	81.500
Total FTE	80.500	81.500

Deciphering the Base Budget

TOTAL PROPERTY, PLANT & EQUIPMENT	\$8,673	\$29,290
OTHER EXPENSES & ADJUSTMENTS		
Account Account Title	Actual	Certified
Code	2015-16	2016-17
5351XX LEGAL, LICENSES, & PERMIT COSTS	\$0	\$800
Total OTHER EXPENSES & ADJUSTMENTS	\$0	\$800
Total Requirements	\$54,426,516	\$38,319,733

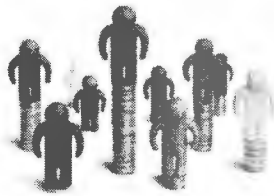
Receipts		
MISCELLANEOUS		
Account Account Title	Actual	Certified
Code	2015-16	2016-17
437120 MED RECOUP NON ST AGENCY	\$516,774	\$515,201
Total MISCELLANEOUS	\$516,774	\$515,201
Total Receipts	\$516,774	\$515,201
Net Appropriation	\$53,909,741	\$37,804,532

FTE		
Account Account Title	Actual	Certified
Code	2015-16	2016-17
531211 SPA-REG SALARIES-APPRO	80.500	81.500
Total FTE	80.500	81.500

Budgeting Terms: Salaries

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

Ex.: Joe is in Position X. He has a salary of \$60,000 (\$5,000 per month). He retires in December. His replacement, Jane, is hired in March. The position was vacant for three months, generating \$15,000 in lapsed salary.



Salary reserve: the recurring amount created when a position is downgraded or filled at a salary lower than what was previously budgeted.

Ex.: Jane is hired for Position X. Her salary is \$50,000. Position X is budgeted at \$60,000. The position generates \$10,000 in salary reserve.

Use of Lapsed Salary

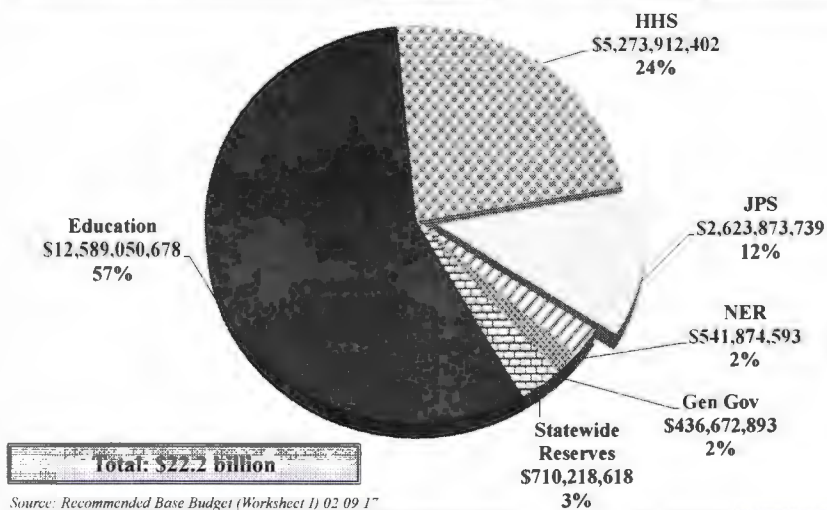
G.S. 143C-6-9 Use of lapsed salary savings

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

Base Budget - Net General Fund Appropriations FY 2017-18



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

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February 21, 2017

What is JPS?

Four agencies fall under the JPS umbrella:

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



NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS



OFFICE OF INDIGENT DEFENSE SERVICES



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

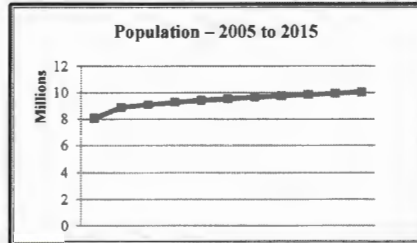
26

February 21, 2017

JPS Budget Drivers

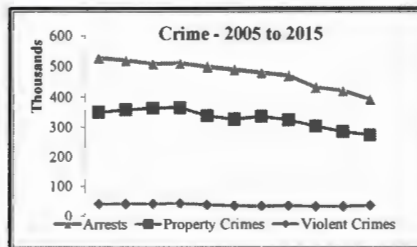
Population

- Courts
- Highway Patrol
- Consumer Protection
- Standards Commissions



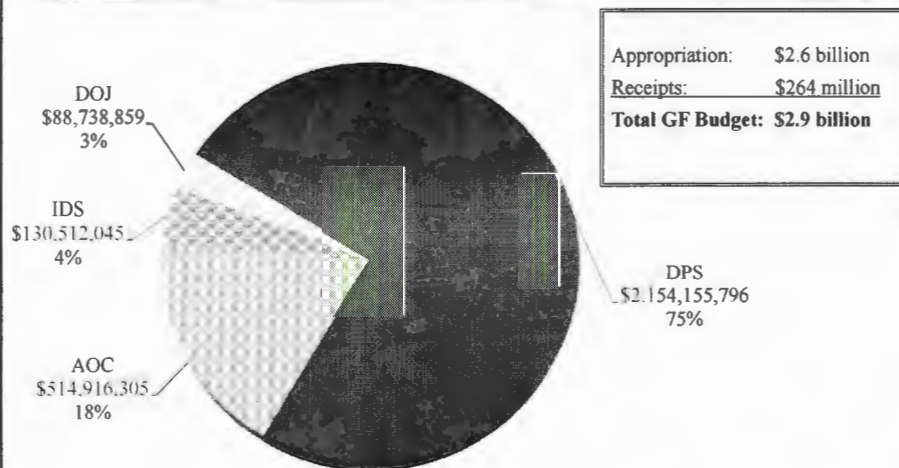
Crime

- Courts
- Law Enforcement
- Prisons



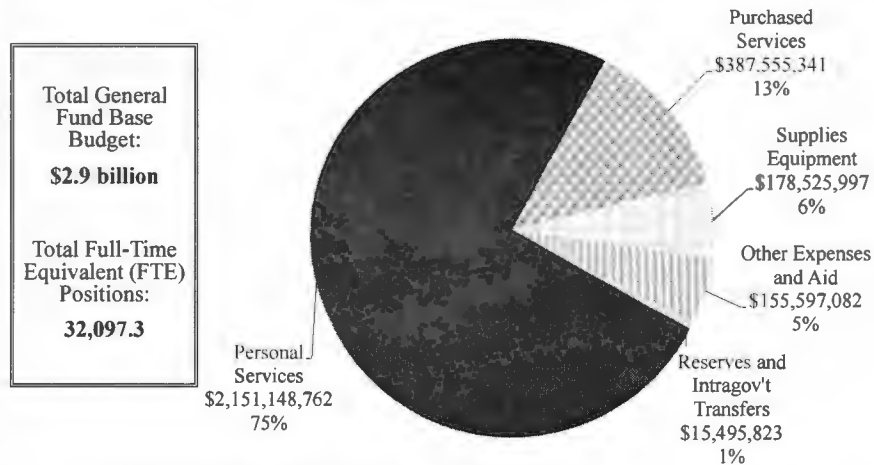
Source: Population: NC Data Center (LINC); Crime: NC SBI

JPS General Fund Base Budget by Agency FY 2017-18



Source: Recommended Base Budget (Worksheet 1) 02/09/17

JPS General Fund Base Budget by Account FY 2017-18



Source: Recommended Base Budget (Worksheet 1) 02/09/17



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

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February 21, 2017

JPS - AOC

Administrative Office of the Courts (AOC)

Administrative arm of the unified court system

Mark Martin, Chief Justice

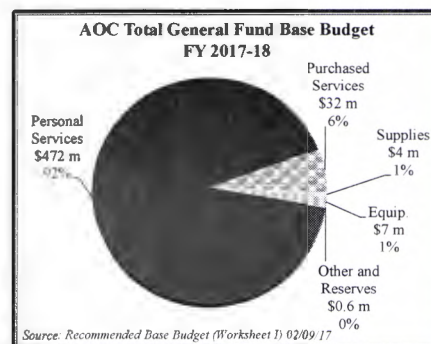
Marion Warren, Director of AOC

Includes:

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

Total General Fund Budget: \$515 million

Total FTE Positions: 5,802.23



Source: Recommended Base Budget (Worksheet 1) 02/09/17



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

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February 21, 2017

JPS - IDS

Indigent Defense Services (IDS)

Provides defense attorneys for indigent defendants

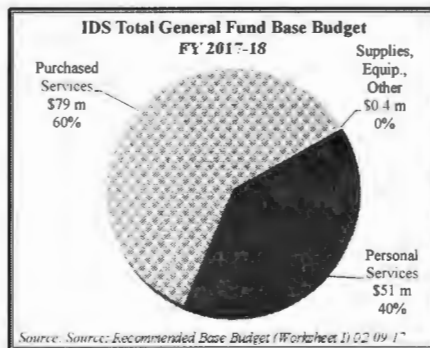
Thomas Maher, Director of IDS

Includes:

- Public Defender offices
- Private Assigned Counsel Fund

Total General Fund Budget: **\$131 million**

Total FTE Positions: **530.73**



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

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February 21, 2017

JPS - DOJ

Department of Justice (DOJ)

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

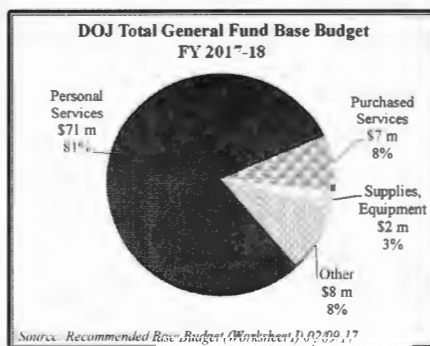
Josh Stein, Attorney General

Includes:

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

Total General Fund Budget: **\$89 million**

Total FTE Positions: **812.89**



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

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February 21, 2017

JPS - DPS

Department of Public Safety (DPS)

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

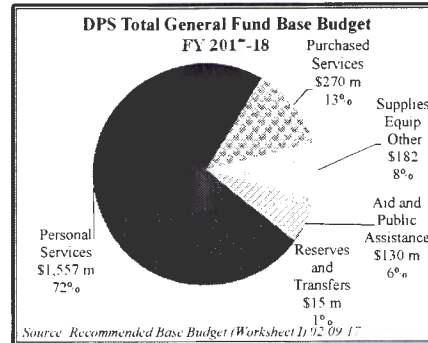
Erik Hooks, Secretary

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: **\$2.2 billion**

Total FTE Positions: **24,951.5**



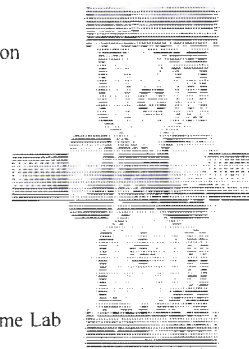
Recent Legislative Actions

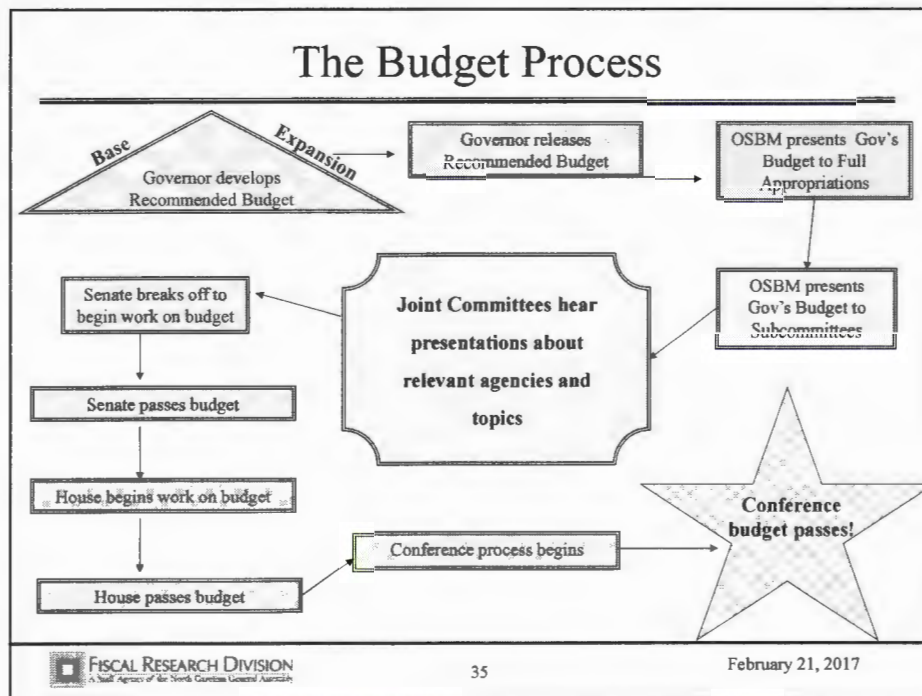
2015 Appropriations Act

- Provided additional funds for law enforcement vehicles
- Provided funds to put cameras in all SHP vehicles
- Funded an additional 72 mental health beds at Central Prison
- Funded eight mental health behavioral treatment units
- Restored reductions to court operations
- Provided additional funds for court IT
- Required AOC to establish a strategic plan for IT

2016 Appropriations Act

- Realigned medical claims processing for prisons
- Provided funds for a new SBI plane
- Funded operating costs and equipment for the Western Crime Lab
- Created a flat-fee pilot in IDS
- Created two new district court judge positions
- Funded three ADA positions that had been eliminated in FY 2011-12





Full Chair Guidance

- Review the base budget
- Focus on budget priorities
- Determine which programs and initiatives work
 - Realign funds from obsolete or ineffective programs



Refer to the Full Chairs:

- Salary issues
- Capital expenditures

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

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February 21, 2017

Upcoming Meetings

This week:

- Wednesday – Structured Sentencing
- Thursday – Introduction to Judicial Branch and Justice Agency Heads

Next week:

- Prisons



Remaining presentations:

- Community Corrections
- Juvenile Justice
- Law Enforcement
- AOC
- IDS
- DOJ

Contact Information

Fiscal Research Division (919) 733-4910

Kristine Leggett – kristine.leggett@ncdps.org
AOC, DOJ, and DPS – Administration and Law Enforcement

John Poteat – john.poteat@ncdps.org
DPS – Prisons, Community Correction, and Correction Enterprises

Mark White – mark.white@ncdps.org
IDS and DPS – Juvenile Justice, Emergency Management, and National Guard



190-Department of Public Safety
14550-Public Safety - General Fund
1334-Prison Pharmacy Services
Requirements
PERSONAL SERVICES

Budget
Code
Fund
Code

Base Budget

Accounts

Account Code	Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Incr/Decr 2017-18	Total 2017-18	Incr/Decr 2018-19	Total 2018-19
531211	SPA-REG SALARIES-APPRO	\$5,285,494	\$5,897,811	\$5,828,884	\$0	\$5,828,884	\$0	\$5,828,884
531311	REG(N S) TEMP WAGES-APPR	\$405,143	\$500,000	\$405,143	\$0	\$405,143	\$0	\$405,143
531411	OT PAY - APPROPRIATED	\$32,446	\$120,575	\$120,575	\$0	\$120,575	\$0	\$120,575
531421	HOLIDAY PAY - APPRO	\$4,289	\$4,650	\$4,650	\$0	\$4,650	\$0	\$4,650
531431	SHIFT PREM PAY - APPRO	\$795	\$1,200	\$1,200	\$0	\$1,200	\$0	\$1,200
531441	CALLBK/STBY PREM PAY-APPR	\$34,363	\$31,642	\$31,642	\$0	\$31,642	\$0	\$31,642
531461	EPA&SPA-LONGVTY PAY-APPRO	\$35,639	\$26,641	\$26,641	\$10,524	\$37,165	\$10,524	\$37,165
531471	BONUS-INCENTIVE PAY-APPRO	\$57,375	\$0	\$0	\$0	\$0	\$0	\$0
531511	SOCIAL SEC CONTRIB-APPRO	\$432,663	\$502,011	\$460,040	\$805	\$460,845	\$805	\$460,845
531521	REG RETIRE CONTRIB-APPRO	\$816,699	\$961,772	\$946,968	\$36,771	\$983,739	\$36,771	\$983,739
531561	MED INS CONTRIB-APPRO	\$400,265	\$461,021	\$455,549	\$0	\$455,549	\$0	\$455,549
531576	FLEXIBLE SPENDING SVG ACCT	\$7,031	\$0	\$0	\$0	\$0	\$0	\$0
531590	RESERVES FOR STAFF BENE	\$20	\$0	\$0	\$0	\$0	\$0	\$0
531627	ST DISABILITY PMT-APPROP	\$1,740	\$0	\$0	\$0	\$0	\$0	\$0
531631	WRKER COMP-MED PAYMENTS	\$12,206	\$884	\$3,175	\$0	\$3,175	\$0	\$3,175
Total PERSONAL SERVICES		\$7,526,166	\$8,508,207	\$8,284,467	\$48,100	\$8,332,567	\$48,100	\$8,332,567

PURCHASED SERVICES

Account Code	Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Incr/Decr 2017-18	Total 2017-18	Incr/Decr 2018-19	Total 2018-19
53214B	IT SUBSCRIPTION SUPPORT	\$514	\$0	\$0	\$0	\$0	\$0	\$0
532170	ADMIN SERVICES	\$46,836	\$0	\$94,857	\$0	\$94,857	\$0	\$94,857
532185	WASTE REM/RECY SER AGREEM	\$4,876	\$7,600	\$7,600	\$0	\$7,600	\$0	\$7,600
532199	MISC CONTRACTUAL SERVICES	\$9,490	\$1,000	\$1,000	\$0	\$1,000	\$0	\$1,000
5323XX	REPAIR SERVICES	\$536	\$600	\$600	\$0	\$600	\$0	\$600
5324XX	MAINTENANCE AGREEMENTS	\$302,479	\$292,095	\$292,595	\$0	\$292,595	\$0	\$292,595
5325XX	RENTALS/LEASES	\$1,326	\$3,050	\$3,050	\$0	\$3,050	\$0	\$3,050
5328XX	COMMUNICATIONS AND INFORMATION TECHNOLOGY (IT)	\$172,142	\$160,350	\$165,950	\$0	\$165,950	\$0	\$165,950
Total PURCHASED SERVICES		\$538,199	\$464,695	\$565,652	\$0	\$565,652	\$0	\$565,652

SUPPLIES

Account Code	Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Incr/Decr 2017-18	Total 2017-18	Incr/Decr 2018-19	Total 2018-19
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5331XX	GENERAL ADMINISTRATIVE SUPPLIES	\$48,285	\$51,750	\$55,750	\$0	\$55,750	\$0	\$55,750
5332XX	FACILITY & HARDWARE SUPPLIES	\$2,329	\$2,950	\$3,950	\$0	\$3,950	\$0	\$3,950
5333XX	VEHICLE/EQUIPMENT OPERATING SUPPLIES	\$21	\$980	\$980	\$0	\$980	\$0	\$980
5336XX	DRUGS/PHARMACEUTICAL SUPPLIES	\$46,302,841	\$29,261,101	\$29,573,083	\$0	\$29,573,083	\$0	\$29,573,083
5338XX	PURCHASES FOR RESALE	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total SUPPLIES		\$46,353,476	\$29,316,781	\$29,633,763	\$0	\$29,633,763	\$0	\$29,633,763

PROPERTY, PLANT & EQUIPMENT

Account Code	Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Incr/Decr 2017-18	Total 2017-18	Incr/Decr 2018-19	Total 2018-19
5345XX	EQUIPMENT	\$5,883	\$22,250	\$13,650	\$0	\$13,650	\$0	\$13,650
5346XX	ART, OTHER ARTIFACTS, & LITERATURE	\$1,940	\$7,000	\$3,500	\$0	\$3,500	\$0	\$3,500
5347XX	INTANGIBLE ASSETS	\$852	\$0	\$1,000	\$0	\$1,000	\$0	\$1,000
Total PROPERTY, PLANT & EQUIPMENT		\$8,675	\$29,250	\$18,150	\$0	\$18,150	\$0	\$18,150

OTHER EXPENSES & ADJUSTMENTS

Account Code	Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Incr/Decr 2017-18	Total 2017-18	Incr/Decr 2018-19	Total 2018-19
5351XX	LEGAL, LICENSES, & PERMIT COSTS	\$0	\$800	\$800	\$0	\$800	\$0	\$800
Total OTHER EXPENSES & ADJUSTMENTS		\$0	\$800	\$800	\$0	\$800	\$0	\$800
Total Requirements		\$54,426,516	\$38,319,733	\$38,502,832	\$48,100	\$38,550,932	\$48,100	\$38,550,932

Receipts

MISCELLANEOUS

Account Code	Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Incr/Decr 2017-18	Total 2017-18	Incr/Decr 2018-19	Total 2018-19
437120	MED RECOUP NON-ST AGENCY	\$516,774	\$515,201	\$516,774	\$0	\$516,774	\$0	\$516,774
Total MISCELLANEOUS		\$516,774	\$515,201	\$516,774	\$0	\$516,774	\$0	\$516,774
Total Receipts		\$516,774	\$515,201	\$516,774	\$0	\$516,774	\$0	\$516,774

Net Appropriation		\$53,909,741	\$37,804,532	\$37,986,058	\$48,100	\$38,034,158	\$48,100	\$38,034,158
FTE								

Account Code	Account Title	Actual 2015-16	Certified 2016-17	Authorized 2016-17	Incr/Decr 2017-18	Total 2017-18	Incr/Decr 2018-19	Total 2018-19
531211	SPA-REG SALARIES-APPRO	80.500	81.500	80.500	0.000	80.500	0.000	80.500
Total FTE		80.500	81.500	80.500	0.000	80.500	0.000	80.500

02/07/2017 12:03:32 AM

Page 27 of 251

VISITOR REGISTRATION SHEET

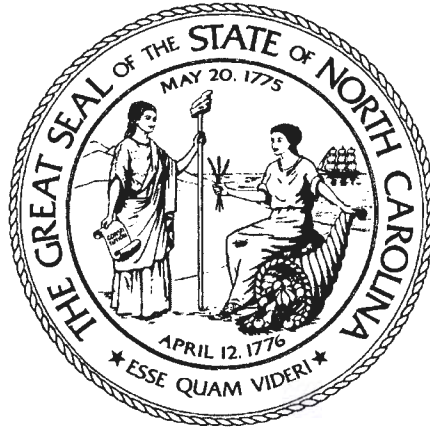
Appropriations Committee on Justice and Public Safety

Date: 2-21-17

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Fred Bone	Bone : Asso.
ASANDRA HEKSTRA	NC DPS
Marsha Overby	NC DPS- SHP
Andy Brandon	NC DPS
Jarret Burr	NC DPS
MATTHEW LONGBARDI	NC DOJ
Peg Dorer	Conference of DAs
Michelle Ball	Johnston Co. Clerk of Court
Jamie Lassiter	NC Conf. of Clerks-
Yancey Washington	Granville Co. Clerk of Court
TOM BOWLIN	NATIONAL GUARD
Ellsa Wolper	NC IDS
Thomas Mahan	NC IDS
Whitney B Fairbanks	NC IDS
David Ferrell	VB
Nathan Babich	PPHB





**Appropriations on Justice
and Public Safety
February 21, 2017
8:30 AM**

House Sergeant-at-Arms

**Barry Moore
Bill Moore**

Senate Sergeant-at-Arms

**Sham Patel
Hal Roach**



Senate Pages Attending

COMMITTEE: Approps. Justice & Safety ^{Public} ROOM: 415 LOB
DATE: 2-21 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!.....or else!!!!

Page Name	Hometown	Sponsoring Senator
1. Andrew Fisher	Durham	Weedard
2. Kurtis Johnson		Speaker Moore
3.		
4.		
5.		
6.		
7.		
8.		

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.



2

4

5



House Committee on Appropriations, Justice and Public Safety
Wednesday, February 22, 2017 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

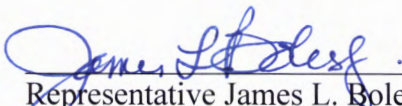
The House Committee on Appropriations, Justice and Public Safety met at 8:30 AM on February 22, 2017 in Room 415 of the Legislative Office Building. Representatives Belk, Boles, Davis, C. Graham, G. Graham, John, Brenden Jones, McNeill, W. Richardson, Rogers, Setzer, Speciale, R. Turner, and Willingham and Senators Britt, Daniel, Foushee, Randleman and Sanderson attended.

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

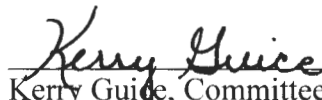
Chairman Boles called the meeting to order at 8:32 a.m. and welcomed everyone to the meeting. The House and Senate Sergeant at Arms were recognized as were the House and Senate Pages. Senator Randleman was recognized by the Chairman for a remark.

Chairman Boles recognized Michelle Hall, Executive Director for the North Carolina Sentencing and Policy Advisory Commission to present a report on Structured Sentencing in North Carolina (See Attachment 1 for details on the report). Following Mrs. Hall's report, the committee members had a few questions regarding her presentation which she answered to their satisfaction.

The meeting adjourned at 9:18 a.m.



Representative James L. Boles, Jr., Chair
Presiding



Kerry Guice, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

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

DAY & DATE: Wednesday, February 22, 2017
TIME: 8:30 AM
LOCATION: 415 LOB

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative Ted Davis, Jr., Co-Chair
Representative Allen McNeill, Co-Chair
Representative Rena W. Turner, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:24 AM on Tuesday, February 21, 2017.

____ Principal Clerk
____ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)



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

Wednesday, February 22, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Warren Daniel
Senator Shirley Randleman
Senator Norm Sanderson

Representative Jamie Boles, Presiding
Representative Ted Davis
Representative Allen McNeill
Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Structured Sentencing
Michelle Hall, Executive Director
NC Sentencing and Policy Advisory Commission

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: Tuesday, February 28, 2017 - Prisons

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Structured Sentencing

NC Sentencing and Policy Advisory Commission

Presentation to the Joint Appropriations Subcommittee on
Justice and Public Safety

February 22, 2017

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Sentencing and Policy Advisory Commission

About

Membership

- 28 members representing components of the criminal justice system

Independent

- Members appointed by leaders of all three branches of government

Purpose

- Advise General Assembly and criminal justice agencies on criminal justice policy

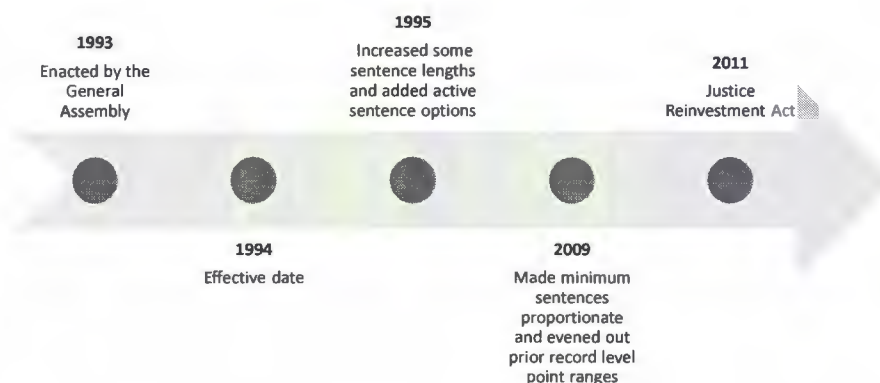
Duties

Legislative and other requests

Mandates

- Monitor sentences imposed under Structured Sentencing
- Annual population projections
- Evaluate implementation of the Justice Reinvestment Act (JRA)
- Review criminal justice bills and provide fiscal impact
- Biennial recidivism reports (adult, juvenile)

Structured Sentencing Timeline



Structured Sentencing Principles

Sentencing Policies Should be Truthful

Sentencing Policies Should be Consistent

Sentencing Policies Should be Certain

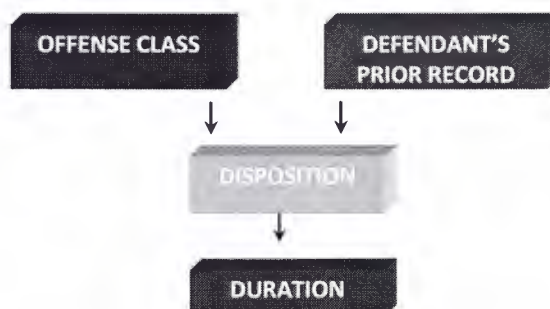
Sentencing Policies Should Set Priorities for the Use of Correctional Resources

Sentencing Policies Should be Balanced with Correctional Resources

FELONY PUNISHMENT CHART

OFFENSE CLASS	PRIOR RECORD LEVEL					
	I	II	III	IV	V	VI
	0-1 Pt	2-5 Pts	6-9 Pts	10-13 Pts	14-17 Pts	18+ Pts
A	Death or Life Without Parole					
B1	A	A	A	A	A	A
	240-320	276-345	312-397	365-456	Life Without Parole	Life Without Parole
	182-240	121-226	254-317	292-348	236-429	338-482
	144-192	166-221	190-254	219-292	252-336	290-386
B2	A	A	A	A	A	A
	157-196	180-225	207-258	238-307	273-342	314-393
	119-157	144-180	165-207	180-234	219-272	254-314
	94-125	108-144	124-165	143-190	164-219	189-251
C	A	A	A	A	A	A
	73-92	83-104	95-120	110-138	127-159	146-182
	58-73	67-83	77-96	88-110	101-127	117-146
	44-58	50-67	58-77	66-88	76-101	87-117
D	A	A	A	A	A	A
	64-80	73-92	84-105	97-121	111-139	128-160
	51-64	58-73	67-84	78-97	88-111	103-138
	38-51	44-59	51-67	58-78	67-89	77-103
E	1/A	1/A	A	A	A	A
	25-31	29-35	33-41	38-48	44-55	50-63
	20-25	23-29	26-33	30-38	34-44	40-50
F	15-20	17-22	20-26	23-30	26-35	30-40
	1/A	1/A	1/A	A	A	A
	16-20	19-23	21-27	25-31	28-36	33-41
	13-16	15-19	17-21	20-25	23-29	27-33
G	10-13	11-15	13-17	15-20	17-23	20-26
	1/A	1/A	1/A	1/A	A	A
	13-16	14-18	17-21	19-24	22-27	25-31
	10-13	12-14	13-17	15-19	17-21	20-25
H	8-10	9-12	10-13	11-15	13-17	15-20
	C/1/A	1/A	1/A	1/A	1/A	A
	6-8	8-10	10-12	11-14	15-19	20-25
	3-4	5-8	8-10	9-11	12-15	14-20
I	4-5	4-6	6-8	7-9	9-12	12-16
	C	C/1	I	1/A	1/A	1/A
	6-8	6-8	6-8	8-10	9-11	10-12
	4-5	4-6	5-8	6-9	7-9	8-10
	3-4	3-4	4-5	4-6	5-7	6-8

Structured Sentencing Components



FELONY PUNISHMENT CHART

	PRIOR RECORD LEVEL					
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts
OFFENSE CLASS	A					
	B1					
	B2					
	C					
	D					
	E					
	F					
	G					
	H					
	I					

Felony Classification Criteria

Class A

- Reserved for First Degree Murder

[Reasonably tends to result or does result in:]

Class B

- Serious debilitating long-term personal injury

Class C

- Serious long-term personal injury
- Serious long-term or widespread societal injury

Class D

- Serious infringements on property interest which also implicate physical safety concerns by use of a deadly weapon or an offense involving an occupied dwelling

Class E

- Serious personal injury

*Personal injury includes both physical and mental injury.

*Societal injury includes violations of public morality, judicial or government operations, and/or public order and welfare.

Note: The criteria were not used in the classification of the homicide offenses or drug offenses

Felony Classification Criteria, continued

Class F

- Significant personal injury
- Serious societal injury

Class G

- Serious property loss:
 - Loss from the person or from the person's dwelling

Class H

- Serious property loss:
 - Loss from any structure designed to house or secure any activity or property
 - Loss occasioned by the taking or removing of property
 - Loss occasioned by breach of trust, formal or informal
- Personal injury
- Significant societal injury

Class I

- Serious property loss:
 - All other felonious property loss
- Societal injury

M

- All other misdemeanors

Calculating Prior Record

SCORING PRIOR RECORD/FELONY SENTENCING (For offenses committed on or after December 1, 2009)

NUMBER	TYPE		POINTS
	Prior Felony Class A Conviction	x 10	
	Prior Felony Class B1 Conviction	x 9	
	Prior Felony Class B2 or C or D Conviction	x 6	
	Prior Felony Class E or F or G Conviction	x 4	
	Prior Felony Class H or I Conviction	x 2	
	Prior Misdemeanor Class A1 or J Conviction*, or Prior Impaired Driving Conviction	x 1	
		SUBTOTAL	
If all the elements of the present offense are included in any prior offense, whether or not the prior offense was used in determining prior record level.		+ 1	
If the offense was committed:			
(a) while on probation, parole, or post-release supervision; or		+ 1	
(b) while serving a sentence of imprisonment; or			
(c) while on escape.			
		TOTAL	

*Class 1 misdemeanor offenses under Chapter 20 are not assigned any points except for impaired driving in a commercial vehicle [G.S. 20-138.2] and misdemeanor death by vehicle [G.S. 20-141.4(a)(2)]

Determining Prior Record Level

II. CLASSIFYING PRIOR RECORD LEVEL

POINTS	LEVEL
0-1	I
2-5	II
6-9	III
10-13	IV
14-17	V
18+	VI

PRIOR RECORD LEVEL _____

FELONY PUNISHMENT CHART

	PRIOR RECORD LEVEL					
	I	II	III	IV	V	VI
	0-1 Pt	2-5 Pts	6-9 Pts	10-13 Pts	14-17 Pts	18+ Pts
A	Death or Life Without Parole					
	A	A	A	A	A	A
B1						
B2	A	A	A	A	A	A
C	A	A	A	A	A	A
D	A	A	A	A	A	A
E	I/A	I/A	A	A	A	A
F	I/A	I/A	I/A	A	A	A
G	I/A	I/A	I/A	I/A	A	A
H	C/I/A	I/A	I/A	I/A	I/A	A
I	C	C/I	I	I/A	I/A	I/A

Types of Punishment

Active	Intermediate	Community
• Imprisonment • Prison/Jail • Post-Release Supervision	• Non-Active Sentence • Supervised Probation • May include: • Special Probation (split sentence) • Drug Treatment Court • Other conditions set by court • Conditions added by probation officer after risk needs assessment	• Non-Active Sentence • Supervised or Unsupervised Probation, Fine only • Probation <i>may</i> include: • Fine • Conditions set by court • Conditions added by probation officer after risk/needs assessment • Probation <i>may not</i> include: • Special Probation • Drug Treatment Court

FELONY PUNISHMENT CHART

	PRIOR RECORD LEVEL					
	I	II	III	IV	V	VI
	0-1 Pt	2-5 Pts	6-9 Pts	10-13 Pts	14-17 Pts	18+ Pts
A	Death or Life Without Parole					
	A	A	A	A	A	A
B1	240-320	276-345	317-397	365-456	Life Without Parole	Life Without Parole
	182-246	223-276	264-317	292-366	294-420	304-420
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	157-196	180-225	207-258	238-297	272-342	314-393
	128-167	144-180	166-207	189-238	229-272	272-314
C	94-125	108-144	124-165	143-190	164-219	189-251
	A	A	A	A	A	A
	73-92	83-104	95-120	110-138	127-159	146-182
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	A	A	A	A	A	A
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	16-20	19-23	21-27	25-31	28-36	33-41
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	6-8	8-10	10-12	11-14	15-19	20-25
I	4-5	4-6	6-8	7-9	9-12	12-16
	C	C/1	I	1/A	1/A	1/A
	6-9	6-8	6-8	8-10	9-11	10-12
	3-4	3-4	4-5	4-6	5-7	6-8

Minimum Sentence Ranges

	IV 10-13 Pts
	A 97 – 121
D	78 – 97
	58 – 78

- AGGRAVATED MINIMUM SENTENCE RANGE
- PRESUMPTIVE MINIMUM SENTENCE RANGE
- MITIGATED MINIMUM SENTENCE RANGE

Maximum Sentence Lengths

Each minimum sentence
has corresponding
maximum sentence

FOR OFFENSE CLASSES B1 THROUGH E

15-30	52-75	89-119	126-164	163-208	200-252	237-297	274-341	311-386
16-32	53-76	90-120	127-165	164-209	201-254	238-298	275-342	312-387
17-33	54-77	91-122	128-166	165-210	202-255	239-299	276-344	313-388
18-34	55-78	92-123	129-167	166-212	203-256	240-300	277-345	314-389
19-35	56-80	93-124	130-168	167-213	204-257	241-302	278-346	315-390
20-36	57-81	94-125	131-170	168-214	205-258	242-303	279-347	316-392
21-38	58-82	95-126	132-171	169-215	206-260	243-304	280-348	317-393
22-39	59-83	96-128	133-172	170-216	207-261	244-305	281-350	318-394
23-40	60-84	97-129	134-173	171-218	208-262	245-306	282-351	319-395
24-41	61-86	98-130	135-174	172-219	209-263	246-308	283-352	320-396

*Partial replication of maximum felony punishment chart

FOR OFFENSE CLASSES F THROUGH I

3-13	8-19	13-25	18-31	23-37	28-43	33-49	38-55
4-14	9-20	14-26	19-32	24-38	29-44	34-50	39-56
5-15	10-21	15-27	20-33	25-39	30-45	35-51	40-57
6-17	11-23	16-29	21-35	26-41	31-47	36-53	41-59
7-18	12-24	17-30	22-36	27-42	32-48	37-54	

Misdemeanor Punishment Chart

Offenses Committed on or after December 1, 2013

Misdemeanor Sentences and Dispositions

Offense Class	Prior Conviction Level			
	I No Prior Convictions	II One to Four Prior Convictions	III Five or More Prior Convictions	
A1	C/I/A 1 - 60 days	C/I/A 1 - 75 days	C/I/A 1 - 150 days	
1	C 1 - 45 days	C/I/A 1 - 45 days	C/I/A 1 - 120 days	
2	C 1 - 30 days	C/I 1 - 45 days	C/I/A 1 - 60 days	
3	C Fine Only* 1 - 10 days	One to Three Prior Convictions C Fine Only* 1-15 days	Four Prior Convictions C/I 1 - 15 days	DISPOSITION C – Community I – Intermediate A – Active
			C/I/A 1 - 20 days	

*Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.

Effects of Structured Sentencing

Sentences Imposed

- Truth, consistency, certainty = predictability

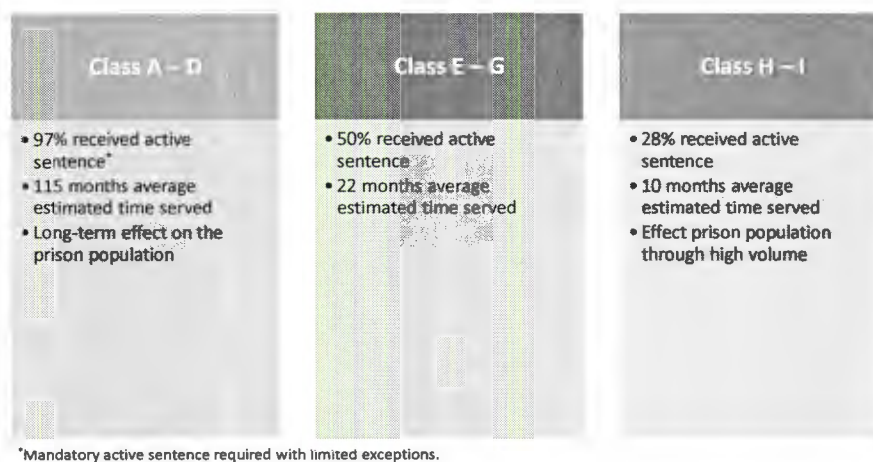
Prison beds

- Allocated for serious and repeat offenders

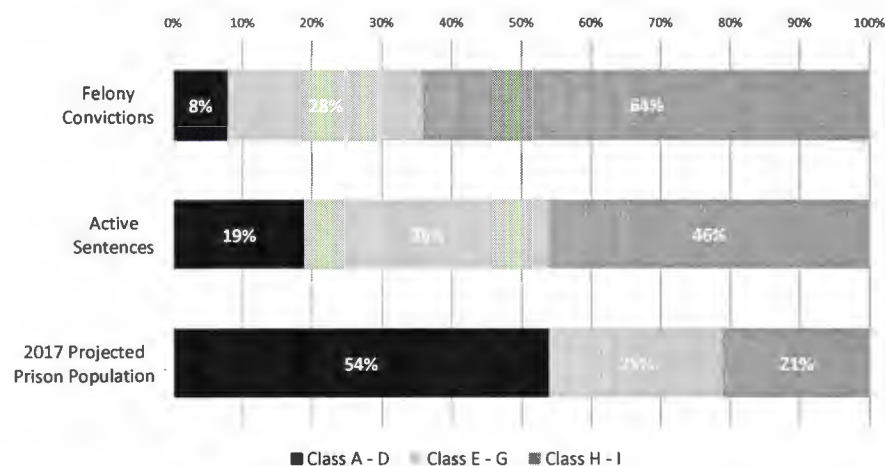
Tool for balancing policies and resources

- Allows for impact projections of proposed legislative changes

Dynamics of Sentences Imposed and Prison Population



Dynamics of Sentences Imposed and Prison Population, continued



Contact Information

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STRUCTURED SENTENCING IN NORTH CAROLINA

The Joint Appropriations Subcommittee on Justice and Public Safety
February 22, 2017

NC Sentencing and Policy Advisory Commission
P.O. Box 2448
Raleigh, NC 27602
919/890-1470
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The Honorable W. Erwin Spainhour
Chairman

Michelle Hall
Executive Director

PRINCIPLES OF STRUCTURED SENTENCING

Truthful Sentencing Policies

Sentence length imposed by the judge should bear a close and consistent relationship to the sentence length actually served.

Consistent Sentencing Policies

Offenders convicted of similar offenses, who have similar prior records, should generally receive similar sentences.

Certain Sentencing Policies

Sentence should be clearly mandated based on the severity of the crime as measured by the harm to the victim and the offender's prior record.

Priorities Set for the Use of Correctional Resources

Prisons and jails should be reserved for violent and repeat offenders, and community-based programs should be used for nonviolent offenders with little or no prior record.

Balance Between Sentencing Policies and Correctional Resources

Sentencing policies should be supported by adequate prison, jail, and community resources.

THE OFFENSE CLASSIFICATION CRITERIA

The Sentencing Commission was required by G.S. 164-41 to ".... classify criminal offenses into felony and misdemeanor categories on the basis of their severity." The Commission developed classification criteria to guide the classification process and to ensure that there was a systematic and rational basis for the classifications. The Commission decided that the severity of an offense should be directly related to the harm to the victim that normally results or tends to result from the criminal conduct.

The Commission defined three general types of harms: 1) harms to person (including both physical and mental injury); 2) harms to property; and 3) harms to society (violations of public order and welfare, violations of judicial or governmental operations, and/or violations of public morality). Through considerable discussion and debate, the Commission grouped these harms into a ten-level hierarchy which served as the basis for the Commission's classifications (refer to the classification criteria on the following page). Once the classification criteria were established, the Commission reviewed the individual elements of all felonies in North Carolina and assigned each felony to a specific offense class based on how closely the elements of the crime matched the classification criteria.

The purpose of establishing the classification criteria was to create a rational and consistent philosophical basis for classifying offenses; to assure proportionality in severity; and to provide a guidepost for classifying new crimes in the future.

Under the classification criteria, the most serious offense classes (A through F) primarily involve personal injury, the risk of personal injury, serious societal injury or widespread societal injury. The lower offense levels (G through I) primarily involve property loss or less serious societal injury. The degree of harm is divided into three levels; injury to person, property or society; significant injury to person, property or society; and serious injury to person, property or society.

The Commission also assigned misdemeanor offenses to three classes: class 1, class 2 or class 3. The Commission did not create classification criteria for misdemeanors but relied on the maximum sentences previously set by the General Assembly. Generally, crimes which had previously been punishable by over six months were made class 1 misdemeanors, those previously punishable by more than 30 days and up to six months were made class 2 misdemeanors, and those previously punishable by 30 days or less were made class 3 misdemeanors. Assaultive misdemeanors were made Class A1 misdemeanors.

FELONY OFFENSE CLASSIFICATION CRITERIA*

CLASS	CRITERIA
A	Reserved for First Degree Murder
<i>[Reasonably tends to result or does result in]:</i>	
B	Serious debilitating long-term personal injury
C	Serious long-term personal injury Serious long-term or widespread societal injury
D	Serious infringements on property interest which also implicate physical safety concerns by use of a deadly weapon or an offense involving an occupied dwelling
E	Serious personal injury
F	Significant personal injury Serious societal injury
G	Serious property loss: Loss from the person or from the person's dwelling
H	Serious property loss: Loss from any structure designed to house or secure any activity or property Loss occasioned by the taking or removing of property Loss occasioned by breach of trust, formal or informal Personal injury Significant societal injury
I	Serious property loss: All other felonious property loss Societal injury
M	All other misdemeanors

* Personal injury includes both physical and mental injury.

Societal injury includes violations of public morality, judicial or government operations, and/or public order and welfare.

Note: The criteria were not used in the classification of the homicide offenses or drug offenses.

CLASSIFICATION OF A SAMPLE OF OFFENSES
(Effective 12/1/16)

CLASS A FELONIES		Maximum Punishment of Death or Life Without Parole
First-Degree Murder. (14-17)		
CLASS B1 FELONIES		Maximum Punishment of Life Without Parole
Second-Degree Murder. (14-17(b))	First-Degree Forcible Sexual Offense. (14-27.26)/First-Degree Statutory Sexual Offense. (14-27.29)	
First-Degree Forcible Rape. (14-27.21)/First-Degree Statutory Rape (14-27.24)		
CLASS B2 FELONIES		Maximum Punishment of 484* Months
Second-Degree Murder. (14-17(b)(1) and (2))		
CLASS C FELONIES		Maximum Punishment of 231* Months
Second-Degree Forcible Rape. (14-27.22)	First-Degree Kidnapping. (14-39)	
Second-Degree Forcible Sexual Offense. (14-27.27)	Embezzlement (amount involved \$100,000 or more). (14-90)	
Assault W/D/W/I/K/I/S/I. (14-32(a))		
CLASS D FELONIES		Maximum Punishment of 204* Months
Voluntary Manslaughter. (14-18)	Child Abuse Inflicting Serious Physical Injury. (14-318.4(a))	
First-Degree Burglary. (14-51)	Death by Vehicle. (20-141.4(a)(1))	
First-Degree Arson. (14-58)	Sell or Deliver a Controlled Substance to a Person Under 16 But More than 13 Years of Age. (90-95(e)(5))	
Armed Robbery. (14-87)		
CLASS E FELONIES		Maximum Punishment of 88* Months
Sexual Activity by a Substitute Parent or Custodian. (14-27.31)	Assault with a Firearm on a Law Enforcement Officer. (14-34.5)	
Assault W/D/W/I/S/I. (14-32(b))	Second-Degree Kidnapping. (14-39)	
Assault W/D/W/I/K. (14-32(c))	Sell or Deliver a Controlled Substance Within 1,000 Feet of a School. (90-95(e)(8))	
Discharging Weapon Into Occupied Property. (14-34.1(a))		
CLASS F FELONIES		Maximum Punishment of 59 Months
Involuntary Manslaughter. (14-18)	Burning of Certain Other Buildings. (14-62)	
Assault Inflicting Serious Bodily Injury. (14-32.4)	Taking Indecent Liberties with Children. (14-202.1)	
Assault W/D/W on Governmental Officer or Employee. (14-34.2)	Patronizing a Prostitute (minor). (14-205.2(a))	
Assault I/S/B/I on a Law Enforcement Officer. (14-34.7)	Possess Weapon of Mass Destruction. (14-288.8)	
Felonious Restraint. (14-43.3)	Habitual Impaired Driving. (20-138.5)	
CLASS G FELONIES		Maximum Punishment of 47 Months
Second-Degree Burglary. (14-51)	Identity Theft. (14-113.20)	
Second-Degree Arson. (14-58)	Possession of Firearms, etc., by Felon. (14-415.1)	
Common Law Robbery. (14-87.1)	Sale of a Schedule I or II Controlled Substance. (90-95(a)(1))	

* For a Class B1 through E felony that is subject to the registration requirements of G.S. Chapter 14, Article 27A, add 48 months.

CLASS H FELONIES		Maximum Punishment of 39 Months
Assault by Strangulation. (14-32.4(b))	Embezzlement (amount involved less than \$100,000). (14-90)	
Habitual Misdemeanor Assault. (14-33.2)	Obtaining Property by False Pretenses (amount involved less than \$100,000). (14-100)	
Breaking or Entering Buildings (w/felonious intent). (14-54(a))	Hit and Run (resulted in injury). (20-166(a1))	
Fraudulently Setting Fire to Dwelling Houses. (14-65)	Sale of a Schedule III, IV, V, or VI Controlled Substance. (90-95(a)(1))	
Possessing Stolen Goods. (14-71.1)	Possession W/I/M/S/D Cocaine. (90-95(a)(1))	
Larceny of Property (worth more than \$1,000). (14-72)	Escaping From State Prison System (felon). (148-45(b))	
CLASS I FELONIES		Maximum Punishment of 24 Months
Breaking or Entering Motor Vehicles. (14-56)	Possession W/I/M/S/D Marijuana. (90-95(a)(1))	
Financial Transaction Card Theft. (14-113.9)	Possess Cocaine. (90-95(a)(3))	
Forgery of Notes, Checks, Securities. (14-119(a))	Maintain Dwelling or Motor Vehicle for Keeping or Selling a Controlled Substance. (90-108(a)(7), (b))	
Uttering Forged Paper or Instrument. (14-120)	Obtain a Controlled Substance by Fraud. (90-108(a)(10), (b))	
CLASS A1 MISDEMEANORS		Maximum Punishment of 150 Days
Assault Inflicting Serious Injury or Using a Deadly Weapon. (14-33(c)(1))	Assault on a State Officer or Employee. (14-33(c)(4))	
Assault on a Female. (14-33(c)(2))	Assault by Pointing a Gun. (14-34)	
Assault on a Child Under 12 Years of Age. (14-33(c)(3))	Violation of a Valid Protective Order. (50B-4.1(a))	
CLASS 1 MISDEMEANORS		Maximum Punishment of 120 Days
Breaking or Entering Buildings. (14-54(b))	Willful and Wanton Injury to Real Property. (14-127)	
Larceny of Property (worth \$1,000 or less). (14-72)	Communicating Threats. (14-277.1)	
Unauthorized Use of a Motor Vehicle. (14-72.2)	Possession of Drug Paraphernalia. (90-113.22)	
Worthless Checks for \$2,000 or Less (closed account). (14-107(d)(4))	Misrepresentation to Obtain Employment Security Benefits (worth \$400 or less). (96-18(a))	
CLASS 2 MISDEMEANORS		Maximum Punishment of 60 Days
Simple Assault/Assault and Battery. (14-33(a))	Using Profane, Indecent or Threatening Language to Any Person Over Telephone. (14-196)	
Financial Transaction Card Fraud. (14-113.13)	Cyberstalking. (14-196.3)	
First-Degree Trespass. (14-159.12)	Resisting Officers. (14-223)	
Willful and Wanton Injury to Personal Property (damage of \$200 or less). (14-160(a))	Carrying Concealed Weapons. (14-269(a), (a1)/first offense)	
Indecent Exposure. (14-190.9)	Disorderly Conduct. (14-288.4)	
CLASS 3 MISDEMEANORS		Maximum Punishment of 20 Days
Concealment of merchandise in mercantile establishments (first conviction). (14-72.1)	Unsealed Wine/Liquor in Passenger Area. (18B-401)	
Worthless Check for \$2,000 or Less. (14-107(d)(1))	Possess Marijuana (1/2 ounce or less). (90-95(a)(3))	
Second-Degree Trespass. (14-159.13)	Possession of Marijuana Drug Paraphernalia (90-113.22A)	
Failure to Return Rental Property. (14-167)	Hunting Without a License (first offense). (113-270.2)	
Intoxicated and Disruptive in Public. (14-444)	Fishing Without a License (first offense). (113-271)	
CONSPIRACY to commit an offense is classified as one class lower than the offense the person conspired to commit. (14-2.4)		
ATTEMPT to commit an offense is classified as one class lower than the offense the person attempted to commit. (14-2.5)		
SOLICITATION to commit an offense is classified as two classes lower than the offense the person solicited the other person to commit. (14-2.6)		
ACCESSORY BEFORE THE FACT punishable as the principal felon. (14-5.2)		
ACCESSORY AFTER THE FACT punishable as two classes lower than the felony the principal felon committed. (14-7)		

SCORING PRIOR RECORD/FELONY SENTENCING

NUMBER	TYPE	FACTORS	POINTS
	Prior Felony Class A Conviction	x 10	
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	Prior Felony Class E or F or G Conviction	x 4	
	Prior Felony Class H or I Conviction	x 2	
	Prior Misdemeanor Class A1 or 1 Conviction*, Prior Impaired Driving Conviction, or Prior Impaired Driving in a Commercial Vehicle Conviction	x 1	
		SUBTOTAL	
If all the elements of the present offense are included in any prior offense, whether or not the prior offense was used in determining prior record level.		+ 1	
If the offense was committed: (a) while on supervised or unsupervised probation, parole, or post-release supervision; or (b) while serving a sentence of imprisonment; or (c) while on escape.		+ 1	
		TOTAL	

** Class 1 misdemeanor offenses under Chapter 20 are not assigned any points except for misdemeanor death by vehicle [G.S. 20-141.4(a)(2)]*

II. CLASSIFYING PRIOR RECORD LEVEL

POINTS	LEVEL
0 – 1	I
2 – 5	II
6 – 9	III
10 – 13	IV
14 – 17	V
18+	VI

PRIOR RECORD LEVEL _____

DISPOSITIONS

ACTIVE PUNISHMENT

An active punishment requires that the offender be sentenced to the custody of the Division of Adult Correction to serve the minimum and up to the maximum sentence imposed by the court (unless the offender is sentenced to advanced supervised release).

INTERMEDIATE PUNISHMENT

An intermediate punishment requires a sentence of supervised probation. The sentence may include one or more of the following conditions:

1. Special probation. Defined in G.S. 15A-1351(a), special probation includes a period of active confinement followed by a period of probation. (This is sometimes referred to as a split sentence.)
2. Drug Treatment Court Program. Assignment that requires the offender to comply with the rules adopted for the program pursuant to Article 62 of Chapter 7A of the General Statutes and to report on a regular basis for a specified time to participate in court supervision, drug screening or testing, and drug or alcohol treatment programs.
3. House arrest with electronic monitoring. Assignment that requires the offender to remain at his or her residence unless the court or probation officer authorizes the offender to leave, and in which the offender shall wear a device which permits the supervising agency to monitor the offender's compliance with the condition.
4. Community service. Assignment that requires the offender to perform service to the local community in an effort to promote the offender's rehabilitation and to provide services that help restore or improve the community.
5. Period or periods of confinement in a local confinement facility. Submission to a period or periods of confinement in a local confinement facility for a total of no more than six days per month during any three separate months during the period of probation. The six days per month confinement may only be imposed as two-day or three-day consecutive periods.
6. Substance abuse assessment, monitoring, or treatment. *(This condition is not defined in statute.)*
7. Educational or vocational skills development program. *(This condition is not defined in statute.)*
8. Satellite-based monitoring. Submission to satellite-based monitoring, pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes (Sex Offender Monitoring), if the defendant is described by G.S. 14-208.40(a)(2).

An intermediate punishment may also include a fine, restitution, or any other conditions of probation.

COMMUNITY PUNISHMENT

A community punishment is any authorized sentence that does not include an active punishment, assignment to a drug treatment court, or special probation. A community punishment may consist of a fine only or a term of supervised or unsupervised probation which may include, but is not limited to, one or more of the following:

1. House arrest with electronic monitoring. Assignment that requires the offender to remain at his or her residence unless the court or probation officer authorizes the offender to leave, and in which the offender shall wear a device which permits the supervising agency to monitor the offender's compliance with the condition.
2. Community service. Assignment that requires the offender to perform service to the local community in an effort to promote the offender's rehabilitation and to provide services that help restore or improve the community.
3. Period or periods of confinement in a local confinement facility. Submission to a period or periods of confinement in a local confinement facility for a total of no more than six days per month during any three separate months during the period of probation. The six days per month confinement may only be imposed as two-day or three-day consecutive periods.
4. Substance abuse assessment, monitoring, or treatment. *(This condition is not defined in statute.)*
5. Educational or vocational skills development program. *(This condition is not defined in statute.)*
6. Satellite-based monitoring. Submission to satellite-based monitoring, pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes (Sex Offender Monitoring), if the defendant is described by G.S. 14-208.40(a)(2).

A community punishment may also include a fine, restitution, or any other condition of probation.

*** Effective for Offenses Committed on or after 10/1/13 ***

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 - 397 254 - 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	DISPOSITION Aggravated Range PRESUMPTIVE RANGE Mitigated Range
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	
G	I/A 13 - 16 10 - 13 8 - 10	I/A 14 - 18 12 - 14 9 - 12	I/A 17 - 21 13 - 17 10 - 13	I/A 19 - 24 15 - 19 11 - 15	A 22 - 27 17 - 22 13 - 17	A 25 - 31 20 - 25 15 - 20	
H	C/I/A 6 - 8 5 - 6 4 - 5	I/A 8 - 10 6 - 8 4 - 6	I/A 10 - 12 8 - 10 6 - 8	I/A 11 - 14 9 - 11 7 - 9	I/A 15 - 19 12 - 15 9 - 12	A 20 - 25 16 - 20 12 - 16	
I	C 6 - 8 4 - 6 3 - 4	C/I 6 - 8 4 - 6 3 - 4	I 6 - 8 5 - 6 4 - 5	I/A 8 - 10 6 - 8 4 - 6	I/A 9 - 11 7 - 9 5 - 7	I/A 10 - 12 8 - 10 6 - 8	

A – Active Punishment I – Intermediate Punishment C – Community Punishment
Numbers shown are in months and represent the range of minimum sentences

Revised: 09-09-13

***** Effective for Offenses Committed on or after 10/1/13 *****

MINIMUM AND MAXIMUM SENTENCES

The corresponding maximum sentence for each minimum sentence is shown in the tables below. In each column, the number to the left of the dash represents the minimum sentence (in months) and the number to the right of the dash represents the corresponding maximum sentence (in months).

FOR OFFENSE CLASSES B1 THROUGH E

15-30	52-75	89-119	126-164	163-208	200-252	237-297	274-341	311-386
16-32	53-76	90-120	127-165	164-209	201-254	238-298	275-342	312-387
17-33	54-77	91-122	128-166	165-210	202-255	239-299	276-344	313-388
18-34	55-78	92-123	129-167	166-212	203-256	240-300	277-345	314-389
19-35	56-80	93-124	130-168	167-213	204-257	241-302	278-346	315-390
20-36	57-81	94-125	131-170	168-214	205-258	242-303	279-347	316-392
21-38	58-82	95-126	132-171	169-215	206-260	243-304	280-348	317-393
22-39	59-83	96-128	133-172	170-216	207-261	244-305	281-350	318-394
23-40	60-84	97-129	134-173	171-218	208-262	245-306	282-351	319-395
24-41	61-86	98-130	135-174	172-219	209-263	246-308	283-352	320-396
25-42	62-87	99-131	136-176	173-220	210-264	247-309	284-353	321-398
26-44	63-88	100-132	137-177	174-221	211-266	248-310	285-354	322-399
27-45	64-89	101-134	138-178	175-222	212-267	249-311	286-356	323-400
28-46	65-90	102-135	139-179	176-224	213-268	250-312	287-357	324-401
29-47	66-92	103-136	140-180	177-225	214-269	251-314	288-358	325-402
30-48	67-93	104-137	141-182	178-226	215-270	252-315	289-359	326-404
31-50	68-94	105-138	142-183	179-227	216-272	253-316	290-360	327-405
32-51	69-95	106-140	143-184	180-228	217-273	254-317	291-362	328-406
33-52	70-96	107-141	144-185	181-230	218-274	255-318	292-363	329-407
34-53	71-98	108-142	145-186	182-231	219-275	256-320	293-364	330-408
35-54	72-99	109-143	146-188	183-232	220-276	257-321	294-365	331-410
36-56	73-100	110-144	147-189	184-233	221-278	258-322	295-366	332-411
37-57	74-101	111-146	148-190	185-234	222-279	259-323	296-368	333-412
38-58	75-102	112-147	149-191	186-236	223-280	260-324	297-369	334-413
39-59	76-104	113-148	150-192	187-237	224-281	261-326	298-370	335-414
40-60	77-105	114-149	151-194	188-238	225-282	262-327	299-371	336-416
41-62	78-106	115-150	152-195	189-239	226-284	263-328	300-372	337-417
42-63	79-107	116-152	153-196	190-240	227-285	264-329	301-374	338-418
43-64	80-108	117-153	154-197	191-242	228-286	265-330	302-375	339-419
44-65	81-110	118-154	155-198	192-243	229-287	266-332	303-376	
45-66	82-111	119-155	156-200	193-244	230-288	267-333	304-377	
46-68	83-112	120-156	157-201	194-245	231-290	268-334	305-378	
47-69	84-113	121-158	158-202	195-246	232-291	269-335	306-380	
48-70	85-114	122-159	159-203	196-248	233-292	270-336	307-381	
49-71	86-116	123-160	160-204	197-249	234-293	271-338	308-382	
50-72	87-117	124-161	161-206	198-250	235-294	272-339	309-383	
51-74	88-118	125-162	162-207	199-251	236-296	273-340	310-384	

To calculate a maximum sentence when the minimum sentence is 340 months or more, multiply the minimum sentence by 1.20 (rounding to the next highest month) and add 12. *See* G.S. 15A-1340.17(e1).

Sex Offenses: To calculate a maximum sentence for a Class B1 through E felony that is subject to the registration requirements of G.S. Chapter 14, Article 27A, multiply the minimum sentence by 1.20 (rounding to the next highest month) and add 60. *See* G.S. 15A-1340.17(f).

FOR OFFENSE CLASSES F THROUGH I

3-13	8-19	13-25	18-31	23-37	28-43	33-49	38-55
4-14	9-20	14-26	19-32	24-38	29-44	34-50	39-56
5-15	10-21	15-27	20-33	25-39	30-45	35-51	40-57
6-17	11-23	16-29	21-35	26-41	31-47	36-53	41-59
7-18	12-24	17-30	22-36	27-42	32-48	37-54	

*****Effective for Offenses Committed on or after 12/1/13*****

MISDEMEANOR PUNISHMENT CHART

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

***Unless otherwise provided for a specific offense, the judgment for a person convicted of a Class 3 misdemeanor who has no more than three prior convictions shall consist only of a fine.**

A – Active Punishment I – Intermediate Punishment C – Community Punishment
Cells with slash allow either disposition at the discretion of the judge

Revised: 9/30/13

VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Michelle Hall	NC Sentencing Commission
John Madler	" "
Ginny Hevener	" "
Laura K. Van	Vista Strategies
Sarah Hardin	NCEL
Resha Fortson	SEANC
Flint Benson	SEANC
Tom Murry	Nc Judicial Branch
Andy Brander	NC DPS
Dawn Blagrove	Carolina Justice Policy Center



Senate Pages Attending

COMMITTEE: Approps: Justice & P. Safety ROOM: 415

DATE: 2-22 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!.....or else!!!!

	Page Name	Hometown	Sponsoring Senator
1.	Andrew Fisher	Durham	Woodard
2.	Blake Stout Stout	Chapel Hill	Foyshue
3.			
4.			
5.			
6.			
7.			
8.			

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.



Committee Sergeants at Arms

NAME OF COMMITTEE Joint Com. JPP

DATE: 2/22/17 Room: 45

House Sgt-At Arms:

1. Name: BARRY MOORE

2. Name: BILL MOORE

3. Name: _____

4. Name: _____

5. Name: _____

Senate Sgt-At Arms:

1. Name: STEVE MCKAIG

2. Name: Jim Ham. Y for

3. Name: _____

4. Name: _____

5. Name: _____

**Senate Committee on Appropriations on Justice and Public Safety
Tuesday, February 28, 2017 at 8:30 AM
Room 415 of the Legislative Office Building**

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:30 AM on February 28, 2017 in Room 415 of the Legislative Office Building. 15 members were present.

Senator Norman W. Sanderson, Chair, presided.

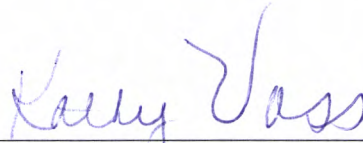
The chair welcomed all members and visitors then introduced and thanked House Sergeants at Arms, Bill Moore, Bill Riley, Barry Moore and Senate Sergeants at Arms Becky Myrick and Terry Edmondson. He then introduced House Page Melvin McLawhorn from Wake County, sponsored by Speaker Tim Moore and Senate Page Kaela Curtis from Durham County, sponsored by Senator Michael Woodard. The chair acknowledged Commissioner David Guise from DPS Adult Corrections and Juvenile Justice.

The chair introduced Ms. Kristine Leggett and Mr. John Poteat, from our Fiscal Research Division, for a presentation and reporting on the DPS-Prisons budget. See attachments. Fiscal staff and DPS staff responded to questions from Representatives Johns, McNeill, C Graham, G Graham, Rogers and Richardson and Senator Sanderson.

There being no further business, the meeting adjourned at 9:37 am.



Senator Norman W. Sanderson, Chair
Presiding



Kathy Voss, Committee Clerk



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

February 28, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Warren Daniel	Representative Jamie Boles
	Senator Shirley Randleman	Representative Ted Davis
	Senator Norm Sanderson, Presiding	Representative Allen McNeill
		Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DPS-Prisons Budget
John Poteat, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meeting: Wednesday, February 29 – Prison Inmate Medical

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Prison Management and Division Wide Operations

Department of Public Safety

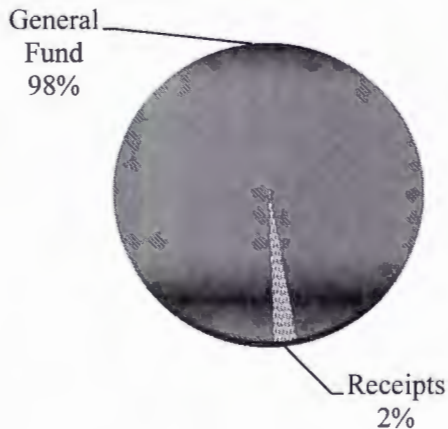
G.S. Reference: 148.4

Provides for the management and oversight of the State prison system.

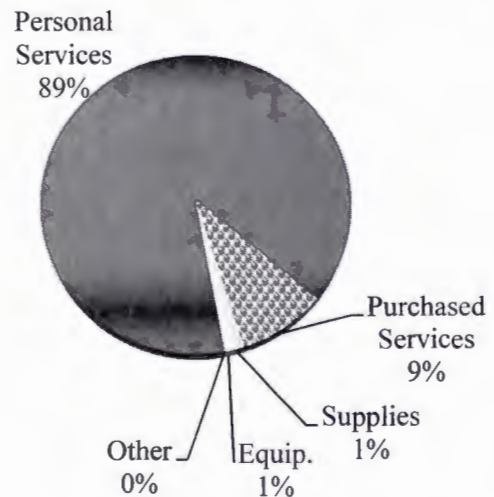
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$12,142,078	\$13,080,706	\$21,029,264	\$21,197,410	\$21,201,091
Less Receipts	\$3,007,208	\$2,938,023	\$486,151	\$486,151	\$486,151
Appropriation	\$9,134,870	\$10,142,683	\$20,543,113	\$20,711,259	\$20,714,940
FTE	165.64	182.64	275.64	275.64	275.64

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

<u>Fund</u>	<u>Fund Title</u>	<u>Page in Budget</u>
1305	Prison Management	58
1399	Division Wide Operations	124

Prison Management and Division Wide Operations

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1305	\$12,354,508	\$723,772	\$120,930	\$167,340	\$5,910	\$13,372,460	172.64
1399	\$6,514,130	\$1,175,163	\$80,754	\$40,328	\$14,575	\$7,824,950	103.00
						\$0	
Total	\$18,868,638	\$1,898,935	\$201,684	\$207,668	\$20,485	\$21,197,410	275.64

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - 438-XXX	538-8XX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Federal Funds	Total
1305	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1399	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$200,000
	\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$200,000

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1305	Prison Management	58
1399	Division Wide Operations	124

Prison Custody and Security

Department of Public Safety

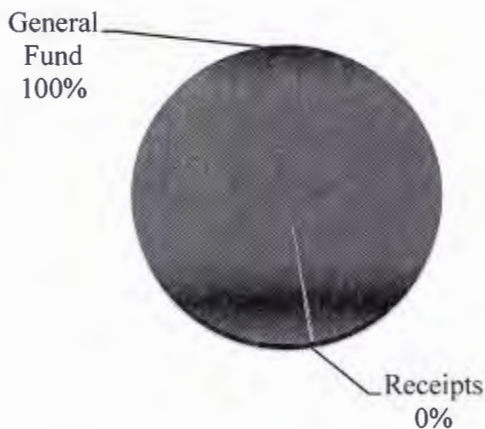
G.S. Reference: 148-4

Provides control and custody of all prisoners in the State prison system.

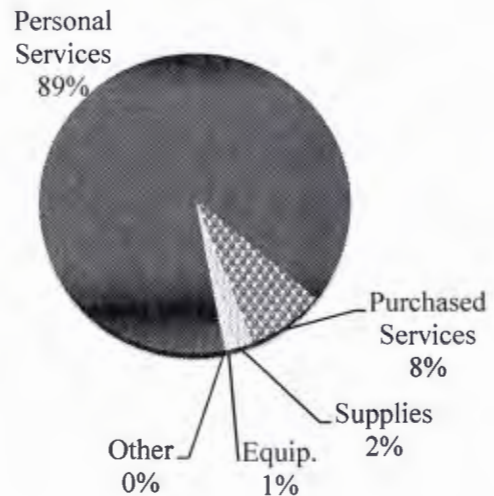
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$702,892,162	\$755,314,248	\$788,226,488	\$792,813,027	\$792,815,700
Less Receipts	\$7,640,978	\$6,421,250	\$8,900,564	\$3,890,564	\$3,890,564
Appropriation	\$695,251,184	\$748,892,998	\$779,325,924	\$788,922,463	\$788,925,136
FTE	12,668.78	12,662.48	12,701.48	12,701.48	12,701.48

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

<u>Fund</u>	<u>Fund Title</u>	<u>Page in Budget</u>
1310	Prison Custody and Security	63

Prison Custody and Security

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1310	\$706,279,384	\$62,412,410	\$15,170,420	\$7,277,669	\$1,673,144	\$792,813,027	12,701.48
Total	\$706,279,384	\$62,412,410	\$15,170,420	\$7,277,669	\$1,673,144	\$792,813,027	12,701.48

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
1310	\$0	\$322,918	\$440,646	\$0	\$2,396,741	\$730,259	\$3,890,564
	\$0	\$322,918	\$440,646	\$0	\$2,396,741	\$730,259	\$3,890,564

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1310	Prison Custody and Security	63

Statewide Misdemeanant Confinement Program

Department of Public Safety

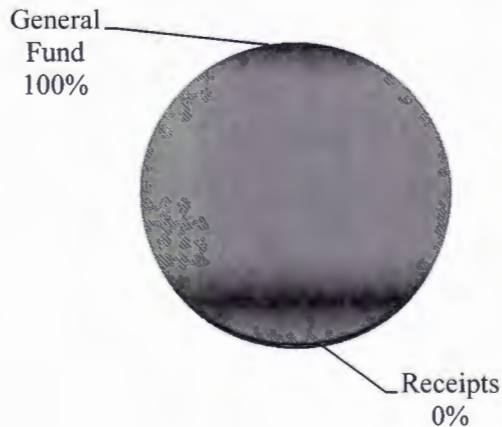
G.S. Reference: 148-32.1 (b2)

Creates a program to house all misdemeanants with sentencing more than 90 days and for impaired driving offenses in county facilities that volunteer space.

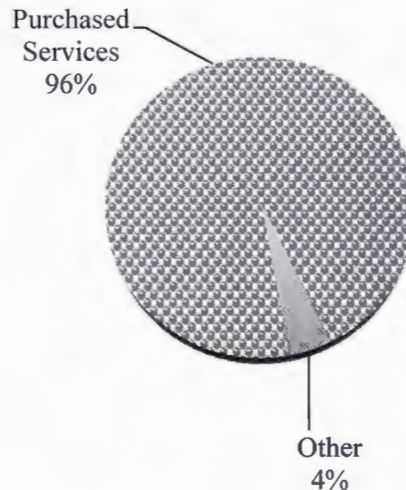
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$0	\$0	\$22,275,000	\$22,275,000	\$22,275,000
Less Receipts	\$0	\$0	\$0	\$0	\$0
Appropriation	\$0	\$0	\$22,275,000	\$22,275,000	\$22,275,000
FTE	0.00	0.00	0.00	0.00	0.00

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

<u>Fund</u>	<u>Fund Title</u>	<u>Page in Budget</u>
1312	Statewide Misdemeanant Confinement Program	67

Statewide Misdemeanant Confinement Program

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1312	\$0	\$21,275,000	\$0	\$0	\$1,000,000	\$22,275,000	0.00
Total	\$0	\$21,275,000	\$0	\$0	\$1,000,000	\$22,275,000	0.00

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
1312	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1312	Statewide Misdemeanant Confinement Program	67

Prison Road Squad and Litter Crews

Department of Public Safety

G.S. Reference: 148-26 (b)

Requires as many minimum and medium custody inmates as available for litter pick-up and road work.

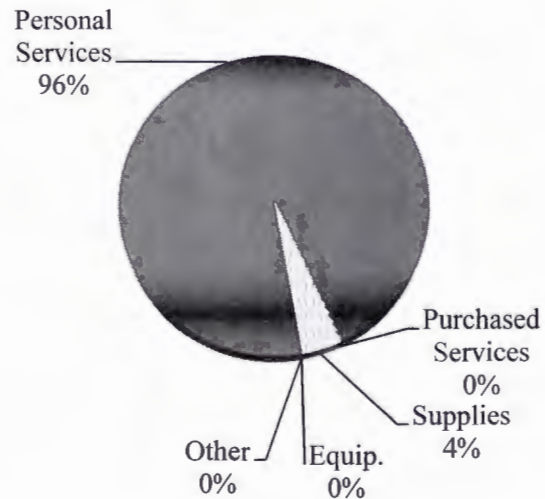
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$8,571,015	\$8,657,797	\$9,517,984	\$9,550,679	\$9,550,679
Less Receipts	\$9,040,209	\$9,040,000	\$9,040,000	\$9,040,000	\$9,040,000
Appropriation	(\$469,194)	(\$382,203)	\$477,984	\$510,679	\$510,679
FTE	179.00	183.00	183.00	183.00	183.00

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

<u>Fund</u>	<u>Fund Title</u>	<u>Page in Budget</u>
1314	Prison Road Squad and Litter Crews	68

Prison Road Squad and Litter Crews

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1314	\$9,146,762	\$20,950	\$378,467	\$4,500	\$0	\$9,550,679	183.00
Total	\$9,146,762	\$20,950	\$378,467	\$4,500	\$0	\$9,550,679	183.00

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
1314	\$0	\$0	\$0	\$0	\$0	\$9,040,000	\$9,040,000
	\$0	\$0	\$0	\$0	\$0	\$9,040,000	\$9,040,000

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1314	Prison Road Squad and Litter Crews	68

Prison Food, Cleaning, Clothing, and Bedding

Department of Public Safety

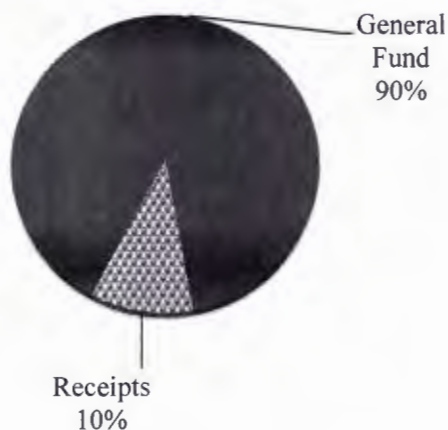
G.S. Reference: G.S. 148-22

Provides for the food, clothing and bedding for State prisoners.

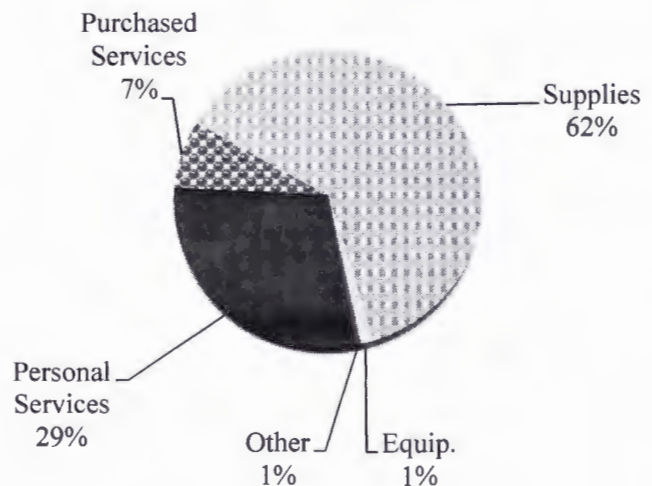
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$97,255,515	\$96,161,061	\$93,407,223	\$93,837,089	\$93,837,089
Less Receipts	\$9,600,610	\$9,927,907	\$9,776,696	\$9,776,696	\$9,776,696
Appropriation	\$87,654,905	\$86,233,154	\$83,630,527	\$84,060,393	\$84,060,393
FTE	484.00	482.00	481.00	481.00	481.00

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1320	Prison Food Service and Cleaning	72
1321	Prison Inmate Clothing and Bedding	75

Prison Food, Cleaning, Clothing, and Bedding

Department of Public Safety

Expenditures: Summary by Account

Fund Code	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		FTE
	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	
1320	\$26,949,959	\$609,928	\$47,495,246	\$1,230,707	\$501,425	\$76,787,265	481.00
1321	\$0	\$6,341,082	\$10,708,742	\$0	\$0	\$17,049,824	0.00
Total	\$26,949,959	\$6,951,010	\$58,203,988	\$1,230,707	\$501,425	\$93,837,089	481.00

Revenues: Summary by Account

Fund Code	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	Total
	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	
1320	\$134,487	\$1,041,160	\$0	\$0	\$948,700	\$7,652,349	\$9,776,696
1321	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$134,487	\$1,041,160	\$0	\$0	\$948,700	\$7,652,349	\$9,776,696

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1320	Prison Food Service and Cleaning	72
1321	Prison Inmate Clothing and Bedding	75

Joint Appropriations Committees on
Justice and Public Safety

**Department of Public Safety
Prisons**

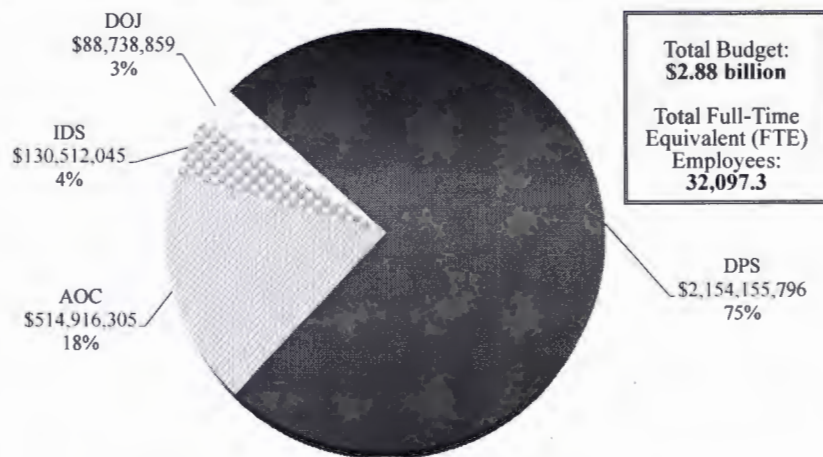


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FY 2017-18 DPS Base Budget Requirements



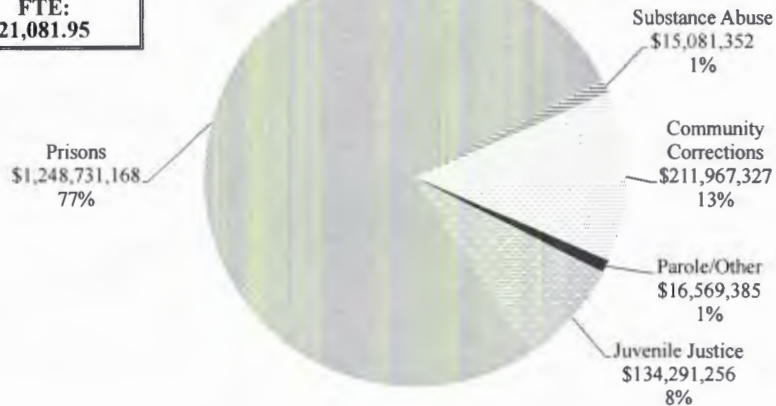
Source: NCIBIS, Worksheet I, 02/07/2017



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FY 2017-18 DACJJ Base Budget

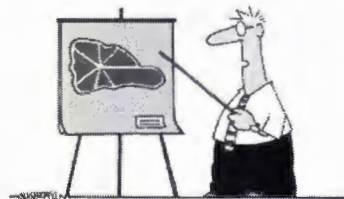
Total Budget:
\$1.6b
FTE:
21,081.95



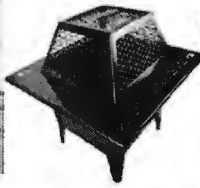
Source: NCIBIS, Worksheet 1, 02/09/2017

Today's Presentation

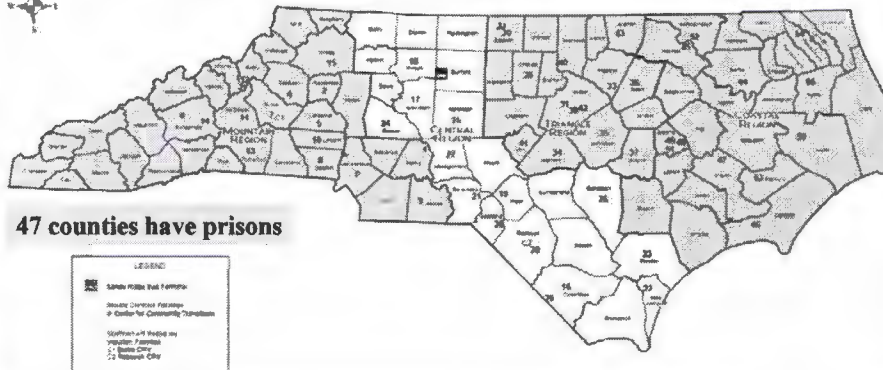
- I. Adult Correction Overview
- II. Custody and Security Issues
- III. Changes in Misdemeanant Housing
- IV. Recent Budget Issues and Actions



"At the request of those who are following a low-carb diet,
my pie chart has been replaced by a steak chart."



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



Prisons Section

- **Budget:** \$1.25 billion
- **Prisons:** 56
- **Beds:** 37,617
- **Employees:** 16,623 employees
- **Facilities:** 14.9 million square feet
- **Miles Driven:** 16,194,730 miles in 1,595,168 hours

24th largest “city” in NC

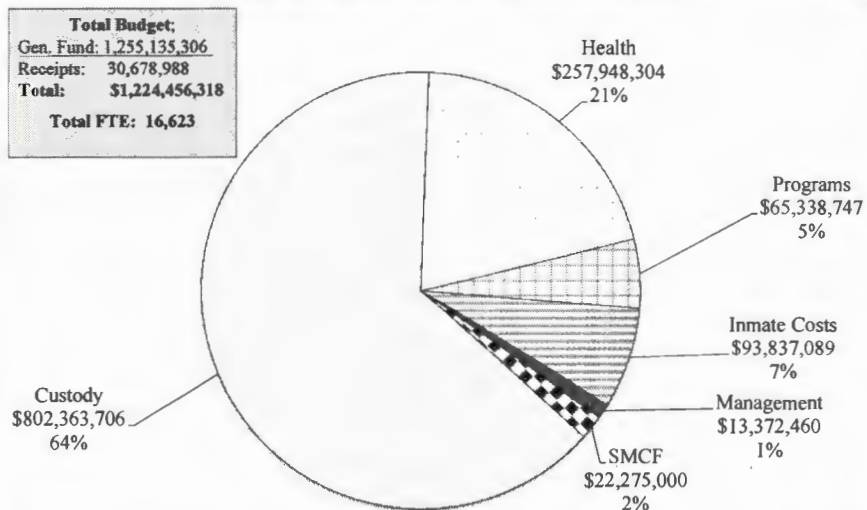
Source: Prisons Administration

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FY 2017-18 Prisons Budget



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2017-18 Prison FTE Positions

Area	#
Custody and Security	12,884.48
Custody and Security	12,701.48
Road Squads and Litter Crews	183.0
Inmate Costs: Food Services and Cleaning	481.0
Inmate Programs	1,068.47
Inmate Construction Program	4.0
Inmate Education	56.0
Corrective Programs	896.11
Work Release	18.36
In-Prison Substance Abuse Treatment	94.0
Inmate Health	2,016.5
General Health	1,343.0
Mental Health	487.0
Dental Health	106.0
Pharmacy Services	80.5
Management	172.64
Total	16,623.09

Source: NCIBIS Worksheet 1, 02/09/2017

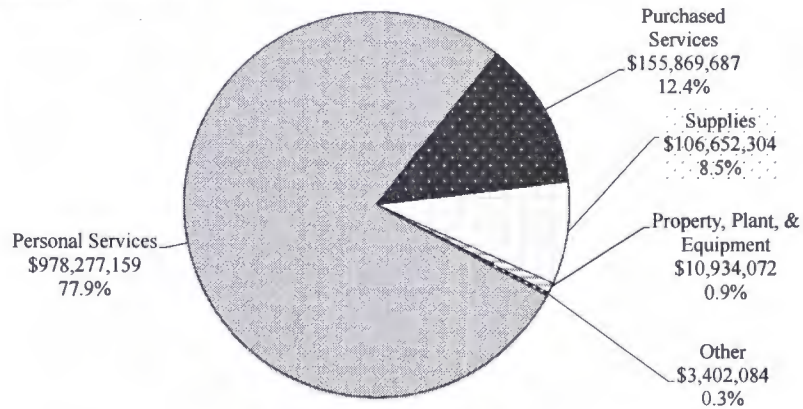
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FY 2017-18 Prisons Budget

Total Budget:
\$1.25 b

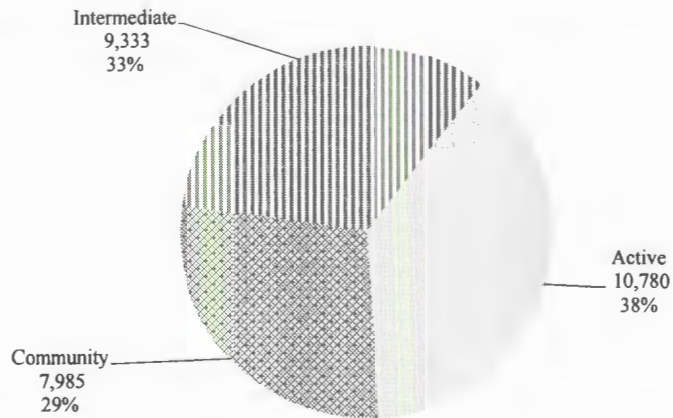


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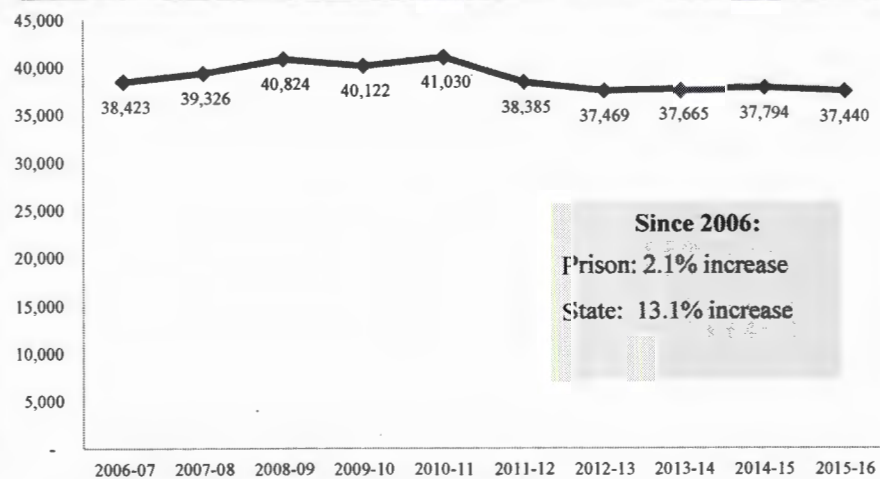
February 28, 2017

Type of Felony Sentence



Source: SPAC, Structured Sentencing Statistical Report for Felonies and Misdemeanors Fiscal Year 2016, Table 4

NC Prison Population



Source: Division of Adult Correction and OSBM

Prison Population Drivers

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

A-D Violent felons:

- 57% of population
- Average time served 8 years in FY 2015-16

Population:

- Class C: 18.5% of population
- 7 Crimes Account for 48% of population
- Habitual Felons account for 14% of population

Time served all felons:

- Average Time Served: 20 months in mid 90's
- Average Time Served: 30 months in FY 2015-16

FY 2015-16 NC Prison Population

Admissions: 23,531

Direct: 54%

Probation Revocations: 46%

Exits: 23,875

Current: 36,329

Felony Class	A-D	E-G	H-I
Convictions	8%	27%	65%
Current Population*	56%	24%	15%
Average Length of Stay	8 years	19 months	10 months
% Receiving an Active Prison Sentence	100%	48%	28%

*Remaining 5%: Pre Fair, CRV, Non-Class (DWI), Safekeepers, and Other

Source: SPAC and DPS

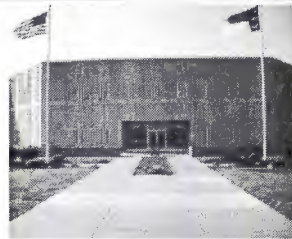
Prison Closures Since 2009

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

Closure Total=4,620 beds

Beds Added at 1,000-bed prisons=2,772

Total Change in Capacity=(1,848)



II. Custody and Security Issues



Custody and Security

FTE: 12,701.48

FY 2017-18 Requirements: \$792,813,027

89% of Budget is Personal Services

55 Prisons in 4 Regions

Custody Staff: 11,722.48 FTE (91%)

Administrative Services: 605.3 FTE (4.7%)

Facilities Maintenance: 552.7 FTE (4.3%)



Source: NCIBIS, Worksheet 1, 02/09/2017 and Beacon BO 149 Report (01/24/17)

Prison Bed Costs

Average=\$89.30 per day/\$32,595 annually

Custody Type (%)	Number of beds (2017)	Percentage by type	FY 2015-16 Per Bed Daily Cost	FY 2015-16 Per Bed Annual Cost
Close (23%)	Single Cell: 8,674	23.1%	\$106.92	\$39,026
Medium (47%)	Single Cells: 3,013	8%	\$89.78	\$32,770
	Double Cells: 1,950	5.2%		
	Dorm: 12,717	33.8%		
Minimum (29%)	Single Cell: 54	0.1%	\$79.46	\$29,003
	Double Cell: 486	1.3%		
	Dorm: 10,723	28.5%		

Source: DOP and DAC, Controller's Office

Prison Food Service and Cleaning

FY 2017-18 Requirements: \$76,787,265

FY 2017-18 Receipts: \$9,776,696

FTE: 481

Personal Services: 35.1% **Supplies:** 61.9%

Meals Served: 43,490,380 **Coffee Served Since Jan 2012 :** 0

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

Total Cost: \$3.19

BREAKFAST	LUNCH	DINNER
CEREAL APPLE JUICE WHITE TOAST BUTTER TURKEY SALADAGE EGG TOAST ALFALFA SALAD SALT	KIDNEY BEANS BEEF STEAK SANDWICH ALFALFA SALAD CUSTARD BREAD BUTTER SALT	KIDNEY BEANS WHITE RICE SALAD ALFALFA SALAD ALFALFA SALAD SALT BUTTER SALT

Source: Recommended Base Budget Worksheet 11-02-09-17

Prison Food Service and Cleaning

Food software: menus, recipes, forecasting to reduce waste

Correction Enterprises: 87% of the food

Diet Types: 24 different diets

- 86% Regular
- 10.6% Therapeutic
- 3.3% Religious

Card swipe system: Implemented October 2013; helps manage food costs and reduced specialty diet orders 30%

Prison Inmate Clothing and Bedding

Budget: \$17,049,824

FY 2017-18 Base Budget is \$2.9 million below FY 2015-16 Actual

Bedding and Textiles	\$3.0 m
Laundry Services and Supplies	\$5.6 m
Clothing and Uniforms	\$10.4 m

Clothing Issued: 5,433,430

Sheets Issued: 198,912

Cost per inmate: \$514.63 (Laundry & Clothing)

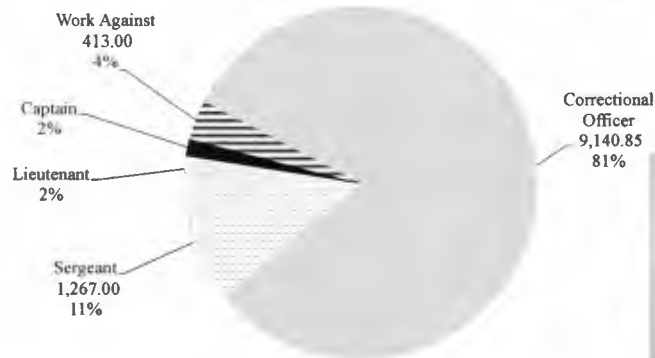
Clothing change: 2x week & 5 different uniforms

Bedding: weekly

Towels: 2x week

Correctional Officers

FTE: 11,264



Source: Beacon BO 149 Report (01/24/17)

Correctional Officer: Shift and Pay

- **Total Number of Correctional Officers:** 9,426 (11,264 Custody staff)
- **COs work 12-hours shifts; 171 hours in 28-days**
- **Special Pay**
 - **Overtime:** FY 2015-16 Actual=\$25.1 million
 - **Holiday Pay :** FY 2015-16 Actual=\$6.2 million
 - 75% over regular hourly wage
 - **Shift Premium :** FY 2015-16 Actual=\$20.7 million
 - Additional 10% on evening and night shifts and additional 10% on weekend evening and night shifts

Correctional Officer Issues

- **Vacancies:** 1,604 Vacant Custody Positions
- **Number of CO applications processed:** 5,221
- **Number of COs hired:** 1,727
- **Time Between Hiring and Basic Training:** 22.6 weeks
- **Training:** COs complete 160 Hours of Basic; trained 1,194 in FY 2015-16
(112 not completed Basic)
- **Samarcan Training Academy:** \$10.4 million appropriation
Phase I: Commuter school for CO Training (July 2015)
- **Worker's Compensation:** 2015-16—\$26 million

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 2016: 535 cell phones**

Correctional Officer Reclassification Plan

- Three levels of COs (I-minimum, II-medium, and III-close) dependent on the custody of the facility
- Supervisory Custody staff progress on custody of facility
- Managerial staff progress on factors in addition to custody (e.g., # of staff, complexity of inmates)
- State Human Resources Commission approved plan in April 2015

CO Pay Multi-Phase Implementation

CO Pay Increases:

- FY 2015-16: \$25,542,594
- FY 2016-17: \$16,919,481
- FY 2017-18 \$18,384,987 (estimate)

Position	Old Classification	New Classification	Pay Raise FY 2015-16*	Pay Raise FY 2016-17**
CO I (minimum)	62	63	3.5%	-
CO II (medium)	62	64	3.5%	3%
CO III (close)	62	66	8%	7.5%

*Plus a \$750 NR bonus **Plus a 1.5% across-the-board



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CO Pay Implementation

Position	Starting Salary	Average Salary
CO I (minimum)	\$30,856	\$32,344
CO II (medium)	\$31,904	\$32,836
CO III (close)	\$34,190	\$35,297



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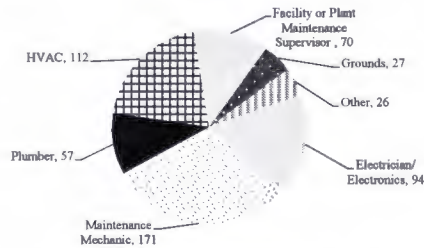
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Facilities Maintenance

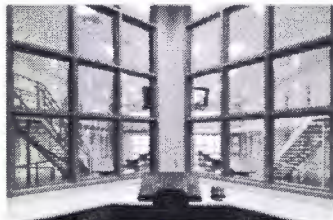
Corrective and Preventative: 55 facilities ranging in age from 5 to 133

FTE: 557

- **Facility Staff:** 18 Prisons
- **Regional Staff Maintenance Yards:** 4 regions support 55 prisons
 - Support Electronic Intrusion System (EIS), Telephone, Electronic, Camera, and Fire Alarm Maintenance at *ALL 55 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



III. Changes in Misdemeanant Housing



Statewide Misdemeanant Confinement Program (SMCP)

S.L. 2011-192 (H.B. 642) Justice Reinvestment Act (JRA)

- Created SMCP and 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

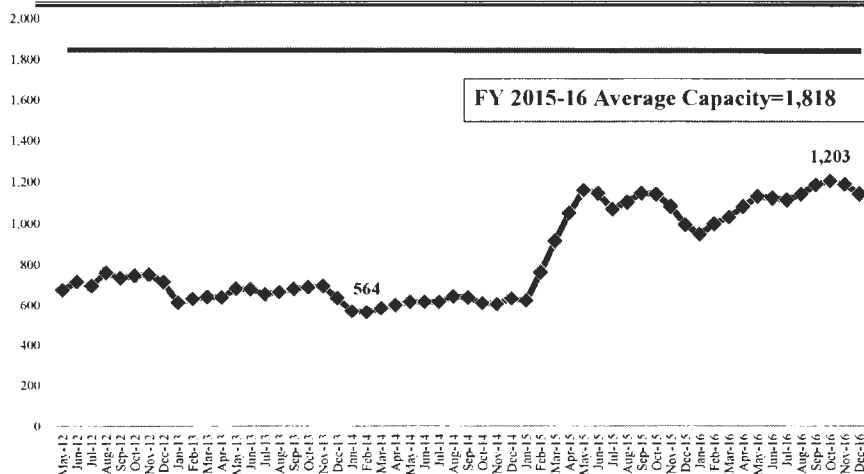
S.L. 2014-100, Section 16C.1 (Appropriations Act of 2014)

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

S.L. 2015-241, Section 18A.11 (Appropriations Act of 2015)

- Transferred SMCP to General Fund support (\$22.3 million)

SMCP: Monthly Population



Source: NC Sheriffs' Association SMCP Monthly Status Reports

SMCP: Spending History

Program	FY 2011-12*	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16
Average Population	4,988	8,292	7,566	9,387	12,824
Housing (\$40/day)	\$1,687,837	\$11,969,272	\$9,616,598	\$11,478,304	\$16,225,400
Medical (Actual)	\$74,321	\$193,677	\$269,879	\$384,593	\$720,783
Transportation (\$.55/mile)	\$25,829	\$343,850	\$149,355	\$199,984	\$290,524
TOTAL	\$1,787,987	\$12,506,799	\$10,035,832	\$12,062,881	\$17,236,707

*Counties began receiving SMCP inmates January 1, 2012

Source: Division of Adult Correction, AOC, and NC Sheriffs' Association SMCP monthly and annual reports

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SMCP: Administrative Costs

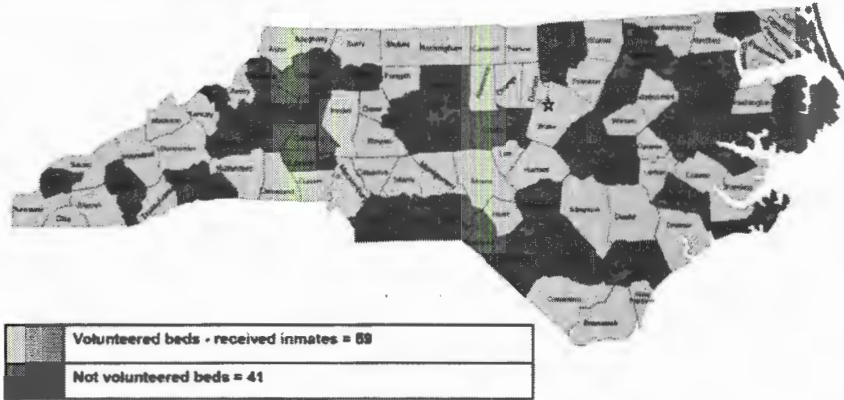
Administrative Costs	FY 2011-12	FY 2012-12	FY 2013-14	FY 2014-15	FY 2015-16
NC Sheriffs' Association					
▪ 10% of revenue	\$1,886,024	\$3,096,794	\$1,000,000	\$1,000,000	\$1,000,000
▪ FY 2013-14: up to \$1 m					
DAC					
▪ 1% of revenue	\$188,602	\$309,679	\$341,949	\$225,000	\$225,000
Transfers	-	\$5,000,000 NR	\$13,450,000 NR \$1,00,000 R	0	0

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SMCP: Sending and Receiving Counties



Source: NC Sheriffs' Association FY 2015-16 SMCP Annual Report

Safekeepers

G.S. 162-39 allows county inmates who are security risks to be housed in State prison

Major Reasons to transfer a prisoner to the Safekeeper program:

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

FY 2015-16 Entries: 976

January 31, 2017 population: 221

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

S.L 2015-241, Section 16C.12, Counties delinquent over 120 days have their SMCP funds withheld: \$143,029 from 6 counties; as of January 31, 2017: \$542,140



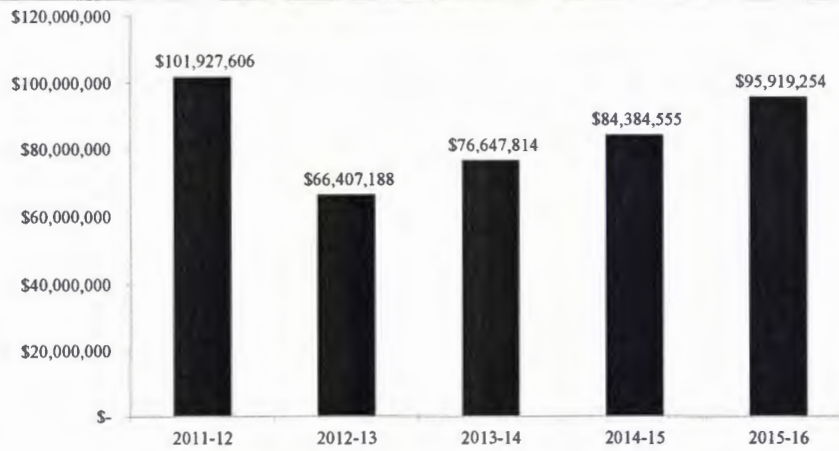
IV. Recent Budget Issues & Actions



FY 2015-17 Major Budget Items

Budget Item	Annualized Amount	FTE
Added Electronic Intrusion System at Harnett CI	(\$511,219)	(14.0)
Funded 72 Additional Central Prison Mental Health Beds	\$3,161,763	66.00
Established Mental Health Behavior Treatment Beds	\$5,619,247	152.0
Transferred SMCP to General Fund support	\$22,500,000	
Expanded Electronic Monitoring	\$700,000	
Funded Inmate Litter Collection and Road Cleanup	<u>FY 2016-17</u> \$9,040,00 NR	

Adult Correction Lapsed Salary



Note: FY 2013-14 includes \$3.3 million spent on other DPS agencies
Source: DAC, annual reports

Major Lapsed Salary Expenditures

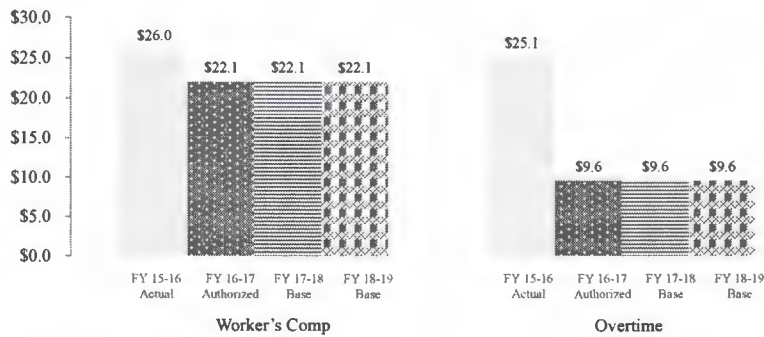
Item	FY 2014-15	FY 2015-16	Total
Temporary Nurses	\$17,431,567	\$17,017,872	\$34,449,439
Overtime	\$15,432,819	\$18,521,798	\$33,954,617
Prescription Drugs and Pharmacy Supplies	\$6,827,543	\$17,262,078	\$24,089,621
Workers Comp	\$11,137,279	\$9,451,906	\$20,589,185
Other Medical Providers	\$4,079,387	\$6,564,990	\$10,644,377
Temporaries	\$2,500,338	\$4,748,345	\$7,248,683
Total	\$57,408,933	\$73,566,989	\$130,975,922

Source: DAC, annual lapsed salary reports

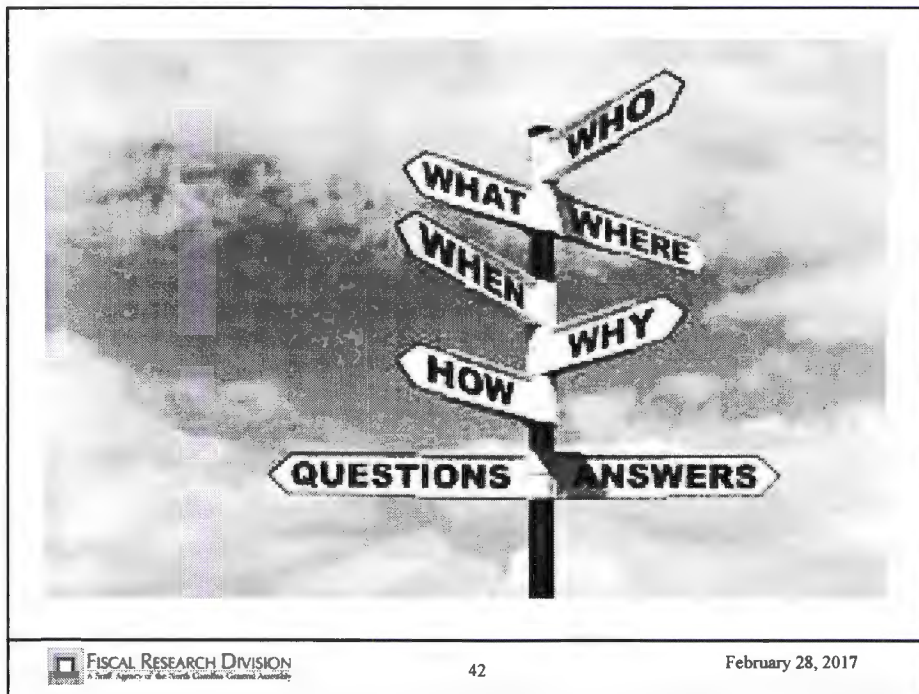
Issues to Consider

Consistent Lapsed Salary Transfers to:

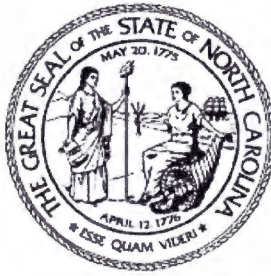
- Worker's Comp: FY 2017-18 Base Budget is \$3.9 million below FY 2015-16 Actual
- Overtime: FY 2017-18 Base Budget is \$15.5 million below FY 2015-16 Actual



Source: Recommended Base Budget (Worksheet 1) 02/09/17







**Joint Committee On Appropriations on Justice
and Public Safety**

February 28, 2017 – Room 415 LOB – 8:30 AM

PLEASE SIGN IN BELOW

[illegible]



House Committee on Appropriations, Justice and Public Safety
Wednesday, March 1, 2017 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 1, 2017 in Room 415 of the Legislative Office Building. Representatives Boles, Davis, McNeill, Turner, Belk, C. Braham, G. Graham, John, Richardson, Rogers, Speciale, and Willingham and five Senators attended.

Representative Ted Davis, Jr., Chair, presided. He called the meeting to order at 8:32. He then introduced the Sergeant-at-Arms staff; Tom Burroughs and Francis Patterson from the Senate and Bill Moore and Bill Riley from the House. He also introduced the pages as follows: Sheridan Charles and Brion Rogers from the House and Rushaun Holley from the Senate.

There were no comments from the Co-Chairs.

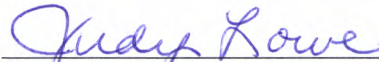
Chairman Davis introduced John Poteat, Fiscal Research Division, to give an overview of the DPS-Prisons Inmate Health Budget titled "Department of Public Safety Prisons-Inmate Medical. A copy of the report is attached (Attachment A).

Following the presentation, committee members asked questions regarding the components of the Prisons Budget, the standard of care, and the mental health summary of whistleblower complaints and responses, and whether there was still a contract with UNC for dental services. Mrs. Cherry from the Department of Public Services responded that they were using dental school students. There were questions about the cost containment efforts and John Poteat explained more detail of how this was being handled. A Representative inquired about the service provider's contracts and John Poteat agreed to make a copy available.

The meeting adjourned at 9:40 AM.



Representative Ted Davis, Jr., Chair
Presiding



Judy Lowe, Committee Clerk

Attachment A:

Department of Public Safety Prisons-Inmate Mate Medical



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

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

DAY & DATE: Wednesday, March 1, 2017
TIME: 8:30 AM
LOCATION: 415 LOB

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative Ted Davis, Jr., Co-Chair
Representative Allen McNeill, Co-Chair
Representative Rena W. Turner, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 9:51 AM on Tuesday, February 28, 2017.

____ Principal Clerk
____ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)



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

March 1, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Warren Daniel	Representative Jamie Boles
	Senator Shirley Randleman	Representative Ted Davis, Presiding
	Senator Norm Sanderson	Representative Allen McNeill
		Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

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

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

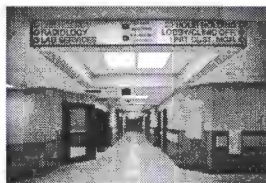
Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Joint Appropriations Committees on
Justice and Public Safety

**Department of Public Safety
Prisons-Inmate Medical**



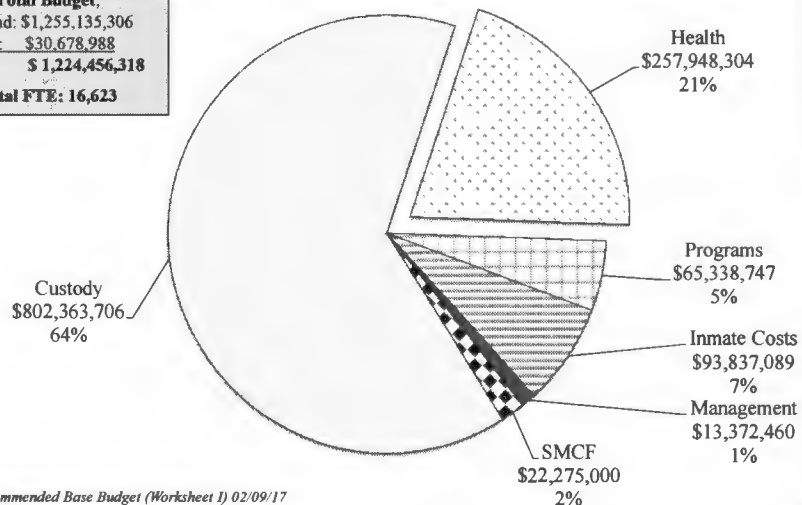
March 1, 2017



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

FY 2017-18 Prisons Budget

Total Budget:
Gen. Fund: \$1,255,135,306
Receipts: \$30,678,988
Total: \$ 1,224,456,318
Total FTE: 16,623



Source: Recommended Base Budget (Worksheet 1) 02/09/17



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March 1, 2017

Today's Presentation

- I. Statutory Requirements
- II. Budget Drivers
- III. Cost Containment Efforts
- IV. Prison Hospitals



I. 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."

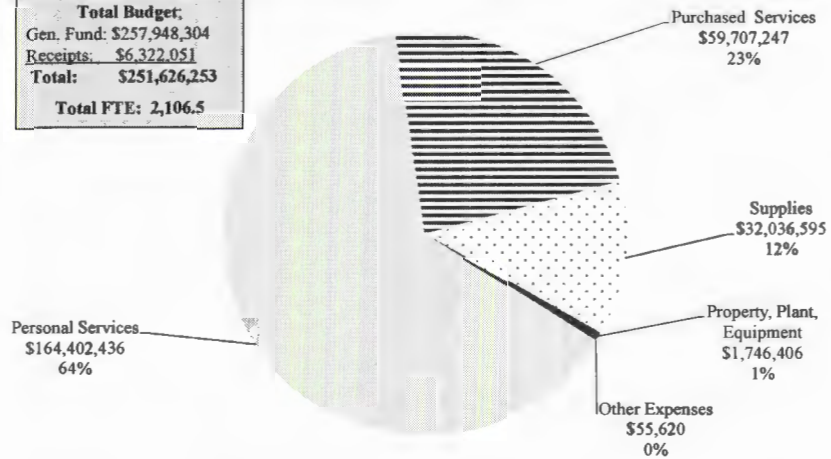
Health Services

- **Budget:** \$257.9 million
- **Hospital and Mental Health Beds:** 1,463
- **Employees:** 2,016.5 employees
- **Ibuprofen Dispensed:** 2,683,100
- **Procedures Performed:** 15,974
- **Prescriptions Filled:** 1,348,639
- **Liposuction:** 0

*Source: NCIBIS Worksheet 1.02.09.2017 and DOP

FY 2017-18 Health Requirements

Total Budget:
 Gen. Fund: \$257,948,304
 Receipts: \$6,322,051
Total: \$251,626,253
Total FTE: 2,106.5



Source: NCIBIS, Worksheet I, 02/09/2017

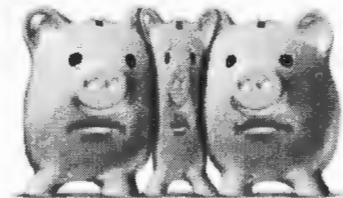
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March 1, 2017



II. Budget Drivers



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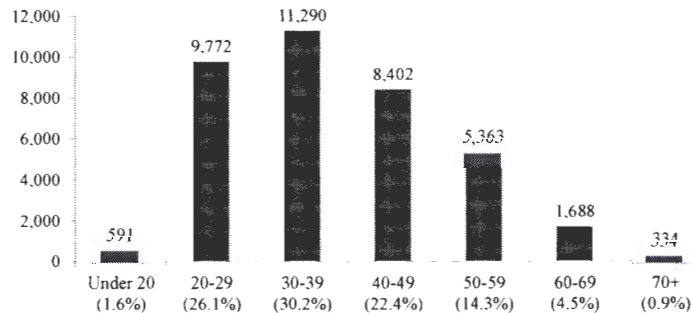
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March 1, 2017

Health Care Cost Drivers

■ Aging of the population

- 2,022 inmates are 60 years or older (5%)
- 334 inmates are above 70



Source: DPS, Automated System Query, June 30, 2016

Health Care Cost Drivers

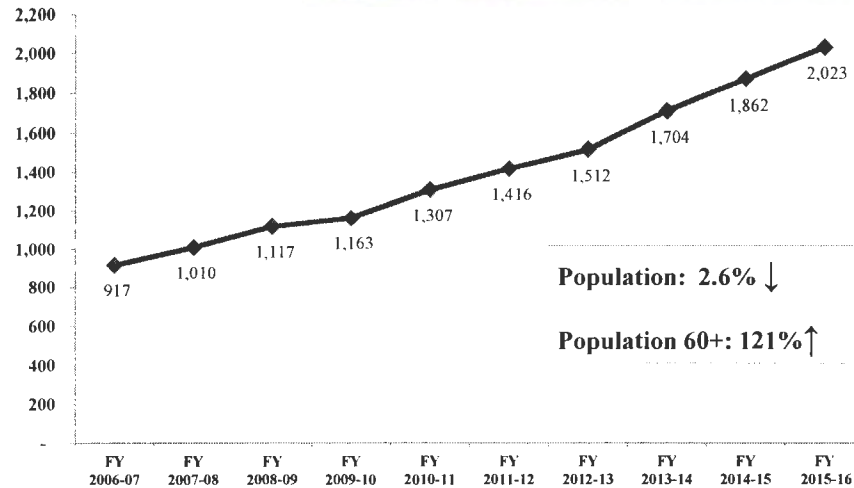
■ Chronic Disease

- Heart disease, cancer, liver cancer and disease, Hepatitis C

■ Overall health of inmates

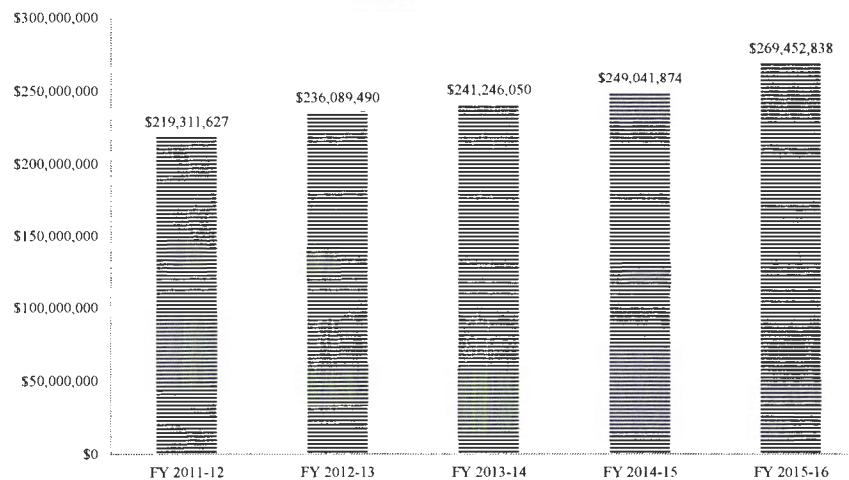
- More renal disease among younger population
- Growing number of inmates ineligible for medical release

Inmate Population Age 60 and Above



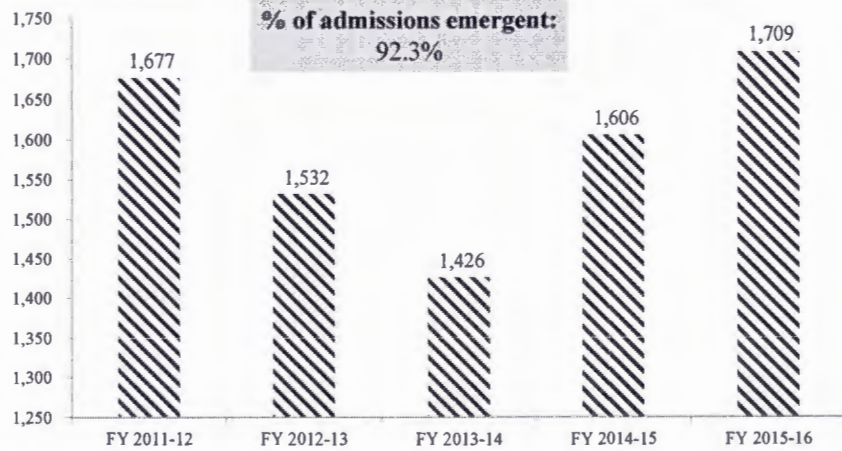
Source: DPS, June 30 ASQ reports

Inmate Health Care Spending



Source: DOP, annual Health Services Expense Reports

Inmate Hospital Admissions



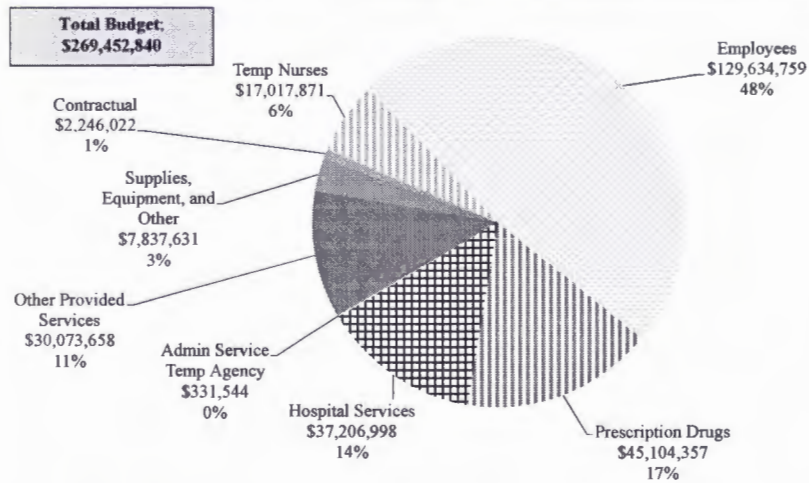
Source: DAC (Prisons), Quarterly Cost Containment Reports

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March 1, 2017

FY 2015-16 Actual Health Expenditures



Source: Prisons, Health Services Expense Report FY 2015-16

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Spending: FY 2011-12 to FY 2015-16

Inmate Medical	FY 2011-12	FY 2015-16	% Change
Contractual	\$6,027,150	\$2,246,022	-62.7%
Admin Service Temp Agency*	\$5,815,240	\$17,349,415	198.3%
DAC Employees	\$105,529,644	\$129,634,759	22.8%
Hospital Services	\$42,097,164	\$37,206,998	-11.6%
Other Provided Services	\$21,636,975	\$30,073,658	39%
Prescription Drugs	\$29,315,281	\$45,104,357	53.9%
Supplies	\$3,407,176	\$4,905,331	44%
Equipment	\$4,360,593	\$668,667	-84.7%
Other Expenses**	\$1,122,406	\$2,263,633	101.7%
Total	\$219,311,629	\$269,452,840	22.9%

*Includes Temporary Nurses **Includes Other Expenses & Misc Contracts

Source: Prisons, Health Services Expense Report, FY 2011-12 and FY 2015-16



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March 1, 2017

General Health

FTE: 1,343

FY 2017-18 budget: \$167,652,072

2nd largest number of positions after Custody

Personal Services: 64% Purchased Services: 34%

Nurse Coverage:

- 24-hour/7 days—26 facilities
- 16-hours/5-7 days—16 facilities
- 12-hours/5 days—2 facilities
- 40-hours/5 days—11 facilities



Source: NCIBIS, Worksheet 1, 02/09/2017 and DOP Health Services



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March 1, 2017

Major Health Spending Changes

Temporary Nurses: \$11.5 million increase since FY 2011-12

Hospital Services: \$4.9 million decrease since FY 2011-12

Other Providers: \$8.4 million increase since FY 2011-12

Outsourced Medical Claims Processing: \$1.4 m

Source: DOP, Health Services Expense Reports



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March 1, 2017

Mental Health

FTE: 487 [increase of 75 FTE FY 2015-17]

FY 2017-18 budget: \$39,691,852

Personal Services: 98%

Population receiving mental health services: 5,660 (15.9%)

- M2: Outpatient: 945
- M3: Outpatient w/psychiatrist: 4,437
- M4: Residential Mental Health: 137
- M5: Inpatient Mental Health: 141

Source: NCIBIS, Worksheets 1, 02/09/2017 and DOP Health Services



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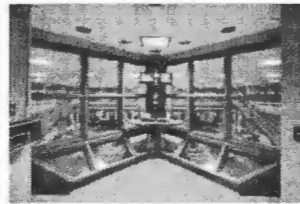
March 1, 2017

Major Mental Health Spending Changes

Central Prison Mental Health bed: 66 positions—\$3.2 m

Therapeutic Diversion Units: 152 positions at 8 facilities—\$5.6 m

- Central Prison—24 beds plus 16 additional beds this year
- Maury (Greene County)—32 beds plus 64 additional beds this year
- NCCIW—24 beds
- Polk (Granville)—48 beds
- Foothills (Burke)—8 beds this year
- Alexander—48 beds this year



Dental Health

FTE: 106

FY 2017-18 budget: \$12,053,445

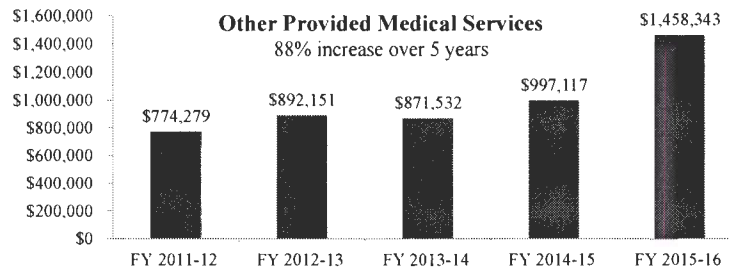
Personal Services: 88% Purchased Services: 9.5%

- Dentists: 37
- Dental Hygienist: 18
- Dental Assistant: 51
- Lab Tech: 2



Source: NCIBIS, Worksheet 1, 02/09/2017 and Beacon BO 149 Report (01/24/17)

Major Dental Health Spending Changes



Since last fiscal year it increased \$684,064 (46% increase).

10 FTE dentist vacancies; temporary contract dentists have increased the cost

Recently hired 5 dentists to address the problem

Pharmacy Services

FTE: 80.5

FY 2017-18 budget: \$38,550,932

Personal Services: 21.6% Supplies: 76.9%

Minnesota Multistate Contracting Alliance for Pharmacy:

- 49-state consortium
- 97.9% of prescriptions

Prescriptions:

- 5,921 filled daily
- 59% filled by robotics



Sources: Pharmacy Services, NCIBIS, Worksheet 1, 02/09/2017

Major Pharmacy Spending Changes



HIV/AIDS and Hepatitis C Drugs

Rare Chronic Conditions (cancer, hemophilia, MS)

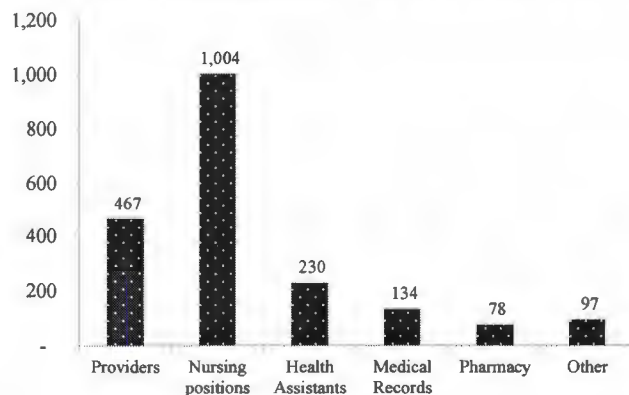
Lack of availability of some generics and drug price increases

Increase in the total number of prescriptions dispensed (73,029 more than FY 2013-14)

Source: Pharmacy Services

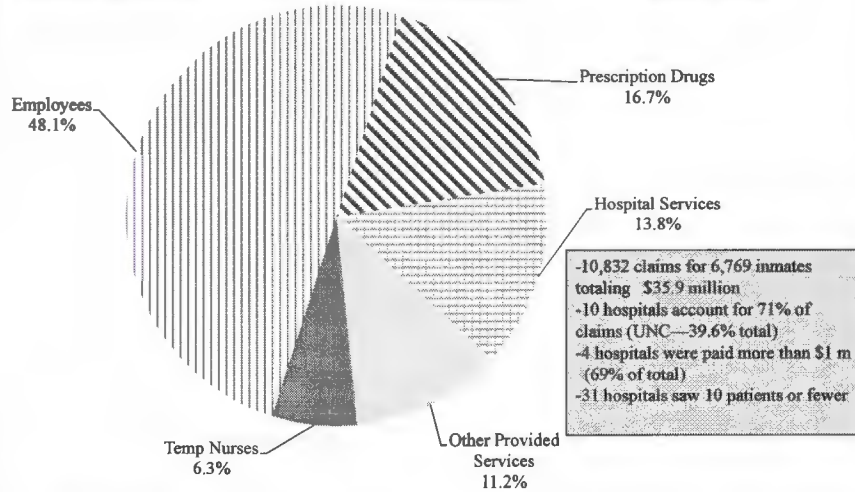
FY 2015-16 Health Expenditure Categories

DOP Employees: 48% (2,009.3 FTE)



Source: January 24, 2017 BO 149 Beacon report

FY 2015-16 Actual Expenditure Categories



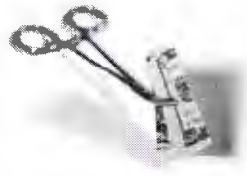
Source: Prisons, Health Services Expense Report, FY 2015-16



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III. Cost Containment Efforts



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March 1, 2017

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

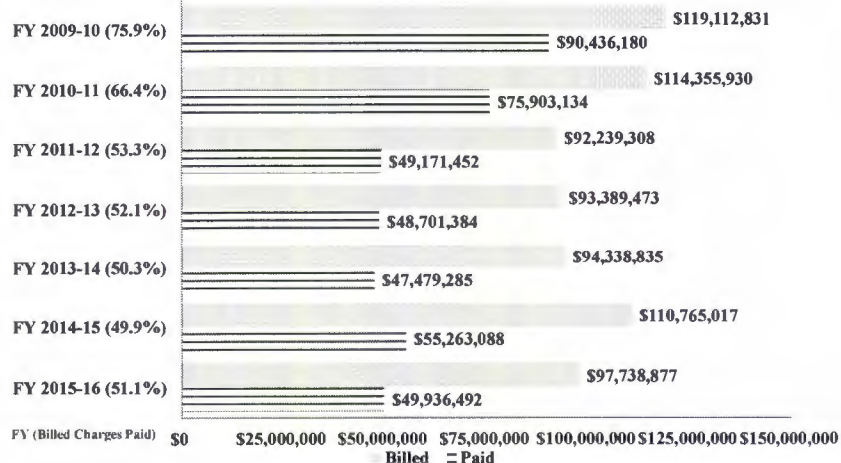
- 70% of amount charged based on the schedule of “usual and customary” charges in effect for all other patients as of July 1, 2010—providers refused to cooperate

S.L. 2011-145, Section 18.10

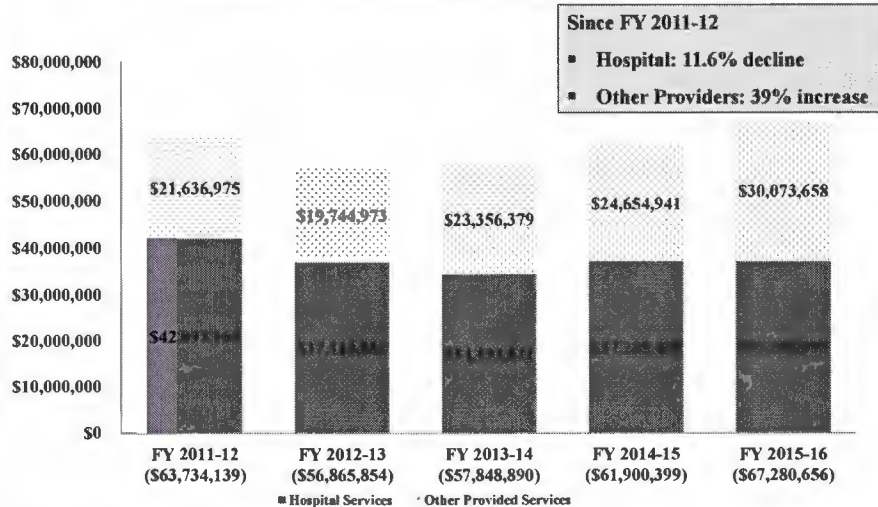
- DOC will pay 70% of billed charges or twice the Medicaid rate, unless they have a more advantageous contract
- Consult with Division of Medical Assistance to develop protocols for Medicaid-eligible inmates



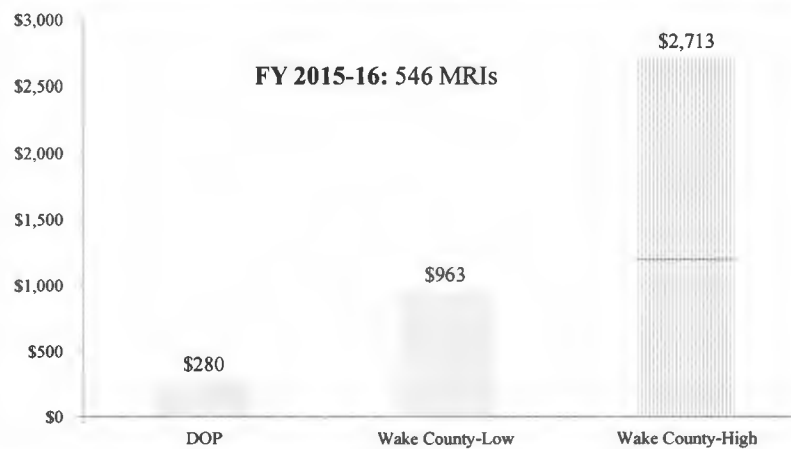
Bending the Cost Curve



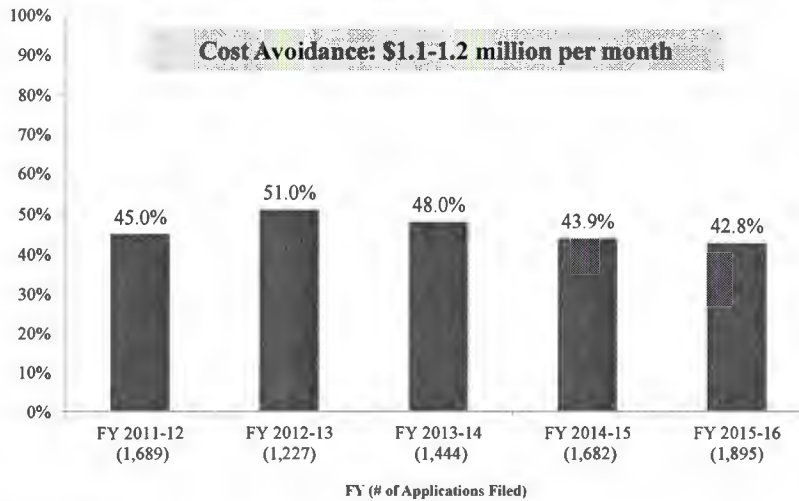
Hospital and Other Provider Payments



Cost Comparison of MRIs



Medicaid Eligibility



Source: DOP, Health Services



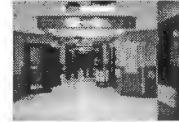
IV. Prison Hospitals



Prison Hospitals

Central Prison Hospital

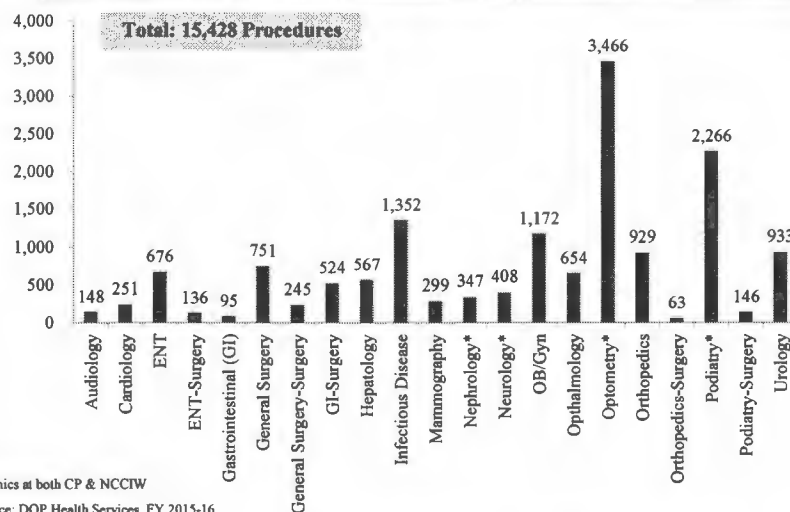
- 120 medical and 216 mental health beds
- Contract with UNC to staff 14 specialty clinics
- FY 2015-16: 12,669 procedures



NC Correctional Institution for Women Hospital

- 80 medical and 70 mental health beds
- Contract with UNC to staff 5 specialty clinics
- FY 2015-16: 2,759 procedures

Central Prison & NCCIW Specialty Clinics



Major Lapsed Salary Expenditures

Item	FY 2014-15	FY 2015-16	Total
Temporaries - Nursing Agencies	\$17,431,567	\$17,017,872	\$34,449,439
Overtime	\$15,432,819	\$18,521,798	\$33,954,617
Prescription Drugs and Pharmacy Supplies	\$6,827,543	\$17,262,078	\$24,089,621
Workers Comp	\$11,137,279	\$9,451,906	\$20,589,185
Other Medical Providers	\$4,079,387	\$6,564,990	\$10,644,377
Temporaries	\$2,500,338	\$4,748,345	\$7,248,683
Total	\$57,408,933	\$73,566,989	\$130,975,922

Source: DAC, annual lapsed salary reports



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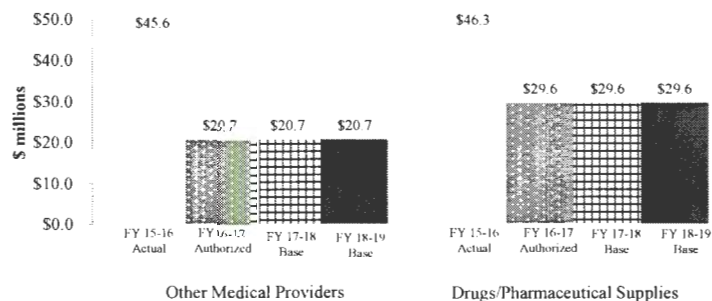
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March 1, 2017

Issues to Consider

Consistent Lapsed Salary Transfers to:

- **Temporary Nurses:** FY 2014-15: \$17,431,567 FY 2015-16: \$17,017,872
- **Other Medical Providers:** FY 2017-18 Base Budget is \$24.9 million below FY 2015-16 Actual
- **Drugs/Pharma. Supplies:** FY 2017-18 Base Budget is \$16.7 million below FY 2015-16 Actual



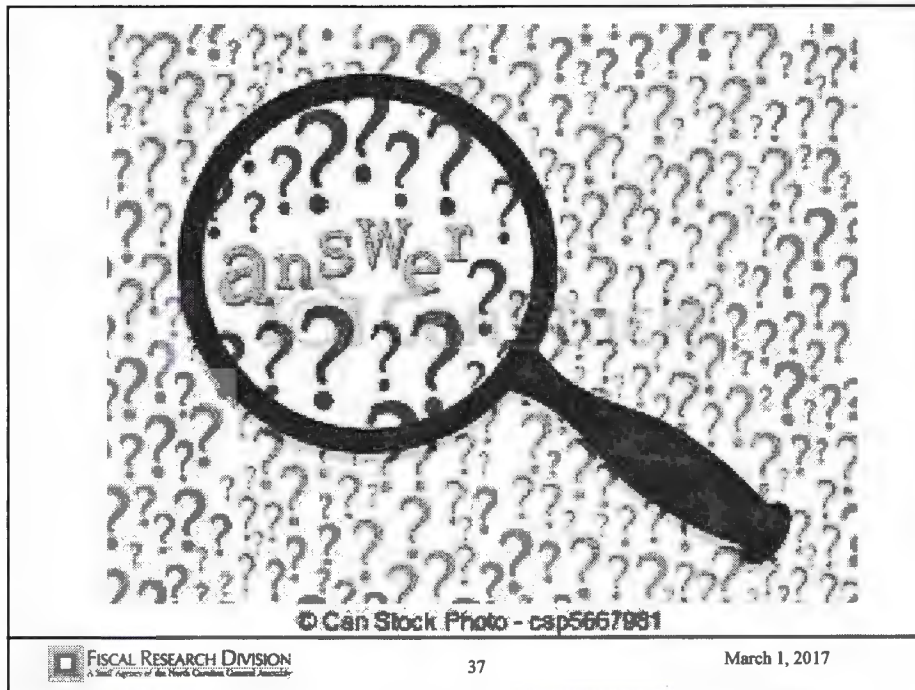
Source: Recommended Base Budget (Worksheet 1) 02/09/17



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March 1, 2017





Prison Health Services

Department of Public Safety

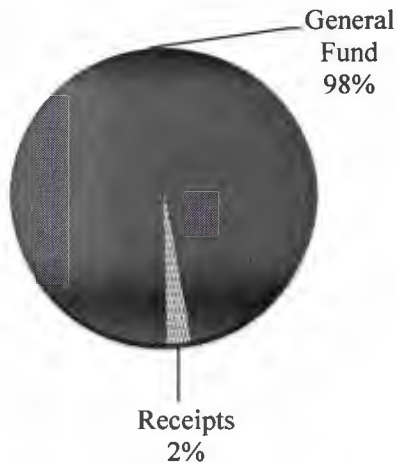
G.S. Reference: 148-19

Provides for health services for all inmates, including preventive, diagnostic, and therapeutic measures on both an outpatient and a hospital basis.

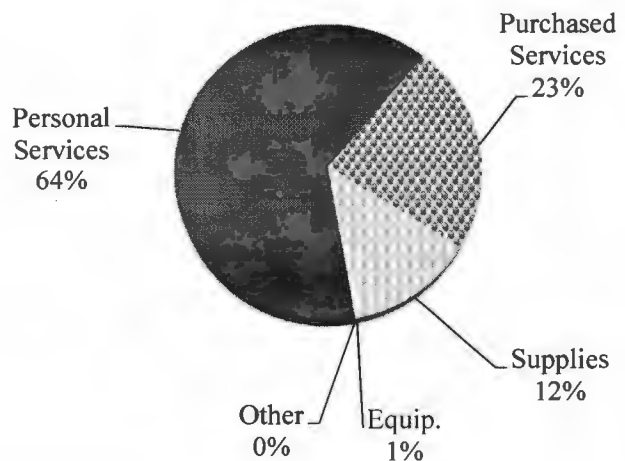
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$249,060,561	\$269,452,837	\$253,337,007	\$257,948,304	\$257,948,304
Less Receipts	\$5,914,392	\$6,285,938	\$6,322,051	\$6,322,051	\$6,322,051
Appropriation	\$243,146,169	\$263,166,899	\$247,014,956	\$251,626,253	\$251,626,253
FTE	1,895.00	1,942.50	2,016.50	2,016.50	2,016.50

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1331	Prison General Health	76
1332	Prison Mental Health	79
1333	Prison Dental Health	81
1334	Prison Pharmacy Services	83

Prison Health Services

Department of Public Safety

Expenditures: Summary by Account

Fund Code	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		FTE
	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	
1331	\$106,554,706	\$57,499,205	\$2,037,707	\$1,513,441	\$47,016	\$167,652,075	1,343.00
1332	\$38,960,083	\$496,248	\$65,549	\$168,972	\$1,000	\$39,691,852	487.00
1333	\$10,555,080	\$1,146,142	\$299,576	\$45,843	\$6,804	\$12,053,445	106.00
1334	\$8,332,567	\$565,652	\$29,633,763	\$18,150	\$800	\$38,550,932	80.50
Total	\$164,402,436	\$59,707,247	\$32,036,595	\$1,746,406	\$55,620	\$219,397,372	2,016.50

Revenues: Summary by Account

Fund Code	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	Total
	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	
1331	\$0	\$0	\$485,743	\$0	\$3,987,400	\$1,332,134	\$5,805,277
1332	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1333	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1334	\$0	\$0	\$0	\$0	\$516,774	\$0	\$516,774
Total	\$0	\$0	\$485,743	\$0	\$4,504,174	\$1,332,134	\$6,322,051

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1331	Prison General Health	76
1332	Prison Mental Health	79
1333	Prison Dental Health	81
1334	Prison Pharmacy Services	83

**House Pages
Assignments
Tuesday, March 1, 2017
Session: 10:00 AM**

Committee	Room	Time	Staff	Comments	Member
Agriculture / Environment / Natural Resources	421	8:30 AM	Kelsey Peterson		Rep. John Ager
Appropriations on Department of Transportation	1027/1128	8:30 AM	Elizabeth Sebestyen		Rep. Phillip Shepard
Appropriations on General Government and Information Technology	425	8:30 AM	Mariah-Sydney Steele		Rep. Speaker Tim Moore
Appropriations on Health and Human Services	643	8:30 AM	Melvin McLawhorn		Rep. Speaker Tim Moore
			James Williams		Rep. Speaker Tim Moore
Appropriations on Justice and Public Safety	415	8:30 AM	Sheridan Charles		Rep. Speaker Tim Moore
			Brion Rogers		Rep. Speaker Tim Moore
Appropriations, Education	Other	8:30 AM	Michaela-Sivan Steele		Rep. Speaker Tim Moore



Senate Pages Attending

COMMITTEE: Jt. App. Justice & P. Safety ROOM: 415
DATE: 3-1 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!.....or else!!!!!!

	Page Name	Hometown	Sponsoring Senator
1.	Rhushaun Holley Rhushaun Holley	Garner	Khach Bechtel
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.





Joint Appropriations Committee

On

Justice and Public Safety

March 1, 2017

Room 415

8:30 AM

Senate Sergeant at Arms

Tom Burroughs

Frances Patterson

House Sergeant at Arms

~~Barry Moore~~

Bill Moore

Bill Riley

[illegible]



Senate Committee on Appropriations on Justice and Public Safety
Tuesday, March 7, 2017 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:30 AM on March 7, 2017 in Room 415 of the Legislative Office Building. 18 members were present.

Senator Warren Daniel, Chair, presided.

Pages: Hallie Thomas of New London (Sen. McInnis); Hunter Gunnell of New London (Sen. McInnis)

Sergeant-at-Arms:

House: Barry Moore; Bill Riley; Bill Moore

Senate: Larry Hancock; Charles Marsalis

Ann Anderson of the Office of State Budget and Management began presentation of the Governor's JPS budget, beginning with the Justice portion.

Nels Roseland, Assistant State Budget Director, handled questions from members regarding pay raises for court employees.

Thomas Maher handled questions regarding IDS fee increases.

Mr. Roseland handled questions regarding SBI funding for rape kit analysis. Staff offered to get information regarding SBI case backlogs. Committee agreed to await Director Byrd's SBI presentation in April.

Ms. Anderson clarified that the SBI currently has an ombudsman on a contract basis. The proposed budget offers an additional ombudsman.

Ms. Anderson proceeded with the Public Safety portion of the budget proposal.

Col. McNeill explained how many years it takes the SHP trooper to hit max pay via the step plan. (7 years) The budget proposal calls for a flat 5% increase on top of the 'all employee' 2%.

Ms. Anderson transitioned into Prisons and into parole case management.

Chief Deputy Secretary of Public Safety David Guice handled questions regarding the transition of entry and release. Mr. Guice briefly addressed how the DOC addresses prisoners with mental illness.

The Chair transitioned back into the SBI discussion. DOJ interim CFO Matthew Longobardi. He explained that the SBI is seeking a 'state employee' as an ombudsman. Rep. John clarified that the ombudsman was created, but not funded. DOJ funds the position on a contract basis.

Questions then went to re-entry of the prison population. Staff indicated that re-entry would be covered in a future meeting.

Ms. Anderson then transitioned into a presentation of prison facilities funding. This included a new women's prison in Swannanoa.

CDPS Guice explained why they requested the new positions for rehabilitation and re-entry programs. Guice was asked if he had a sufficient management team in place to handle the re-entry. He said he had the staff to handle.

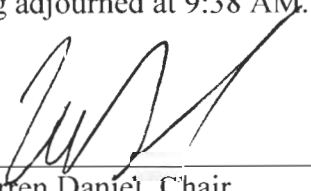
Ms. Anderson and CDPS Guice explained the request for adding personnel to the RE-entry Behavioral Treatment Services. Guice explained that the new staff would allow expansion of mental health centers. A few members emphasized their feeling that the mental health care for the pre-release and reentry population. CDPS Guice explained his wishes for more reentry councils. (Item 17, page 138 of the Gov. budget document.)

Ms. Anderson then finished off the final items of the JPS budget proposal, including the School Risk Management System, IT upgrades, and National Guard projects being funded through the Connect NC bond and tuition assistance.

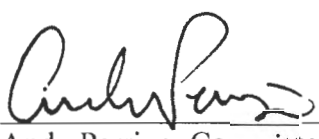
There was a question regarding the Search and Rescue line item in regards to Eastern NC. A CPA from the Budget Director's office in the Dept. of Administration, Darlene Langston, explained that the S&R portion was requested by EMS. One member was concerned about the perceived lack of S&R in Eastern NC.

The Chair announced that the next meeting would be March 8, 2017 at 8:30 AM.

The meeting adjourned at 9:38 AM.



Senator Warren Daniel, Chair
Presiding



Andy Perrigo, Committee Clerk

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

March 7, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Warren Daniel, Presiding
Senator Shirley Randleman
Senator Norm Sanderson

Representative Jamie Boles
Representative Ted Davis
Representative Allen McNeill
Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Governor's JPS Budget
Ann Anderson, Office of State Management and Budget

Prisons--Programs
John Poteat, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: March 8—Recidivism and Reentry

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee





JUSTICE AND PUBLIC SAFETY

Common Ground Solutions
for NORTH CAROLINA

Keeping communities safe by responding to disasters, training and deploying law enforcement and operating effective prisons

Fighting Opioid Addiction

Provides \$2 million per year for the Governor's Crime Commission to provide grants to assist local law enforcement efforts to combat opioid abuse. Prescription drug abuse is one of the leading causes of accidental death in North Carolina, and treatment is part of the solution. In addition to this funding, the HHS section of the budget directs \$12.7 million in community mental health funding to address the opioid crisis.

Retaining Quality Law Enforcement with Professional Pay

Acknowledges the risks faced by public safety staff by providing step salary increases for eligible State Troopers, market-based salary adjustments for SBI and ALE agents, and continued use of an updated salary schedule for prison custody staff. Also increases tuition assistance for the North Carolina National Guard.

Keeping Kids Out of Crime

Provides \$2 million to local, evidence-based intervention initiatives to reduce juvenile crime. Expands alternative treatment options and increases funding for local Juvenile Crime Prevention Councils. Also provides \$13.2 million and operating funds to construct a new youth development center that supports proposed "Raise the Age" legislation.

Supporting Quick and Accurate Evidence Analysis

Reinforces improvement in the State Crime Lab by investing \$1.8 million in core operations, including replacement of outdated scientific equipment.

Training Criminal Justice Professionals

Provides for new training for law enforcement officers to de-escalate violent situations and use best practices when working with individuals suffering from mental illness. Covers operational costs for renovations at Samarcand Training Academy, which offers professional training for adult correctional officers, probation/parole officers, and juvenile justice staff.

Reducing Repeat Offenses

Builds on Justice Reinvestment implementation strategies to promote successful re-entry and reduce recidivism by investing just under \$13 million to address offenders' behavioral health needs, to support targeted pre-release programs and placement of probation and parole officers at re-entry prisons, and to invest in local re-entry councils that coordinate community-based services.

Improving Disaster Readiness

Supports statewide urban search and rescue training and equipment needs by providing \$2 million in funding to improve specialized search and rescue operations during regional and statewide disaster events.

Recommended Change Budget for Judicial Branch (12000)

Year 1 FY 2017-18	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 514,916,305	\$ 15,309,181	\$ 5,520,361	\$ 20,829,542	\$ 535,745,847	4.0%
Receipts	\$ 1,259,409	\$ -	\$ -	\$ -	\$ 1,259,409	0.0%
Net Appropriation	\$ 513,656,896	\$ 15,309,181	\$ 5,520,361	\$ 20,829,542	\$ 534,486,438	4.1%
Positions (FTE)	5,802.232	0.000	0.000	0.000	5,802.232	0.0%

Year 2 FY 2018-19	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 516,333,043	\$ 18,791,025	\$ -	\$ 18,791,025	\$ 535,124,068	3.6%
Receipts	\$ 1,259,409	\$ -	\$ -	\$ -	\$ 1,259,409	0.0%
Net Appropriation	\$ 515,073,634	\$ 18,791,025	\$ -	\$ 18,791,025	\$ 533,864,659	3.6%
Positions (FTE)	5,802.232	0.000	0.000	0.000	5,802.232	0.0%

		FY 2017-18		FY 2018-19	
		Recurring Changes	Nonrecurring Changes	Recurring Changes	Nonrecurring Changes
1 - Compensation Increase for State Employees					
Provides funds for a 2% recurring salary increase or an \$800 recurring salary increase, whichever is greater, and a \$500 nonrecurring bonus for permanent full-time State employees.	Req	\$ 8,265,796	\$ 3,106,687	\$ 8,265,796	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 8,265,796	\$ 3,106,687	\$ 8,265,796	\$ -
	FTE	0.000	0.000	0.000	0.000
2 - State Retirement Contributions					
Increases the State's contribution for members of the Teachers' and State Employees' Retirement System and the Consolidated Judicial Retirement System to fund the actuarially determined contribution and provide a 1.5% one-time cost-of-living supplement to retirees.	Req	\$ 753,454	\$ 2,413,674	\$ 2,252,698	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 753,454	\$ 2,413,674	\$ 2,252,698	\$ -
	FTE	0.000	0.000	0.000	0.000
3 - State Health Plan					
Provides additional funding to continue health benefit coverage for enrolled active and retired employees supported by the General Fund for the 2017-19 biennium.	Req	\$ 1,982,601	\$ -	\$ 3,965,201	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 1,982,601	\$ -	\$ 3,965,201	\$ -
	FTE	0.000	0.000	0.000	0.000
4 - Assistant and Deputy Clerk Step Increase					
Provides funds for an experience-based step increase for eligible Assistant and Deputy Clerks of Superior Court pursuant to GS 7A-102.	Req	\$ 3,860,945	\$ -	\$ 3,860,945	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 3,860,945	\$ -	\$ 3,860,945	\$ -
	FTE	0.000	0.000	0.000	0.000
5 - Magistrate Step Increase					
Provides funds for an experience-based step increase for eligible Magistrates pursuant to GS 7A-171.11.	Req	\$ 446,385	\$ -	\$ 446,385	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 446,385	\$ -	\$ 446,385	\$ -
	FTE	0.000	0.000	0.000	0.000
Total Change to Requirements		\$ 15,309,181	\$ 5,520,361	\$ 18,791,025	\$ -
Total Change to Receipts		\$ -	\$ -	\$ -	\$ -
Total Change to Net Appropriation		\$ 15,309,181	\$ 5,520,361	\$ 18,791,025	\$ -
Total Change to Full-Time Equivalent (FTE)		0.000	0.000	0.000	0.000
Recommended Net Appropriation Changes (Recurring + Nonrecurring)		\$ 20,829,542		\$ 18,791,025	
Recommended Total FTE Changes		0.000		0.000	

Recommended Change Budget for Judicial Branch - Indigent Defense (12001)

Year 1 FY 2017-18	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 130,512,045	\$ 4,111,330	\$ 640,376	\$ 4,751,706	\$ 135,263,751	3.6%
Receipts	\$ 10,355,797	\$ -	\$ -	\$ -	\$ 10,355,797	0.0%
Net Appropriation	\$ 120,156,248	\$ 4,111,330	\$ 640,376	\$ 4,751,706	\$ 124,907,954	4.0%
Positions (FTE)	530.725	0.000	0.000	0.000	530.725	0.0%

Year 2 FY 2018-19	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 130,864,258	\$ 7,266,095	\$ -	\$ 7,266,095	\$ 138,130,353	5.6%
Receipts	\$ 10,355,797	\$ 294,000	\$ -	\$ 294,000	\$ 10,649,797	2.8%
Net Appropriation	\$ 120,508,461	\$ 6,972,095	\$ -	\$ 6,972,095	\$ 127,480,556	5.8%
Positions (FTE)	530.725	0.000	0.000	0.000	530.725	0.0%

	FY 2017-18		FY 2018-19	
	Recurring Changes	Nonrecurring Changes	Recurring Changes	Nonrecurring Changes
1 - Compensation Increase for State Employees				
Provides funds for a 2% recurring salary increase or an \$800 recurring salary increase, whichever is greater, and a \$500 nonrecurring bonus for permanent full-time State employees.	Req \$ 826,375	\$ 284,061	\$ 826,375	\$ -
	Rec \$ -	\$ -	\$ -	\$ -
	App \$ 826,375	\$ 284,061	\$ 826,375	\$ -
	FTE 0.000	0.000	0.000	0.000
2 - State Retirement Contributions				
Increases the State's contribution for members of the Teachers' and State Employees' Retirement System and the Consolidated Judicial Retirement System to fund the actuarially determined contribution and provide a 1.5% one-time cost-of-living supplement to retirees.	Req \$ 191,885	\$ 356,315	\$ 253,580	\$ -
	Rec \$ -	\$ -	\$ -	\$ -
	App \$ 191,885	\$ 356,315	\$ 253,580	\$ -
	FTE 0.000	0.000	0.000	0.000
3 - State Health Plan				
Provides additional funding to continue health benefit coverage for enrolled active and retired employees supported by the General Fund for the 2017-19 biennium.	Req \$ 193,070	\$ -	\$ 386,140	\$ -
	Rec \$ -	\$ -	\$ -	\$ -
	App \$ 193,070	\$ -	\$ 386,140	\$ -
	FTE 0.000	0.000	0.000	0.000
4 - Partially Restore Private Counsel Rates				
Provides a \$5 per hour increase for private counsel representing persons declared indigent by the courts. Rate reductions in previous years have affected the agency's ability to recruit and retain counsel.	Req \$ 2,900,000	\$ -	\$ 5,800,000	\$ -
	Rec \$ -	\$ -	\$ 294,000	\$ -
	App \$ 2,900,000	\$ -	\$ 5,506,000	\$ -
	FTE 0.000	0.000	0.000	0.000
Total Change to Requirements	\$ 4,111,330	\$ 640,376	\$ 7,266,095	\$ -
Total Change to Receipts	\$ -	\$ -	\$ 294,000	\$ -
Total Change to Net Appropriation	\$ 4,111,330	\$ 640,376	\$ 6,972,095	\$ -
Total Change to Full-Time Equivalent (FTE)	0.000	0.000	0.000	0.000
Recommended Net Appropriation Changes (Recurring + Nonrecurring)	\$ 4,751,706		\$ 6,972,095	
Recommended Total FTE Changes	0.000		0.000	

Recommended Change Budget for Department of Justice (13600)

Year 1 FY 2017-18	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 88,738,859	\$ 2,648,400	\$ 1,037,642	\$ 3,686,042	\$ 92,424,901	4.2%
Receipts	\$ 33,945,000	\$ (447,460)	\$ -	\$ (447,460)	\$ 33,497,540	(1.3%)
Net Appropriation	\$ 54,793,859	\$ 3,095,860	\$ 1,037,642	\$ 4,133,502	\$ 58,927,361	7.5%
Positions (FTE)	812.885	12.000	0.000	12.000	824.885	1.5%

Year 2 FY 2018-19	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 88,741,127	\$ 3,065,214	\$ -	\$ 3,065,214	\$ 91,806,341	2.6%
Receipts	\$ 33,945,000	\$ (447,460)	\$ -	\$ (447,460)	\$ 33,497,540	(1.3%)
Net Appropriation	\$ 54,796,127	\$ 3,512,674	\$ -	\$ 3,512,674	\$ 58,308,801	6.4%
Positions (FTE)	812.885	12.000	0.000	12.000	824.885	1.5%

		FY 2017-18		FY 2018-19	
		Recurring Changes	Nonrecurring Changes	Recurring Changes	Nonrecurring Changes
1 - Compensation Increase for State Employees					
Provides funds for a 2% recurring salary increase or an \$800 recurring salary increase, whichever is greater, and a \$500 nonrecurring bonus for permanent full-time State employees.	Req	\$ 851,960	\$ 304,736	\$ 851,960	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 851,960	\$ 304,736	\$ 851,960	\$ -
	FTE	0.000	0.000	0.000	0.000
2 - State Retirement Contributions					
Increases the State's contribution for members of the Teachers' and State Employees' Retirement System (TSERS) to fund the actuarially determined contribution and provide a 1.5% one-time cost-of-living supplement to retirees.	Req	\$ 38,818	\$ 232,906	\$ 250,550	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 38,818	\$ 232,906	\$ 250,550	\$ -
	FTE	0.000	0.000	0.000	0.000
3 - State Health Plan					
Provides additional funding to continue health benefit coverage for enrolled active and retired employees supported by the General Fund for the 2017-19 biennium.	Req	\$ 205,082	\$ -	\$ 410,164	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 205,082	\$ -	\$ 410,164	\$ -
	FTE	0.000	0.000	0.000	0.000
4 - Address Crime Lab Receipt Shortfall and Fund Legislative Mandates					
Invests in the State Crime Lab by funding training and certification requirements established by the Forensic Sciences Act of 2011. Addresses shortfalls in receipts related to court fees by converting five positions from receipts to net General Fund appropriations and adds one additional ombudsman position. Also, provides \$500,000 in nonrecurring funds to replace scientific lab equipment.	Req	\$ 882,583	\$ 500,000	\$ 882,583	\$ -
	Rec	\$ (447,460)	\$ -	\$ (447,460)	\$ -
	App	\$ 1,330,043	\$ 500,000	\$ 1,330,043	\$ -
	FTE	6.000	0.000	6.000	0.000
5 - Create Specialized Community Relations Trainers for the Justice Academy					
Establishes two positions at the NC Justice Academy to train law enforcement officers on the appropriate methods for diffusing and de-escalating violent confrontations, emphasizing the ability to identify and interact with individuals with mental illness.	Req	\$ 170,000	\$ -	\$ 170,000	\$ -
	Rec	\$ -	\$ -	\$ -	\$ -
	App	\$ 170,000	\$ -	\$ 170,000	\$ -
	FTE	2.000	0.000	2.000	0.000

6 - Criminal Appeals Attorneys

Addresses criminal appeal demands across the legal division by funding four attorney positions to assist with caseloads currently handled in rotation by non-criminal division attorneys.

Req	\$	499,957	\$	-	\$	499,957	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	499,957	\$	-	\$	499,957	\$	-
FTE		4.000		0.000		4.000		0.000
Total Change to Requirements	\$	2,648,400	\$	1,037,642	\$	3,065,214	\$	-
Total Change to Receipts	\$	(447,460)	\$	-	\$	(447,460)	\$	-
Total Change to Net Appropriation	\$	3,095,860	\$	1,037,642	\$	3,512,674	\$	-
Total Change to Full-Time Equivalent (FTE)		12.000		0.000		12.000		0.000
Recommended Net Appropriation Changes (Recurring + Nonrecurring)	\$	4,133,502			\$	3,512,674		
Recommended Total FTE Changes		12.000				12.000		

Recommended Change Budget for Department of Public Safety (14550)

Year 1 FY 2017-18	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 2,154,155,796	\$ 80,844,144	\$ 28,424,351	\$ 109,268,495	\$ 2,263,424,291	5.1%
Receipts	\$ 218,889,060	\$ (408,464)	\$ -	\$ (408,464)	\$ 218,480,596	(0.2%)
Net Appropriation	\$ 1,935,266,736	\$ 81,252,608	\$ 28,424,351	\$ 109,676,959	\$ 2,044,943,695	5.7%
Positions (FTE)	24,951.456	237.000	0.000	237.000	25,188.456	0.9%

Year 2 FY 2018-19	Recommended Base Budget	Net Recurring	Net Nonrecurring	Recommended Change	Recommended Budget	% Δ from Base Budget
Requirements	\$ 2,154,232,814	\$ 113,199,071	\$ 2,550,105	\$ 115,749,176	\$ 2,269,981,990	5.4%
Receipts	\$ 218,889,060	\$ (369,220)	\$ -	\$ (369,220)	\$ 218,519,840	(0.2%)
Net Appropriation	\$ 1,935,343,754	\$ 113,568,291	\$ 2,550,105	\$ 116,118,396	\$ 2,051,462,150	6.0%
Positions (FTE)	24,951.456	314.000	0.000	314.000	25,265.456	1.3%

		FY 2017-18		FY 2018-19	
		Recurring Changes	Nonrecurring Changes	Recurring Changes	Nonrecurring Changes
1 - Compensation Increase for State Employees					
Provides funds for a 2% recurring salary increase or an \$800 recurring salary increase, whichever is greater, and a \$500 nonrecurring bonus for permanent full-time State employees.					
Req	\$ 26,779,101	\$ 13,153,414	\$ 26,779,101	\$ -	
Rec	\$ -	\$ -	\$ -	\$ -	
App	\$ 26,779,101	\$ 13,153,414	\$ 26,779,101	\$ -	
FTE	0.000	0.000	0.000	0.000	
2 - State Retirement Contributions					
Increases the State's contribution for members of the Teachers' and State Employees' Retirement System (TSERS) to fund the actuarially determined contribution and provide a 1.5% one-time cost-of-living supplement to retirees.					
Req	\$ 1,063,359	\$ 6,380,155	\$ 6,863,500	\$ -	
Rec	\$ -	\$ -	\$ -	\$ -	
App	\$ 1,063,359	\$ 6,380,155	\$ 6,863,500	\$ -	
FTE	0.000	0.000	0.000	0.000	
3 - State Health Plan					
Provides additional funding to continue health benefit coverage for enrolled active and retired employees supported by the General Fund for the 2017-19 biennium.					
Req	\$ 7,591,082	\$ -	\$ 15,182,164	\$ -	
Rec	\$ -	\$ -	\$ -	\$ -	
App	\$ 7,591,082	\$ -	\$ 15,182,164	\$ -	
FTE	0.000	0.000	0.000	0.000	
4 - State Highway Patrol Trooper Step Increase					
Provides funds for an experience-based step increase for eligible State Highway Patrol Troopers pursuant to GS 20-187.3.					
Req	\$ 2,093,047	\$ -	\$ 2,093,047	\$ -	
Rec	\$ -	\$ -	\$ -	\$ -	
App	\$ 2,093,047	\$ -	\$ 2,093,047	\$ -	
FTE	0.000	0.000	0.000	0.000	
5 - Correctional Officer Custody-level Based Pay Adjustment					
Provides funds for final-phase implementation of custody-level pay for Correctional Officers, Custody Supervisors, and Prison Facility Administrators, which started in FY 2015-16.					
Req	\$ 18,382,021	\$ -	\$ 18,382,021	\$ -	
Rec	\$ -	\$ -	\$ -	\$ -	
App	\$ 18,382,021	\$ -	\$ 18,382,021	\$ -	
FTE	0.000	0.000	0.000	0.000	
6 - SBI/ALE Agent Compensation Increase					
Provides average 5% salary increases for State Bureau of Investigation and Alcohol Law Enforcement officers, and provides some additional funds for SBI non-sworn employees.					
Req	\$ 1,500,000	\$ -	\$ 1,500,000	\$ -	
Rec	\$ -	\$ -	\$ -	\$ -	
App	\$ 1,500,000	\$ -	\$ 1,500,000	\$ -	
FTE	0.000	0.000	0.000	0.000	

7 - Compensation Increase - State Agency Teachers

Supports experience-based step increases and salary increases associated with the changes to the salary schedule for State agency teachers and school-based administrators.

Req	\$	412,559	\$	-	\$	825,117	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	412,559	\$	-	\$	825,117	\$	-
FTE		0.000		0.000		0.000		0.000

8 - Support Local Law Enforcement's Fight Against Opioid Abuse

Establishes grants through the Governor's Crime Commission to assist local law enforcement efforts to combat opioid abuse.

Req	\$	-	\$	2,000,000	\$	-	\$	2,000,000
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	-	\$	2,000,000	\$	-	\$	2,000,000
FTE		0.000		0.000		0.000		0.000

9 - Support Potential Raise the Age of Juvenile Jurisdiction

Legislation

Provides initial funding for Raise the Age initiatives if the General Assembly enacts legislation to raise the age for juvenile jurisdiction.

Req	\$	-	\$	1,000,000	\$	5,000,000	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	-	\$	1,000,000	\$	5,000,000	\$	-
FTE		0.000		0.000		0.000		0.000

10 - Enhance Juvenile Crime Prevention Council Funding

Expands capacity for local councils to provide evidence-based strategic intervention and programs to reduce delinquent behavior. This additional \$2 million increases total net General Fund appropriations to approximately \$24.7M.

Req	\$	2,000,000	\$	-	\$	2,000,000	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	2,000,000	\$	-	\$	2,000,000	\$	-
FTE		0.000		0.000		0.000		0.000

11 - Expand Crisis and Assessment Center Program

Repurposes a dormitory located at Dobbs Youth Development Center as a crisis and assessment center model, providing use of such programs across all regions of the state.

Req	\$	500,000	\$	200,000	\$	900,000	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	500,000	\$	200,000	\$	900,000	\$	-
FTE		0.000		0.000		0.000		0.000

12 - Multipurpose Group Home

Reestablishes a multipurpose group home by repurposing an existing juvenile facility in Craven County to better meet the needs of high risk juveniles as an alternative to youth detention center commitment in the eastern part of the state.

Req	\$	350,000	\$	100,000	\$	600,000	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	350,000	\$	100,000	\$	600,000	\$	-
FTE		0.000		0.000		0.000		0.000

13 - Justice Reinvestment - Expand Case Management

Continues Justice Reinvestment Act (JRA) implementation by expanding case management. Adds 43 probation/parole officers (PPOs) in FY 2017-18 and an additional 13 in FY 2018-19 to address the needs of offenders with serious and persistent mental health issues, to better prepare offenders for successful re-entry into the community, and to conduct pre-sentence investigations to assist judges in making sentencing decisions.

Req	\$	1,675,229	\$	1,201,721	\$	3,585,197	\$	239,448
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	1,675,229	\$	1,201,721	\$	3,585,197	\$	239,448
FTE		43.000		0.000		56.000		0.000

14 - Justice Reinvestment - Establish Confinement in Response to Violation Unit for Females

Locates a stand-alone Confinement in Response to Violation (CRV) facility for females adjacent to the campus of Swannanoa Correctional Center for Women. Funds to renovate existing structures are included in the recommended Capital budget. Funds operational costs of the unit while redirecting existing positions to support facility operations.

Req	\$	611,927	\$	252,754	\$	1,221,100	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	611,927	\$	252,754	\$	1,221,100	\$	-
FTE		0.000		0.000		0.000		0.000

15 - Justice Reinvestment - Establish Quality Assurance Program

Develops a quality assurance program and adds four positions to monitor implementation of evidence-based programming in Adult Correction, and supports development of a public Justice Reinvestment reporting tool that tracks program performance.

Req	\$	337,013	\$	18,200	\$	337,013	\$	-
Rec	\$	-	\$	-	\$	-	\$	-
App	\$	337,013	\$	18,200	\$	337,013	\$	-
FTE		4.000		0.000		4.000		0.000

16 - Re-entry - Expand Behavioral Treatment Services

Builds on evolving behavioral health treatment models to enhance services for mentally ill offenders and improve coordination of pre-release planning to decrease likelihood of post-release mental health challenges and associated costs. Establishes 97 positions in FY 2017-18 and an additional 59 positions in FY 2018-19.

Req	\$ 5,528,914	\$ 348,909	\$ 12,655,805	\$ 88,359
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 5,528,914	\$ 348,909	\$ 12,655,805	\$ 88,359
FTE	97.000	0.000	156.000	0.000

17 - Re-entry - Fund Local Re-entry Councils

Supports Re-entry Councils in local communities to improve service coordination and assistance networks for adult offenders, with a goal of reducing recidivism.

Req	\$ 1,505,000	\$ -	\$ 2,205,000	\$ -
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 1,505,000	\$ -	\$ 2,205,000	\$ -
FTE	0.000	0.000	0.000	0.000

18 - Re-entry - Extend Transitional Housing

Provides funds to extend the time offenders may stay in transitional housing to ensure successful completion of behavior modification programs, secure adequate housing, and gain meaningful employment, providing greater stability and increasing successful re-entry into the community.

Req	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -
FTE	0.000	0.000	0.000	0.000

19 - Re-entry - Strengthen Prison Re-entry Programming

Supports designated re-entry facilities to ensure inmates receive comprehensive pre-release planning and preparation prior to their return to the community.

Req	\$ 500,000	\$ -	\$ 600,000	\$ -
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 500,000	\$ -	\$ 600,000	\$ -
FTE	0.000	0.000	0.000	0.000

20 - Establish a Long-Term Care Unit at Central Prison

Provides operating costs and 44 positions to support the first phase of a long-term facility for chronically ill inmates, decreasing external medical costs. The East Wing is scheduled for completion in April 2018.

Req	\$ 1,739,001	\$ 400,000	\$ 2,312,718	\$ 100,000
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 1,739,001	\$ 400,000	\$ 2,312,718	\$ 100,000
FTE	44.000	0.000	44.000	0.000

21 - Support Samarcand Training Academy Phase II

Provides operational funds for phase II of the training academy which predominantly serves adult corrections and juvenile justice staff. Recommends four Academy-based positions in FY 2017-18 and an additional two positions in FY 2018-19. In addition, eight instructors in both years are recommended for adult correction and juvenile justice certified training needs. Capital funding is partially provided by Connect NC bonds, and project completion is scheduled in phases through January 2019.

Req	\$ 2,072,189	\$ 547,900	\$ 2,875,098	\$ 101,000
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 2,072,189	\$ 547,900	\$ 2,875,098	\$ 101,000
FTE	12.000	0.000	14.000	0.000

22 - Maintain Intelligence Gathering Capabilities

Funds seven positions that provide security and intelligence gathering by monitoring inmate telephone calls for possible criminal activity. New FCC regulations restrict the use of pay telephone commissions previously collected in the Inmate Welfare Fund, and those receipts can no longer be used to support the seven positions that currently perform this function.

Req	\$ -	\$ -	\$ -	\$ -
Rec	\$ (408,464)	\$ -	\$ (408,464)	\$ -
App	\$ 408,464	\$ -	\$ 408,464	\$ -
FTE	7.000	0.000	7.000	0.000

23 - Invest in IT Security Upgrades

Partially addresses identified weaknesses to ensure compliance with security assessment. Funds are targeted to critical areas including enhancing firewall protection, detecting threats to systems and networks, and managing end-of-lifecycle systems.

Req	\$ 500,000	\$ 2,500,000	\$ 1,500,000	\$ -
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 500,000	\$ 2,500,000	\$ 1,500,000	\$ -
FTE	0.000	0.000	0.000	0.000

24 - Strengthen Human Resources to Support Public Safety Functions

Establishes 28 positions to meet recruitment, hiring and training demands essential to support operational divisions by increasing staffing capacity, which will reduce overtime and result in a less stressful work environment for impacted staff.

Req	\$ 1,978,702	\$ 21,298	\$ 1,978,702	\$ 21,298
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 1,978,702	\$ 21,298	\$ 1,978,702	\$ 21,298
FTE	28.000	0.000	28.000	0.000

25 - Enhance School Risk and Response Management System

Supports the legislatively required (SL 2015-241) School Risk Management System by providing two positions to assist with technical and monitoring functions for the program to support school risk planning, training exercises, and emergency response. Develops a panic alarm pilot in FY 2017-18, with the goal to implement the program statewide.

Req	\$ 225,000	\$ 300,000	\$ 225,000	\$ -
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 225,000	\$ 300,000	\$ 225,000	\$ -
FTE	2.000	0.000	2.000	0.000

26 - Support Statewide Search and Rescue Teams

Provides funds to Urban Search and Rescue teams located in Buncombe, Guilford, Mecklenburg, Wake, Pitt, Cumberland and New Hanover counties for training and equipment to improve specialized search and rescue response actions to regional and statewide disaster events.

Req	\$ 2,000,000	\$ -	\$ 2,000,000	\$ -
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 2,000,000	\$ -	\$ 2,000,000	\$ -
FTE	0.000	0.000	0.000	0.000

27 - Establish National Guard Morganton Readiness Center

Funds operational costs for the center, consolidating smaller units into one larger facility. Capital funding is provided by Connect NC bonds with an expected opening late FY 2018-19 requiring three new positions supported with 50% federal and 50% state funding.

Req	\$ -	\$ -	\$ 78,488	\$ -
Rec	\$ -	\$ -	\$ 39,244	\$ -
App	\$ -	\$ -	\$ 39,244	\$ -
FTE	0.000	0.000	3.000	0.000

28 - Increase State Support of National Guard Tuition Assistance

Enhances NC National Guard (NCNG) tuition assistance as a result of increased demand related to Federal Tuition Assistance program changes, which have decreased the amount of federal assistance available to NCNG soldiers due to restrictive eligibility requirements.

Req	\$ 500,000	\$ -	\$ 500,000	\$ -
Rec	\$ -	\$ -	\$ -	\$ -
App	\$ 500,000	\$ -	\$ 500,000	\$ -
FTE	0.000	0.000	0.000	0.000

Total Change to Requirements	\$ 80,844,144	\$ 28,424,351	\$ 113,199,071	\$ 2,550,105
Total Change to Receipts	\$ (408,464)	\$ -	\$ (369,220)	\$ -
Total Change to Net Appropriation	\$ 81,252,608	\$ 28,424,351	\$ 113,568,291	\$ 2,550,105
Total Change to Full-Time Equivalent (FTE)	237.000	0.000	314.000	0.000

Recommended Net Appropriation Changes (Recurring + Nonrecurring)	\$ 109,676,959	\$ 116,118,396
Recommended Total FTE Changes	237.000	314.000

Prison Programs

Department of Public Safety

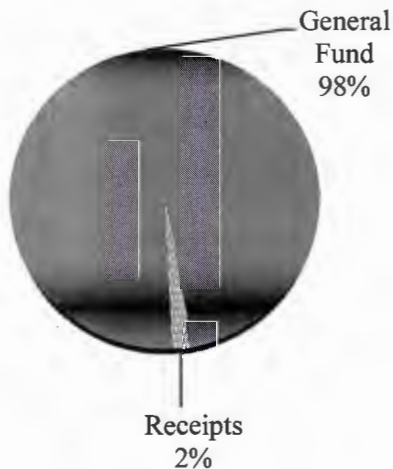
G.S. Reference: 148-22

Provides for humane treatment of prisoners and for programs to effect their correction and return to the community.

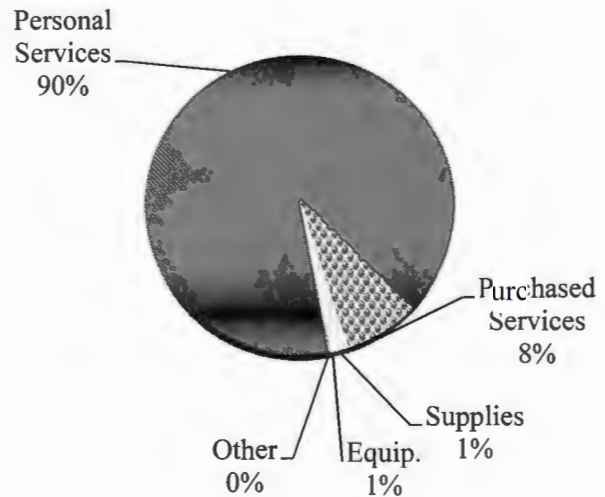
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$53,134,441	\$53,844,630	\$58,345,473	\$58,934,609	\$58,936,009
Less Receipts	\$1,598,855	\$2,077,696	\$1,196,429	\$1,196,429	\$1,196,429
Appropriation	\$51,535,586	\$51,766,934	\$57,149,044	\$57,738,180	\$57,739,580
FTE	994.47	983.47	974.47	974.47	974.47

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1307	Inmate Construction Program	61
1316	Prison Center for Community Transition	70
1318	Prison Gang Unit Management	71
1340	Prison Inmate Education	85
1345	Prison Corrective Programs	88
1346	SOAR Program	91
1347	Prison Work Release	92

Prison Programs

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1307	\$406,162	\$286,816	\$189,459	\$409,005	\$0	\$1,291,442	4.00
1316	\$0	\$513,072	\$0	\$0	\$0	\$0	0.00
1318	\$0	\$0	\$0	\$0	\$0	\$0	0.00
1340	\$5,131,845	\$3,699,957	\$442,500	\$33,000	\$164,111	\$9,471,413	56.00
1345	\$46,674,876	\$0	\$0	\$0	\$0	\$46,674,876	896.11
1346	\$0	\$0	\$0	\$0	\$0	\$0	0.00
1347	\$983,806	\$0	\$0	\$0	\$0	\$983,806	18.36
Total	\$53,196,689	\$4,499,845	\$631,959	\$442,005	\$164,111	\$1,291,442	974.47

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
1307	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1316	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1318	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1340	\$1,196,429	\$0	\$0	\$0	\$0	\$0	\$1,196,429
1345	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1346	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1347	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$1,196,429	\$0	\$0	\$0	\$0	\$0	\$1,196,429

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1307	Inmate Construction Program	61
1316	Prison Center for Community Transiti	70
1318	Prison Gang Unit Management	71
1340	Prison Inmate Education	85
1345	Prison Corrective Programs	88
1346	SOAR Program	91
1347	Prison Work Release	92

Alcohol and Chemical Dependency Programs

Department of Public Safety

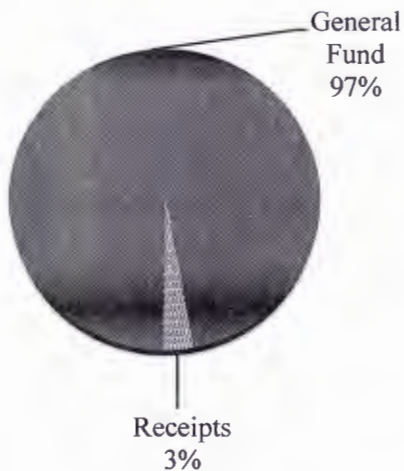
G.S. Reference: 143B-704 (d)

Provides a continuum of treatment and intervention services for inmates and probationers.

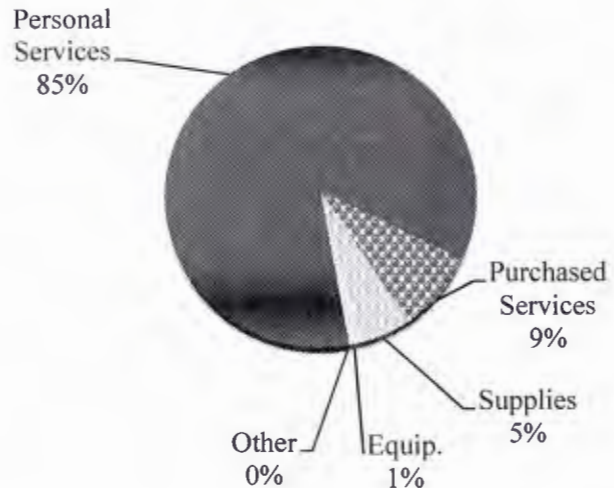
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$12,924,434	\$13,742,727	\$14,987,231	\$15,081,352	\$15,082,115
Less Receipts	\$440,996	\$403,889	\$453,248	\$453,248	\$453,248
Appropriation	\$12,483,438	\$13,338,838	\$14,533,983	\$14,628,104	\$14,628,867
FTE	220.21	218.21	214.21	214.21	214.21

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1350	ACDP - Administration	93
1352	ACDP - In Prison Treatment	95
1354	ACDP - Community Based	98

Alcohol and Chemical Dependency Programs

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1350	\$351,124	\$92,227	\$19,220	\$14,251	\$2,400	\$479,222	4.21
1352	\$5,947,421	\$279,453	\$109,945	\$65,445	\$1,874	\$6,404,138	94.00
1354	\$6,547,062	\$900,583	\$631,415	\$114,782	\$4,150	\$8,197,992	116.00
Total	\$12,845,607	\$1,272,263	\$760,580	\$194,478	\$8,424	\$15,081,352	214.21

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
1350	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1352	\$453,248	\$0	\$0	\$0	\$0	\$0	\$453,248
1354	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$453,248	\$0	\$0	\$0	\$0	\$0	\$453,248

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1350	ACDP - Administration	93
1352	ACDP - In Prison Treatment	95
1354	ACDP - Community Based	98

Correction Enterprise

Department of Public Safety

G.S. Reference: 148-28

Provides for the development and operation of industrial, agricultural, and service enterprises that employ incarcerated offenders in an effort to provide them with meaningful work experiences and rehabilitative opportunities that will increase their employability upon release from prison.

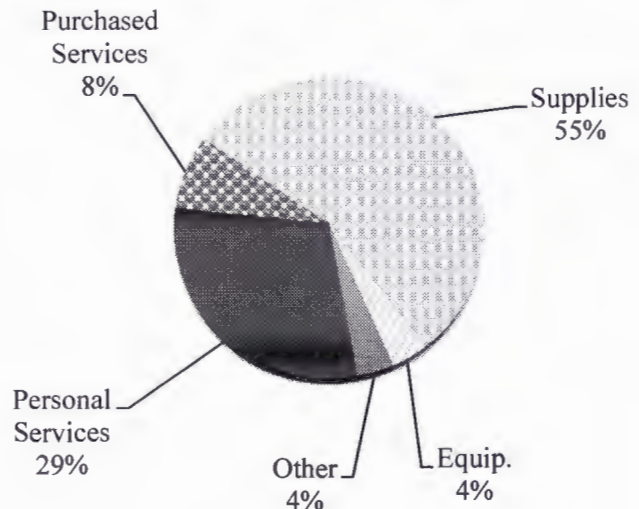
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$91,949,760	\$88,210,068	\$94,343,543	\$92,835,543	\$92,835,543
Less Receipts	\$93,851,080	\$91,935,544	\$92,835,543	\$92,835,543	\$92,835,543
Appropriation	(\$1,901,320)	(\$3,725,476)	\$1,508,000	\$0	\$0
FTE	389.00	371.00	365.00	365.00	365.00

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

<u>Fund</u>	<u>Fund Title</u>	<u>Page in Budget</u>
7100	Correction Enterprise	416

Correction Enterprise

Department of Public Safety

Expenditures: Summary by Account

Fund Code	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		FTE
	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	
7100	\$27,409,258	\$7,403,205	\$51,102,078	\$3,441,127	\$3,479,875	\$92,835,543	365.00
Total	\$27,409,258	\$7,403,205	\$51,102,078	\$3,441,127	\$3,479,875	\$92,835,543	365.00

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
7100	\$0	\$92,510,543	\$0	\$0	\$123,400	\$201,600	\$92,835,543
	\$0	\$92,510,543	\$0	\$0	\$123,400	\$201,600	\$92,835,543

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
7100	Correction Enterprise	416

SGT AT ARMS

HOUSE

- BARRY MOORE
- BILL RILEY
- BILL MOORE

SENATE

- LARRY HANCOCK
- CHARLES MARSALES

8131

Tul. Box / Home / Scott

For Rules -

State OMB

Mike Rosinski handled

pay in your Gen

Tom Maher handled 105

Rate

Glenn McNeill

Senate Pages Attending

COMMITTEE: Jt. App. Justice & Public Safety ROOM: 415

DATE: 3-7 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!....or else!!!!!!

Page Name	Hometown	Sponsoring Senator
1. Hallie Thomas	New London	McInnis
2. Hunter Gunnell	New London	McInnis
3.		
4.		
5.		
6.		
7.		
8.		

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.



VISITOR REGISTRATION SHEET

Appropriations Committee on Justice and Public Safety

Date: 3/7/17

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE
CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Marsha Overby	DPS-SHP
Darlene Langston	DPS-Budget
Renee Glover	DPS-Budget
GLENN McNEIL	DPS-SHP
Allen Melvin	DPS-SHP
Aidy Brandon	NC DPS
Kris Parker	DRNC
W. AND GUY	NC DPS
Erik A. Hooks	NC DPS
Jane Gilchrist	NC DPS
William L. Lauster	NC DPS
CASANDRA HOFSTRA	NC DPS
Elisa Wolper	IDS
Thomas MAHER	IDS
Whitney Fairbanks	IDS
NEES ROSELAND	OSBM



**House Committee on Appropriations Subcommittee on Justice and Public Safety
Wednesday, March 8, 2017 at 8:30 AM
Room 415 of the Legislative Office Building**

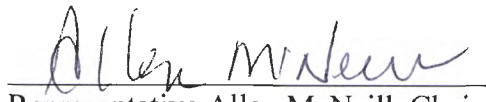
MINUTES

The House Committee on Appropriations Subcommittee on Justice and Public Safety met at 8:30 AM on March 8, 2017 in Room 415. Representatives Boles, McNeill, R. Turner, Belk, C. Graham, G. Graham, John, Brendon Jones, Richardson, Rogers, Speciale, Willingham and Senators Daniel, Randleman, Sanderson, and Foushee attended.

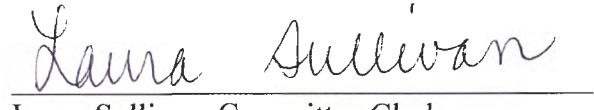
Representative Allen McNeill, Chair, presided. He called the meeting to order at 8:35 AM. Chairman McNeill introduced the Sergeant at Arms staff and pages present for the meeting.

Chairman McNeill introduced John Poteat, Fiscal Research Division, to give an overview of the DPS Division of Adult Correction-Prisons, specifically In-Prison Programs, Alcohol and Chemical Dependency Programs, and Corrections Enterprises. A copy is attached as Exhibit "A". After the presentation, Chairman McNeill opened the floor for discussion.

The meeting adjourned at 9:42 AM.



Representative Allen McNeill, Chair
Presiding



Laura Sullivan, Committee Clerk



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

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

DAY & DATE: Wednesday, March 8, 2017
TIME: 8:30 AM
LOCATION: 415 LOB

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative Ted Davis, Jr., Co-Chair
Representative Allen McNeill, Co-Chair
Representative Rena W. Turner, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 10:48 AM on Tuesday, March 07, 2017.

____ Principal Clerk
____ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)



ATTENDANCE

House Committee on Appropriations, Justice and Public Safety

(Name of Committee)

[illegible]



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

March 8, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs: Senator Warren Daniel
 Senator Shirley Randleman
 Senator Norm Sanderson

Representative Jamie Boles
Representative Ted Davis
Representative Allen McNeill, Presiding
Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Prisons—Programs
John Poteat, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: March 9—Recidivism and Reentry

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Joint Appropriations Committees on
Justice and Public Safety

**Department of Public Safety
Division of Adult Correction—Prisons**

In-Prison Programs

Alcoholism and Chemical Dependency Programs

Correction Enterprises

March 7, 2017



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

Today's Presentation

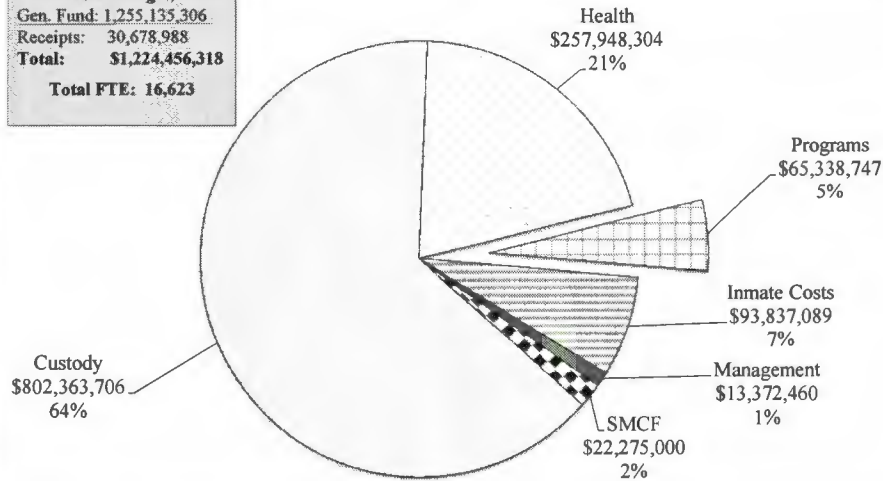
- I. In-Prison Programs**
- II. Alcoholism and Chemical
Dependency Programs (ACDP)**
- III. Correction Enterprises**



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

FY 2017-18 Prisons Budget

Total Budget:
 Gen. Fund: 1,255,135,306
 Receipts: 30,678,988
Total: \$1,224,456,318
Total FTE: 16,623



I. In-Prison Programming

95% of inmates in State prison will be released

FY 2015-16 Prison Exits: 23,875

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



2017-18 Base Budget : \$65.3 million

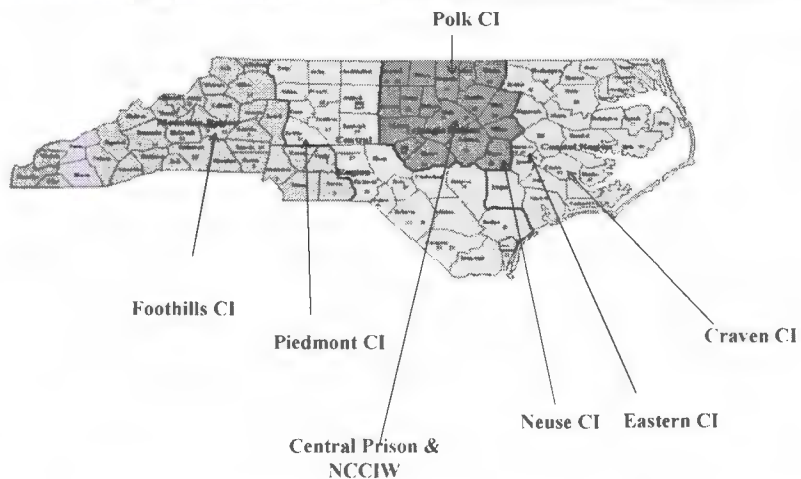
FTE: 1,068.47

Major Programs

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



NC Prisons & Diagnostic Centers



Diagnostic Centers

FTE: 112

8 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 55 prisons

Inmates processed in 2016: 19,054

Case Management

FTE: 404.38

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 2017-18 Requirements: \$9,471,413

FTE: 56

Teachers: 44 Guidance/Psychologists: 5 Principals: 5 Library/Admin: 2

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

32% of prison entrants read at less than a 6th grade level

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

Prisoners account for 14% of High School Equivalency diplomas

40 community colleges serve prisons

Education Programs

General Fund: \$9,471,413

- Funds instruction
- Community college FTE
- Tuition fees
- HS Equivalency testing



Inmate Welfare: \$1,686,418

- Funds instruction material
- Higher education initiatives

Education Programs

Inmate Tuition funding: \$3.6 million
29,872 inmates participated

Academic (38.5%):

HS Equivalency and Adult Basic Education

Vocational Courses (16.7%):

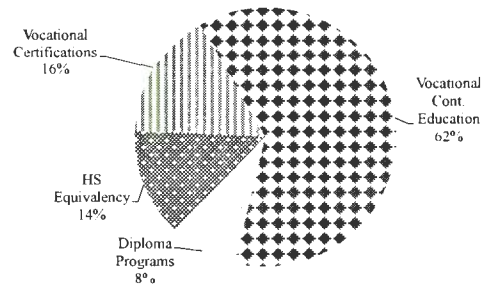
Horticulture; Electronic; Food Service; A/C, Heating, Refrigeration; and Info Systems

Vocational Continuing

Education (44.9%):

HR Development, Commercial Cleaning, Computer Applications, Electrical, and Textiles/Upholstery

Diplomas & Certifications Awarded



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	6,642	\$0.40, \$0.70, \$1.00
Food Services	3,174	\$0.70, \$1.00, \$1.25
Correction Enterprise	1,990	\$1.60, \$1.92, \$2.24
Prison Maintenance	1,868	\$1.00
Road Squads	1,368	\$1.00
Other Jobs	1,549	\$0.40, \$0.70, \$1.00
State Agency/Local Government	596	\$1.00
Inmate Construction Program	404	\$3.00
Work Release	1,041	Federal minimum wage
Total	18,632	\$4,593,907

Source: DACJJ, FY 2015-16 Annual Statistical Report

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

13

March 7, 2017

If You Build It, They Will Come...

Inmate Construction

FY 2017-18 Requirements: \$1,291,442

FTE: 4.0 + 63 staff from Central Engineering

Currently: six major projects and many repair and renovation activities

FY 2014-15 & FY 2015-16: 47 Projects involved 11,073 inmates

-Samarcant Training Academy -Harnett CI Electronic Intrusion System

-Jackson, Edgecombe & Lenoir YDCs -Western Multipurpose Group Home

-NC State Highway Patrol & SBI

Registered Apprentices: FY 2014-15: 29

FY 2015-16: 34



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

14

March 7, 2017

Inmate Labor Contracts

- State and local governments contract for inmate labor from minimum custody facilities
- 129 entities employed 700 inmates from 30 facilities
- Certified custodial agents provide supervision
- Typically work 4-5 days per week and pay \$1 per day/inmate
- Program affected by minimum custody closures



Work Release

FY 2017-18 Requirements: \$983,806

FTE: 18.36

Minimum Custody Level III inmates

Inmates paid at least federal minimum wage

Examples: restaurants and construction firms

2,267 inmates participate with 205 employers

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

FY 2015-16: \$4,884,246

Road Squads

FY 2017-18 Requirements: \$9,55,0679

FTE: 18

Receipts from DOT: \$9.04 million

- 49 minimum custody litter crews averaging 320 inmates
 - 50 medium custody road squads averaging 293 inmates
- 1,368 inmates worked 455,291 hours

FY 2014-15 Continuation Review of the program

- Recommended converting many of the medium crews to minimum
- FY 2017-18 receipts were made nonrecurring

Inmate Welfare

FY 2017-18 Requirements : \$9,932,423

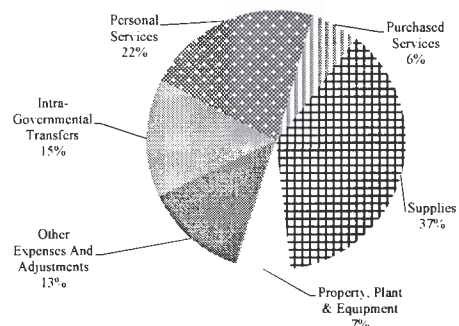
FTE: 27

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

Receipts: \$9.6 million

- \$4.4 million Inmate Phone
- \$4.6 million Inmate Canteen

Expenditures: \$9.9 m



Inmate Welfare

Changes to the FY 2017-18 and FY 2018-19 Base Budgets

- Transfer for Managed Access: \$2,750,000
- Transfer for Harnett CI Visitor's Center: \$549,000
- Impact on Receipts of a reduction in Inmate Phone System Rates

Chaplaincy Program

FTE: 21 General Fund and 18 Receipt-Supported

Religious programs are offered at all prison facilities

Chaplains coordinate all religious programs and outside groups

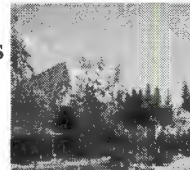
Chaplains are not clergy; ensure freedom of religion

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

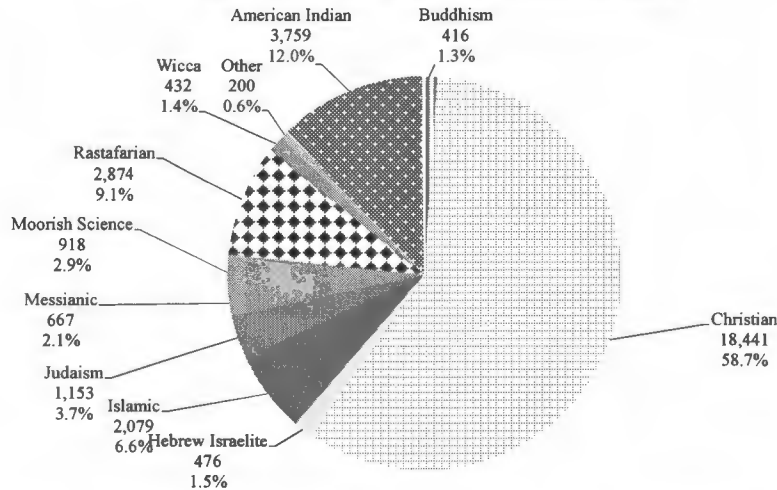
31,415 inmates participated in 14 religious practices

18 Community-Funded Chaplains at 13 prisons

FY 2015-16 volunteers per month: 8,762



Religious Affiliations



II. Alcoholism and Chemical Dependency Programs

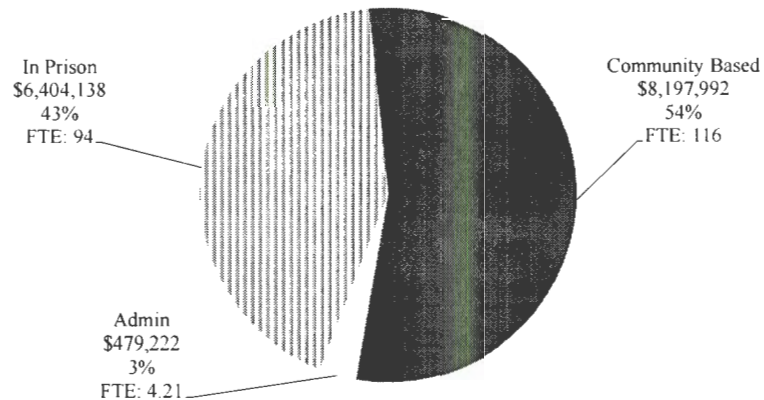
G.S. 143B-704. Division of Adult Correction – functions.

(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.

Moved under Behavioral Health Services



ACDP 2017-18 Base Budget



In-Prison Substance Abuse Treatment

FY 2017-18 Requirements: \$6,404,138
FTE: 94

Enrollment: 5,282
Daily Cost: \$18.21

- **Intermediate Residential Treatment Prison Beds (90 day)**
 - 13 programs (10 male & 3 female)
- **Long -Term Residential Treatment Prison Beds (180-365 days)**
 - 6 programs (4 male & 2 female)

Source: FY 2015-16 data from ACDP Annual Report and DPS Controller

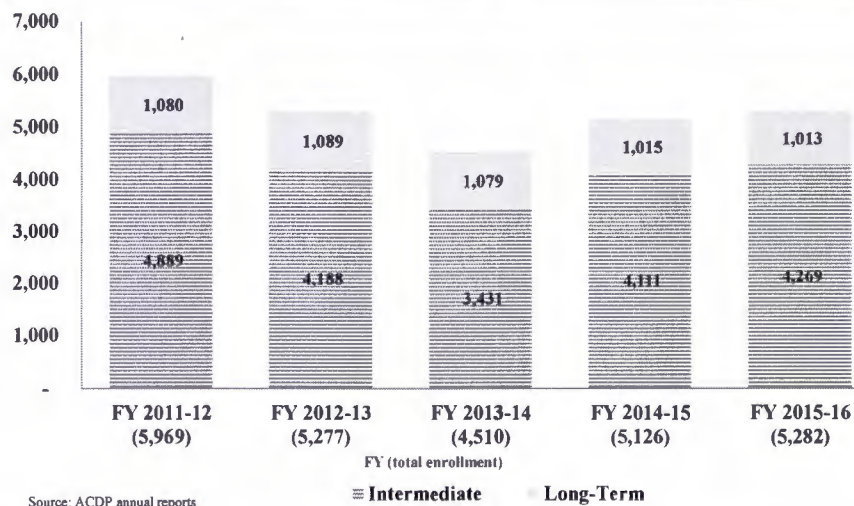
FY 2015-16 Prison Entries & SASSI Scores

Inmate Group	SASSI Score				
	1	2	3	4	5
Adult Female	228 (11%)	296 (14%)	533 (25%)	611 (29%)	456 (21%)
Adult Male	1,681 (13%)	2,231 (17%)	5,379 (42%)	2,449 (19%)	1,172 (9%)
Youth Male	228 (14%)	324 (19%)	510 (30%)	315 (19%)	309 (18%)
Totals	2,137 (13%)	2,851 (17%)	6,422 (38%)	3,375 (20%)	1,937 (12%)

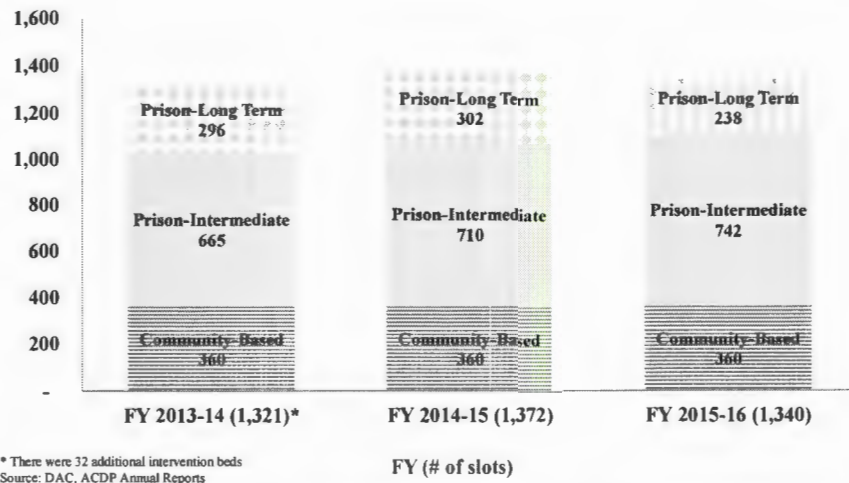
Note: Scores of 3 or higher need substance abuse services

*16,722 inmates took the SASSI=Substance Abuse Subtle Screening Inventory

Annual Enrollment



Substance Abuse Treatment Slots

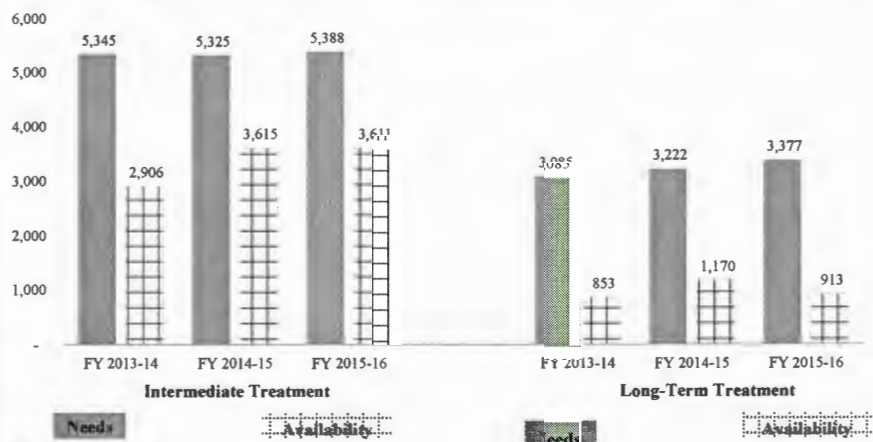


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Substance Abuse Treatment Needs and Slots



Source: DAC, ACDP Annual Reports

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FY 2015-16 In-Prison Treatment Beds

Program	Slots	Length (days)	Enrolled	Capacity Utilization*	Completion
Intermediate Treatment (13 prisons)	742	90	4,269	85%	68%
Long-Term Residential (6 prisons)	318	180-365	1,013	80%	41%
Total	1,060		5,282		

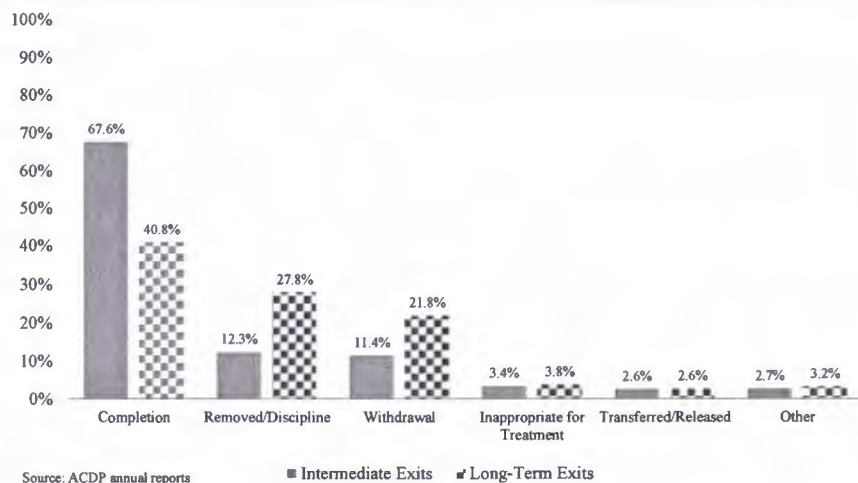
Source: DAC, ACDP FY 2015-16 Annual Report

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FY 2015-16 Exits from Treatment Programs



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Treatment Challenges

- Not enough treatment slots
- Inmates in close custody not treated
- General medical and mental health issues
- Operational demands of prisons
- No single purpose unit/facilities for substance abuse



Not Just Making It Right. Making It Better.

III. Correction Enterprises

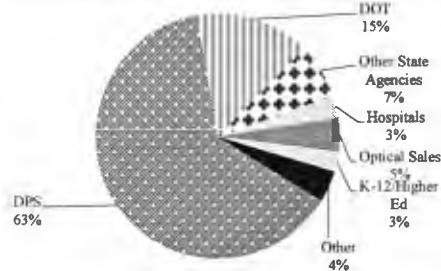


Correction Enterprises

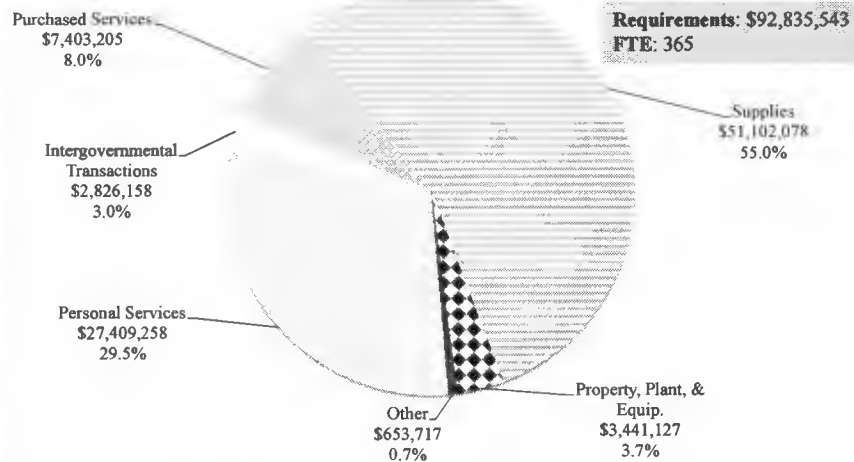
- 2nd largest prison industry in the nation
- 15 industries at 32 plants
- \$94.9 million in revenue
- 365 employees and 2,470 inmates



Correction Enterprises Customers



Correction Enterprises FY 2017-18 Base Budget



Source: Recommended Base Budget (Worksheet 1) 02/09/17

Correction Enterprises

Facts...

- Washed 14,101 tons of laundry
- Shipped 6,500 tons of meat
- Recycled 306 tons of license plates & signs
- Raised 39,000 chickens which lay 1 million eggs per month
- Produced 1,750 tons of beans, 900 tons of corn and 650 tons of turnip greens
- Completed 141,710 new CO shirts, and other clothing and blankets
- Produced 26.6 million copies



Source: Correction Enterprises, FY 2015-16 annual report



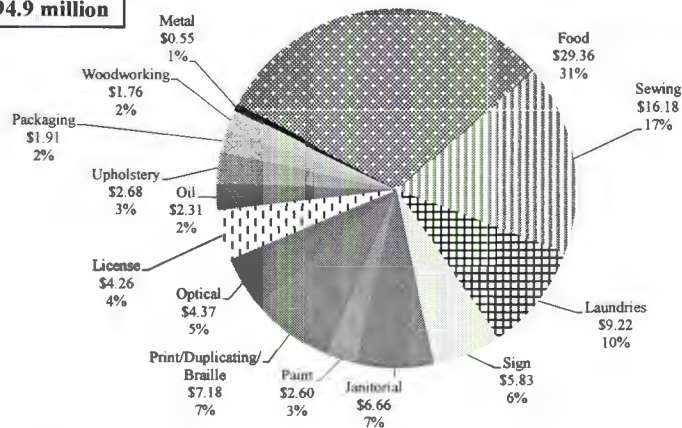
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FY 2015-16 Correction Enterprises Sales

Total: \$94.9 million



Note: Figures are in millions of dollars
Source: Correction Enterprises, FY 2015-16 Annual Report

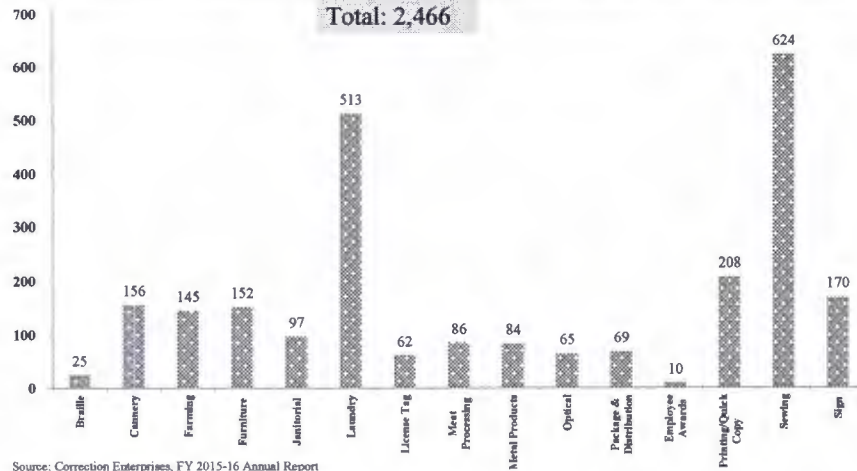


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FY 2015-16 Offender Jobs



Correction Enterprises Transfers and Payments

Intergovernmental Transfers: \$2,951,303

- General Fund: \$500,000
- Crime Victims: \$241,303
- Custody/Prison Costs: \$2,210,000

Inmate Labor: \$4,593,907

- Incentive Wages: \$3,491,500
- Correction Enterprise: \$1,102,407

Correction Enterprises

Prison Industry Enhancement Certification Program (PIE)

US DOJ—Bureau of Justice program

- inmates in actual work environments;
- paid prevailing wages;
- develop skills for future employment

Customer Model—Correction Enterprise responsible

Employer Model—Business responsible

FY 2015-16: \$255,292 paid in wages and deductions



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Correction Enterprises—PIE Program

Facility	Partners	Industry	# of Inmates
Warren	S2-Clean and J.W. Yount	Janitorial Products Manufacture environmentally friendly cleaning products	15 (PT)
Lanesboro	Union Supply Group	Inmate Packaging Program	40
Alexander	EBK Ottoman	Woodworking/Upholstery Manufacturing licensed collegiate ottomans	13 (PT)



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March 7, 2017



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



[illegible]



Senate Committee on Appropriations on Justice and Public Safety
Thursday, March 9, 2017 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:30 AM on March 9, 2017 in Room 415 of the Legislative Office Building. 15 members were present.

Senator Shirley Randleman, Chair, presided.

The chair recognized House Sergeant at Arms Barry Moore and William Moore and Bill Riley, and Senate Sergeant at Arms Billy Fritscher Jim Hamilton. The chair introduced page Samuel Gammon, sponsored Senator Tom McInnis

Senator Randleman recognized Michele Hall, Sentencing Commission, for a report on Adult Recidivism. See Attachments. Following the presentation Michele Hall took questions from the committee. Representative Boles asked if there were two CRVs up and running. Mrs. Hall replied that there were, one in Robinson and one in Burke. Senator Randleman inquired about the intent of the CRV facilities. Nicole Sullivan, DPS, replied that they were standalone facilities for CRV offenders only. Senator Randleman inquired about the payment of monies and restitution. Nicole Sullivan deferred to Tim Moose, DPS. He replied that the payment schedule was set by the court and the parole officer works with the offender to make payments. Michelle Hall responded to further questions from Senator Sanderson, Representative McNeill, and Senator Daniel.

Senator Randleman recognized Nicole Sullivan, Department of Public Safety, for a report on Adult Correction Reentry. See attachments. Following the presentation Mrs. Sullivan responded to questions from Representative Graham regarding veteran's courts. Senator Randleman added that she was currently working with the Administrative Office of the Courts on a bill to help standardize specialty courts.

The meeting adjourned at 9:41 AM



Senator Shirley Randleman, Chair
Presiding



Jeb Kelly, Committee Assistant



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

March 9, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Warren Daniel	Representative Jamie Boles
	Senator Shirley Randleman, Presiding	Representative Ted Davis
	Senator Norm Sanderson	Representative Allen McNeill
		Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Adult Recidivism Report
Michelle Hall, Sentencing and Policy Advisory Commission

Adult Correction Reentry
Nicole Sullivan, Department of Public Safety

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: March 14—Justice Reinvestment Act

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Recidivism of Adult Offenders in North Carolina

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

PRESENTATION TO THE JOINT APPROPRIATIONS SUBCOMMITTEE ON
JUSTICE AND PUBLIC SAFETY

MARCH 9, 2017

2016 Adult Recidivism Report

Sample Description

- All offenders either placed on probation or released from prison in FY 2013

Follow-Up Period

- Fixed two-year follow-up

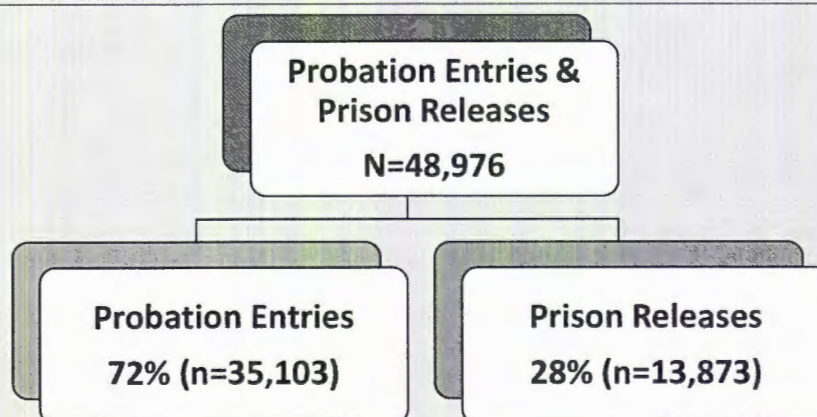
Criminal Justice Outcome Measures

- Arrests, convictions, and incarcerations (in state prison only) during follow-up
- Supplemental information on interim outcome measures for probationers

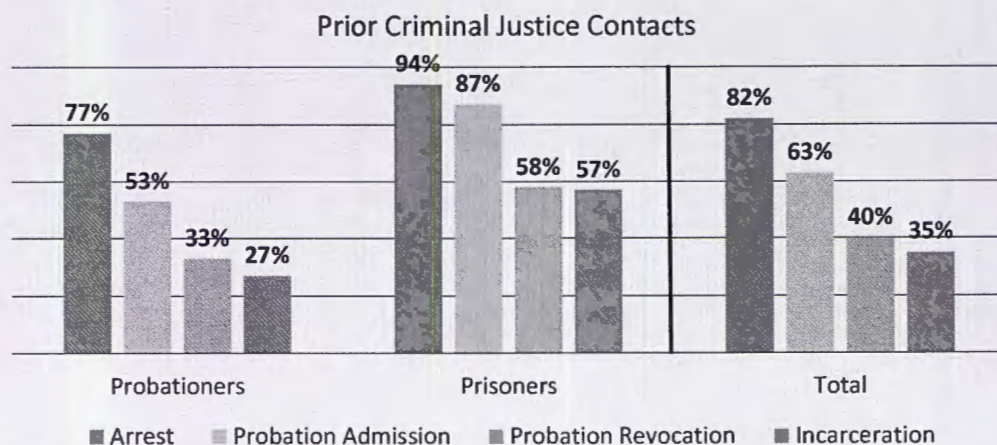
FY 2013 Sample

KEY FINDINGS

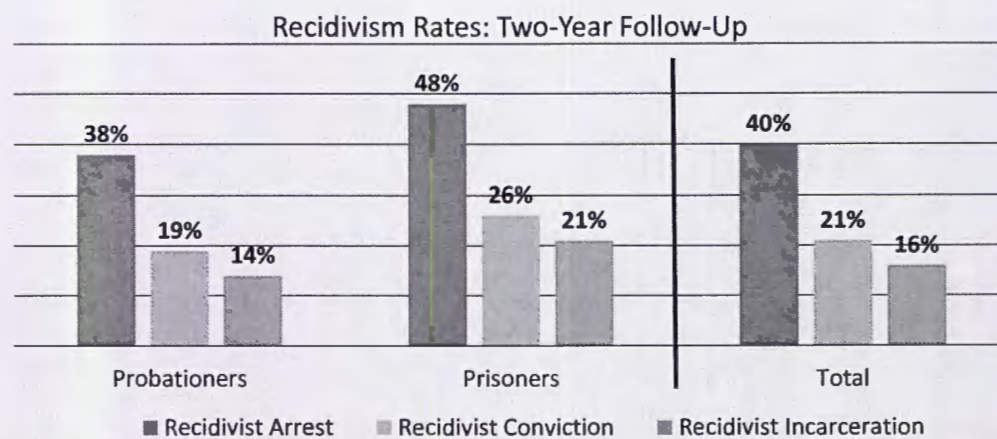
Sample Profile



Prisoners had more extensive prior criminal histories than probationers

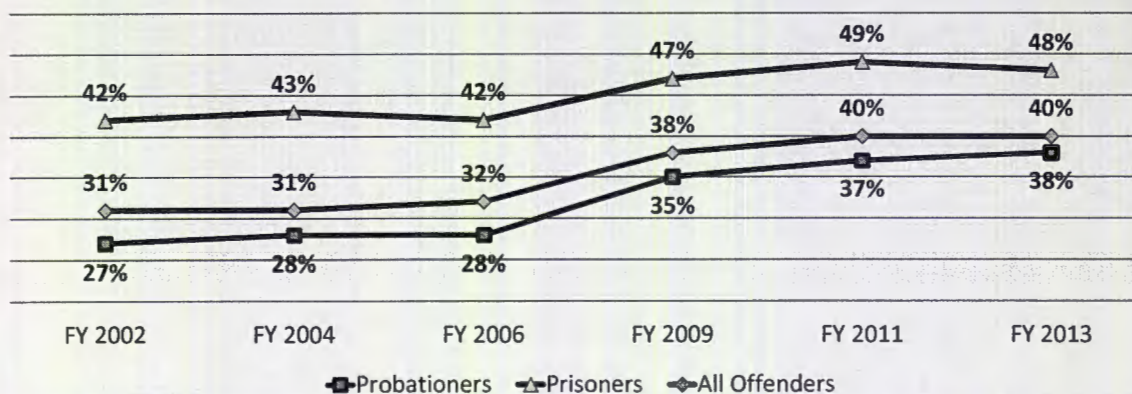


Prisoners had higher recidivism rates than probationers



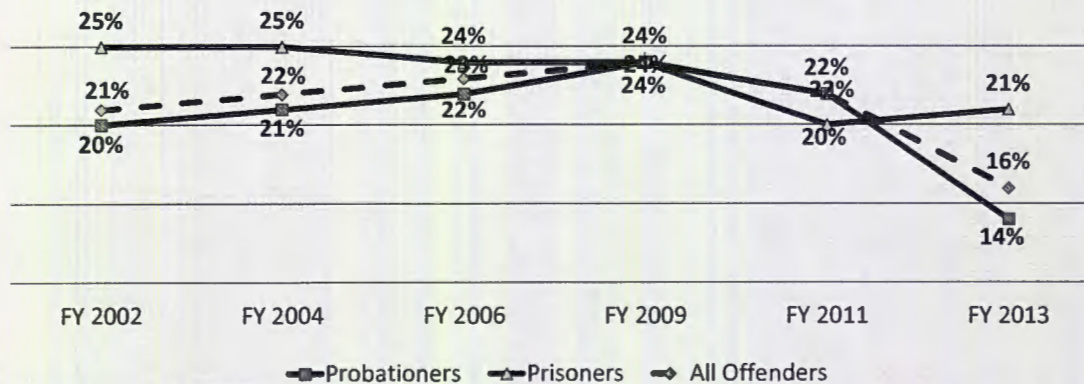
Although higher than previous years, recidivist arrest rates have been stable over the past few years

Recidivist Arrest Rates: Two-Year Follow-Up



Recidivist incarceration rates have decreased as a result of the JRA

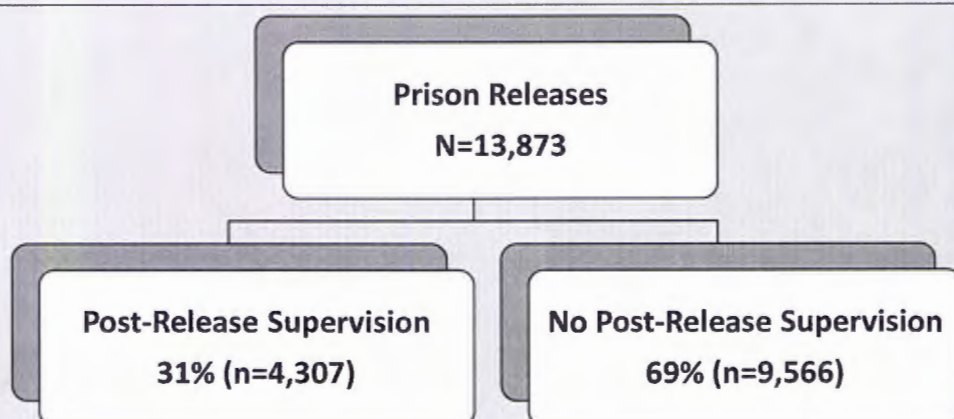
Recidivist Incarceration Rates: Two-Year Follow-Up



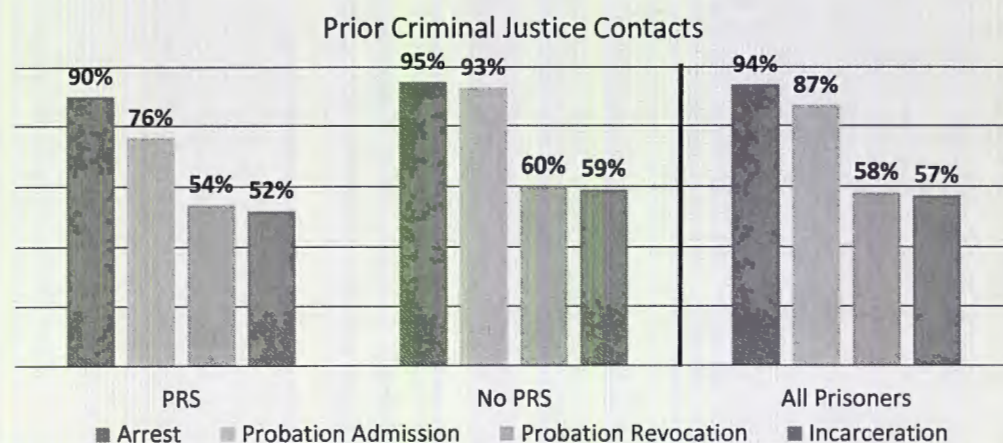
Prison Releases

KEY FINDINGS

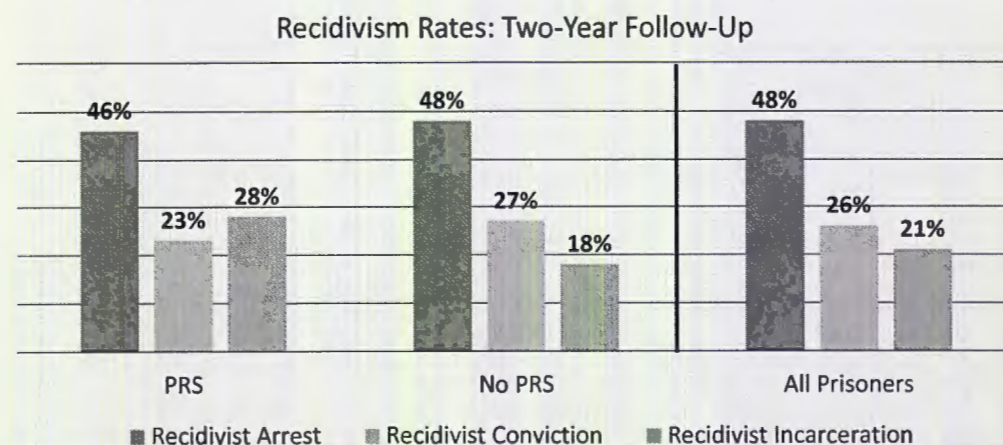
Very few prisoners (11%) were subject to the provisions of the JRA



Prisoners released without PRS had more extensive prior criminal histories than those with PRS



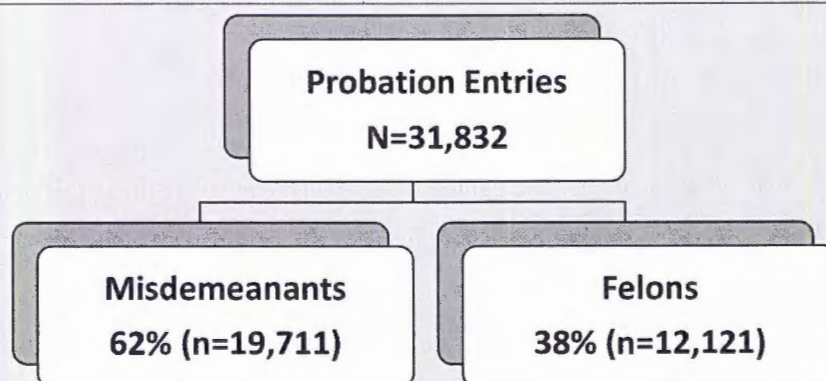
Prisoners with PRS had slightly lower recidivist arrest and conviction rates, but higher recidivist incarceration rates, than those without PRS



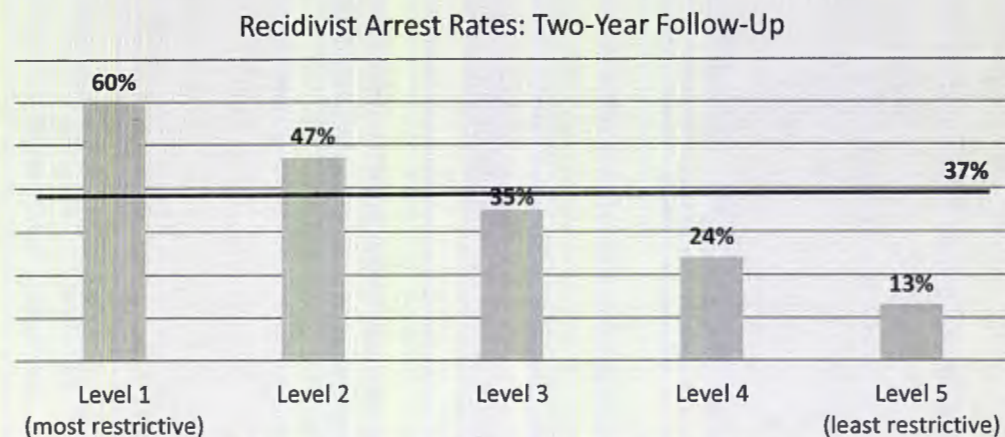
Probation Entries

KEY FINDINGS

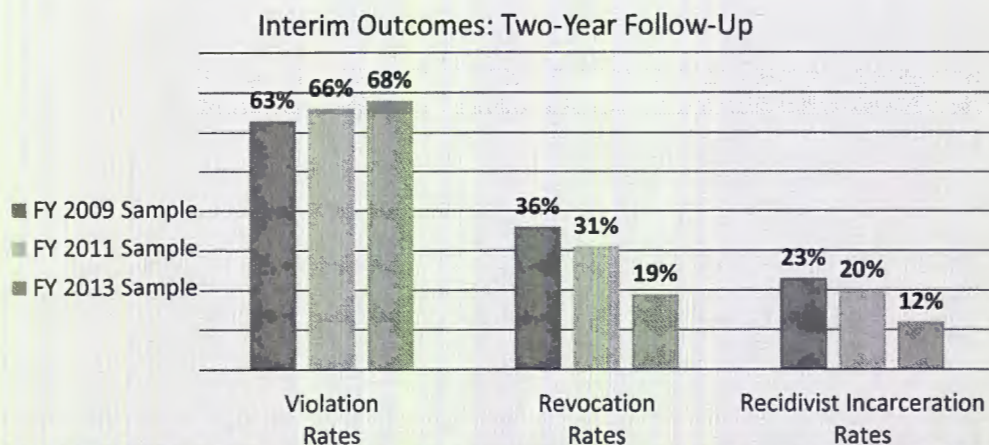
All probationers were subject to the provisions of the JRA



Recidivist arrest rates indicate probationers were assigned to appropriate supervision levels



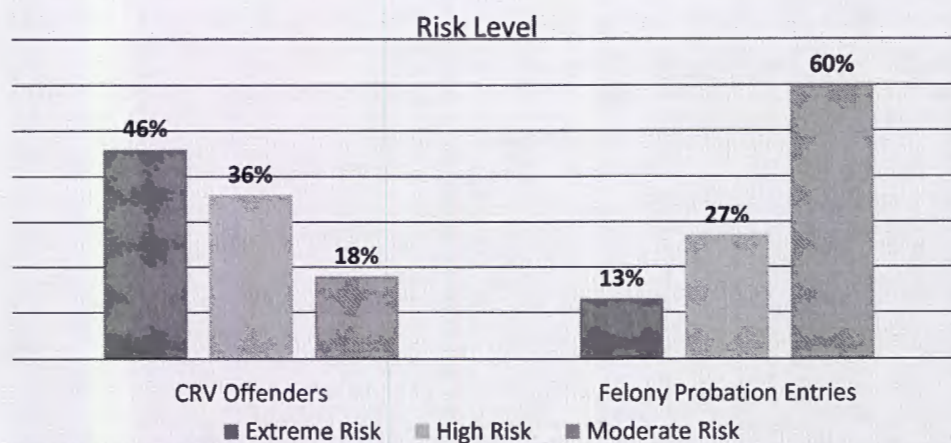
While violation rates have increased, revocation rates and recidivist incarceration rates have decreased as intended by the JRA



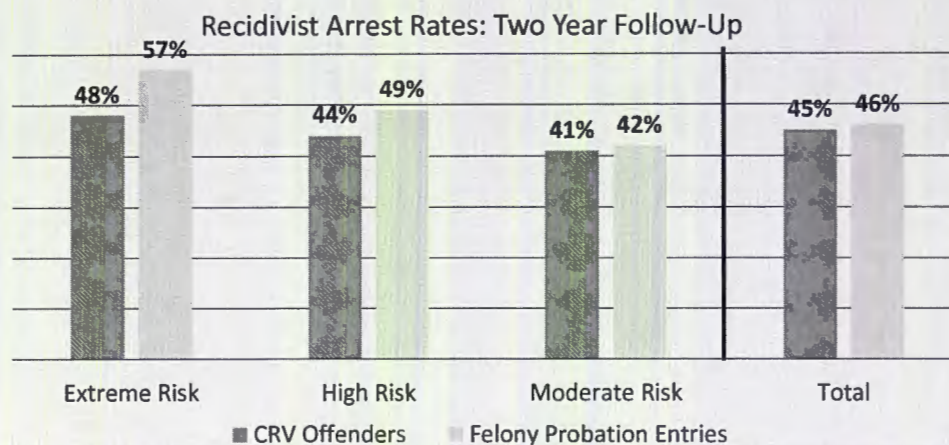
CRV Offenders

PRELIMINARY FINDINGS

The majority of CRV offenders were assessed at the highest risk levels, while the majority of felony probationers were assessed at the moderate risk level



When controlling for risk, CRV offenders had lower recidivist arrest rates than similar felony probationers



Conclusions

Statewide recidivism rates have generally been consistent over the past decade

Consistent findings over time point to the relative success of probationers compared to prisoners

JRA has contributed to a decline in recidivist incarceration rate due to limits to revocations of probation and shifting misdemeanants out of prison

Risk assessments are a valuable tool in predicting recidivism

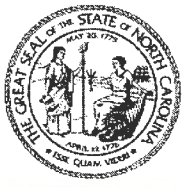
Expansion of PRS under JRA will have increasing importance in criminal justice system

SPAC recidivism studies are limited by lack of statewide automated jail data

Contact Us

SENTENCING AND POLICY ADVISORY COMMISSION
919-890-1470 | WWW.NCSPAC.ORG





North Carolina Sentencing and Policy Advisory Commission

Research Brief
June 2016

A PRELIMINARY ANALYSIS OF CRV OFFENDERS RELEASED FROM PRISON IN FY 2013

In 1998, the North Carolina General Assembly directed the Sentencing and Policy Advisory Commission to prepare biennial reports evaluating the effectiveness of the State's correctional programs (N.C.G.S. § 164-47). The studies examine recidivism using samples of offenders released from prison or placed on probation in a given fiscal year and followed for a fixed two-year follow-up period.¹ As reported in the Commission's most recent study (2016), the FY 2013 probation entries are the first recidivism sample to be processed and supervised under the provisions and policies implemented under the Justice Reinvestment Act of 2011 (JRA).^{2,3} This brief focuses on a separate group of probationers: offenders with a felony conviction who were released from prison in FY 2013 having served a confinement in response to violation (CRV) imposed for a technical violation of probation (hereinafter referred to as CRV offenders).

With the enactment of the JRA, revocation of probation and activation of the suspended sentence may only occur for those who abscond supervision or commit a new crime. A CRV may be imposed for technical violations of probation, with revocation possible only after the imposition of two prior CRVs. Because the CRV was one of the first provisions of the JRA to go into effect (effective for violations of probation occurring on or after December 1, 2011), an early cohort of offenders subject to its use offers the opportunity to examine preliminary effects on outcomes. While programming was limited for the FY 2013 CRV offenders during their confinement, the results are promising in terms of the effectiveness of CRVs on offender outcomes, particularly when compared to outcomes for other felony probationers by risk level.

It should be noted that substantial changes to the CRV concept have been made since the enactment of the JRA. In 2014, the Department of Public Safety (DPS) announced its pilot program for designated CRV centers that would offer an approach tailored for CRV offenders, including intensive behavior modification programming. The CRV centers began receiving felons in December of 2014.^{4,5} None of the FY 2013 CRV offenders participated in the CRV centers; as a result, this brief can only offer a preliminary examination of whether the period of confinement itself, absent the intense programming currently in place, has any effect on offender behavior.

The FY 2013 CRV offender sample is comprised of 1,381 offenders and includes only those with a most serious felony conviction in Class E through Class I and who also were assessed as extreme, high, or moderate risk using the Offender Traits Inventory-Revised (OTI-R).⁶ Because the intent of the CRV is for

¹ Data for offenders in the samples were provided by the Department of Public Safety and by the State Bureau of Investigation. A glossary of primary analysis variables and key terms is provided in Appendix A.

² See the Sentencing Commission's recidivism reports at <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/Recidivism/AdultRec.asp>.

³ For more details on the JRA, see the Sentencing Commission's reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/JRIRReports.asp>.

⁴ Further information about CRV centers can be found at <https://www.ncdps.gov/Adult-Corrections/Community-Corrections/Confinement-in-Response-to-Violation-CRV>.

⁵ Probationers who received a CRV disposition and are not eligible for the CRV center (e.g., for medical or mental health reasons) will serve their CRV in a prison facility.

⁶ Only felony offenders were included in the CRV offender sample due to the 2015 legislative change that eliminated CRVs for misdemeanants sentenced to probation under the Structured Sentencing Act. In addition, the CRV offender sample was further restricted to offenders assessed as extreme, high, or moderate risk due to the low numbers in the low and minimal risk levels.

offenders to return to supervision following confinement, felony probation entries in FY 2013 (n=8,674) are used as a comparison group to examine preliminary outcomes of these first CRV offenders. Based on the offense and risk level composition of the CRV offenders, the comparison group of felony probation entries was restricted to similar offenders.

Figure 1 provides a summary of the personal characteristics of the CRV offenders and the felony probationers (see Appendix B, Tables B.1 and B.2 for a more detailed description). Overall, the CRV offenders and the felony probationers have similar characteristics. However, CRV offenders have a higher percentage of offenders aged 21-29 years (48%) and identified with a substance abuse need and/or a history of drug addiction (58%) compared to felony probationers (39% and 45% respectively). Findings from the Commission's recidivism studies show that offenders with these characteristics (i.e., younger offenders, offenders with substance abuse problems) tend to have higher recidivism rates compared to their counterparts (i.e., older offenders, offenders without substance abuse problems).

Figure 1
Personal Characteristics

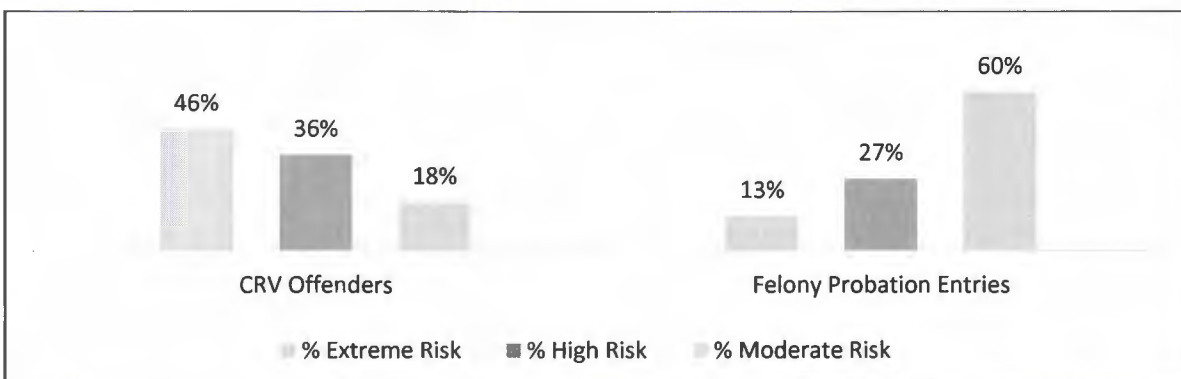
CRV Offenders N=1,381	Felony Probation Entries N=8,674
• 84% Male • 51% Black • 48% 21-29 Years at CRV Release • 10% Married • 69% High School Dropout • 43% Employed • 58% Substance Abuse or Need	• 86% Male • 51% Black • 39% 21-29 Years at Probation Entry • 11% Married • 65% High School Dropout • 45% Employed • 45% Substance Abuse or Need

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

CRV offenders and felony probationers have similar criminal histories; 93% of CRV offenders and 91% of felony probationers had a prior fingerprinted arrest. As described previously, both groups are comprised of offenders with a most serious current conviction for a Class E through Class I felony; the two groups also had similar distributions by offense type (i.e., person, property, drug, other). Forty-four percent of CRV offenders and 48% of felony probationers had a Class H conviction as the most serious current conviction, while 46% of CRV offenders and 44% of felony probationers had a conviction for a property offense. See Appendix B, Tables B.1 and B.2 for more detailed information about prior criminal history.

DPS uses a validated instrument to assess each probationer's risk of reoffending and criminogenic needs and to place the probationer in the appropriate supervision level. Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Figure 2 compares the highest risk level groups of CRV offenders and felony probation entries and shows that the distributions for the two groups are a mirror image. The majority (82%) of the CRV offenders were assessed as extreme or high risk, while the majority (60%) of the felony probationers were assessed as moderate risk. It should be noted that CRV offenders by definition have already displayed evidence of misconduct by the imposition of a CRV – hence, their higher risk levels are somewhat expected. There were no differences between the two groups based on the need assessment. See Appendix B, Tables B.1 and B.2 for more information on risk and need levels.

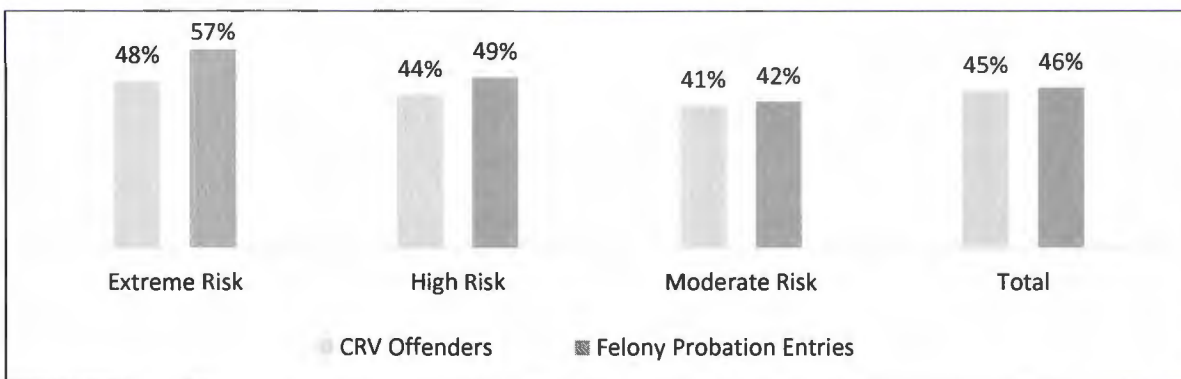
Figure 2
Risk Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

The Commission's primary measure of recidivism is fingerprinted arrests. Overall, CRV offenders and felony probation entries had similar recidivist arrest rates during the two-year follow-up (45% and 46% respectively), with the first recidivist arrest occurring within the eighth month on average for both (see Figure 3). However, when controlling for risk, Figure 3 shows that CRV offenders assessed as extreme and high risk have lower recidivist arrests (48% and 44% respectively) compared to felony probation entries (57% and 49% respectively) within the same risk levels. The lower recidivist arrest rates for CRV offenders are particularly surprising given the higher proportion of CRV offenders in the highest risk levels and that the CRV offenders have already experienced one failure on probation (i.e., technical violation(s) for which the CRV was imposed). This finding also holds true when examining additional measures of recidivism: CRV offenders in the extreme and high risk levels have lower recidivist conviction and recidivist incarceration rates compared to felony probationers in the same risk levels (see Appendix B, Figures B.1 and B.2).

Figure 3
Recidivist Arrest Rates: Two-Year Follow-Up



Note: See Tables B.1 and B.2 for the distribution of CRV offenders and felony probationers by risk level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

While the findings regarding recidivist arrests for CRV offenders assessed as extreme and high risk are promising, the difference in recidivist arrests diminishes for offenders assessed as moderate risk. To provide additional context and possible explanations for the diminished effect on the moderate risk group, interim outcomes including violations of probation and two responses to violations – CRVs and revocations

– were also examined. Although the small number of CRV offenders in the moderate risk group must be considered, CRV offenders assessed as moderate risk had higher violation, CRV, and revocation rates than felony probation entries during the two-year follow-up (see Appendix B, Figures B.3, B.4, and B.5 for all three levels of risk).

The differences in outcome measures for moderate risk CRV offenders and felony probationers raise a question regarding whether the CRV is too restrictive a sanction for CRV offenders assessed as moderate risk. Future studies will be able to further examine patterns in outcomes over time. If comparative outcomes do not improve for moderate risk CRV offenders, it would suggest that less restrictive options may produce better outcomes for this group. It is also possible that the addition of intensive programming will improve outcomes for CRV offenders assessed as moderate risk – future studies will provide additional insight on the effect of the programming on outcome measures for this group.

The analysis in this brief reveals relatively small differences when comparing outcomes across risk levels for CRV offenders, a contrast to the greater variation found in outcome rates for felony probation entries. This finding, coupled with the high proportion of CRV offenders in the extreme and high risk groups, may warrant further examination. Future studies may be able to determine whether the risk instrument is accurately assessing the offenders who are sanctioned to a CRV, or if there are additional factors contributing to the relatively stable outcomes by risk level.

In summary, although programming was limited for the FY 2013 CRV offenders during their confinement, these preliminary results suggest that the 90-day limitation of the CRV (instead of activation of the entire suspended sentence due to revocation) may be enough to produce positive results for these offenders. In addition to addressing the preliminary effect of the CRV on outcome measures, the cohort examined in this brief also provides a foundation and a basis of comparison for future studies. With the implementation of CRV centers and the addition of targeted programming for offenders sanctioned with a CRV, future recidivism reports will provide more insight into these early indicators of lower recidivism rates for CRV offenders in the highest risk levels, the effectiveness of the CRV for moderate risk offenders, and the relative variation across outcome measures by risk level.

APPENDIX A: GLOSSARY OF TERMS⁷

Arrest: A record of a fingerprinted arrest in North Carolina maintained in the SBI CCH system. An arrest for which an offender was not fingerprinted (e.g., a misdemeanor offense for which fingerprinting is not required), indictment without an arrest, or failure to find a match for an offender in the SBI CCH database results in the lack of an arrest record. The lack of an arrest record was interpreted as the lack of an arrest. Arrests for impaired driving or other traffic offenses were excluded from analysis, as were arrests that were not for crimes, such as arrests for technical violations of probation. Arrests associated with the current conviction are excluded. The study examined two types of arrest:

- **Prior Arrest:** Fingerprinted arrest that occurred before the current conviction that placed the offender in this sample.
- **Recidivist Arrest:** Fingerprinted arrest that occurred within the two-year follow-up period.

Conviction: A conviction for an offense in the North Carolina state court system. Convictions for impaired driving or other traffic offenses were excluded from analysis, as were convictions that were not for crimes, such as convictions for technical violations of probation. The study examined three types of convictions:

- **Prior Conviction:** A conviction that occurred before the current conviction that placed the offender in this sample, based on data recorded in the SBI CCH system.
- **Current Conviction (Most Serious):** The conviction that placed the offender in the sample as a probation entry or CRV prison release during FY 2013, based on information in OPUS. Conviction offenses were ranked in terms of seriousness based on offense class and sentence length. The offense corresponding to the highest offense class was selected as the most serious current conviction for analysis purposes. If the offender had more than one conviction in this class, then the offense with the longest sentence length was selected.
- **Recidivist Conviction:** A conviction that occurred within the two-year follow-up period, based on data recorded in the SBI CCH system. The arrest corresponding to the conviction had to have occurred during the follow-up period also.

Incarceration: Confinement in North Carolina's prison system as a result of an active sentence imposed for a criminal conviction or revocation of supervision; data based on OPUS records. Does not include incarceration in jails, other states, or Federal facilities. In addition, offenders who served a CRV for technical violations or who entered prison as a safekeeper or a pre-sentence diagnostic were not included in the measure. The study examined three types of incarceration:

- **Prior Incarceration:** An incarceration period that ended before the current probation admission for probationers and CRV offenders.
- **Recidivist Incarceration:** An incarceration that occurred during the follow-up period.

Need Level: Using the Offender Self-Report and the Officer's Interview/Impressions Worksheet assessment tools, the offender's need is assessed by addressing six criminogenic factors (dysfunctional family, criminal peers, anti-social personality, anti-social values, substance abuse, and self-control) and is used in combination with the OTI-R to determine supervision level, program placement, and other interventions for probationers. These assessments are administered within the first 60 days of probation supervision. The assessment divides the probationers into five need levels: extreme, high, moderate, low, and minimal.

Risk Level: The Offender Traits Inventory-Revised (OTI-R) is a validated instrument used to assess the offender's risk of reoffending administered by probation officers within 60 days of admission to probation or PRS. Each offender is assigned to one of five levels of risk based on their score: extreme, high, moderate,

⁷ For a more detailed glossary, see <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/Recidivism/AdultRec.asp>.

low, or minimal. The OTI-R was fully implemented by the spring of 2012. OTI-R results are reported for probation entries only in this analysis.

Probation Violation: A violation of supervision conditions during the follow-up period. A violation is included in the study if it was a “completed” violation – meaning the violation was either disposed of by the court in a violation hearing or handled by the DPS using delegated authority. Probation violations fall into three categories:

- **Criminal:** A probation violation entered due to a pending criminal charge(s) or conviction for a new crime(s) during the two-year follow-up period.
- **Absconding:** A probation violation entered due to absconding supervision during the two-year follow-up period. Absconding occurs when a probationer avoids supervision by leaving the jurisdiction or otherwise making him/herself unavailable to the probation officer.
- **Technical:** Violation of the conditions of supervision that require probationers to conform their behavior in a manner not normally applicable to a person who is not under criminal justice system supervision (e.g., possession of a firearm, failure to follow treatment recommendations, failure to obtain employment). A technical violation does not necessarily imply criminal activity.

Revocation: A revocation of community supervision due to violation(s) and the activation of the suspended prison sentence. Prior to the implementation of the JRA, revocations of probation or PRS included revocations due to technical violations along with those for new crimes and absconding. After the implementation of the JRA, revocations included violations due to a new crime or absconding and only included revocations for technical violations after two CRVs are imposed for probationers and after three technical violations are imposed for PRS offenders. The JRA changes to revocations apply to probationers under supervision in the community effective December 1, 2011 and to prison releases placed on PRS for offenses committed on or after December 1, 2011. The study identifies two types of revocation:

- **Prior Revocation:** Revocation that occurred before the current conviction that placed the offender in this sample.
- **Recidivist Revocation:** Revocation that occurred during the two-year follow-up period. In addition, recidivist revocations were examined with regard to their seriousness. Revocations fall into three categories:
 - **Criminal:** Revocation due to a violation entered due to a pending criminal charge(s) or conviction for a new crime(s) during the two-year follow-up period.
 - **Absconding:** Revocation due to absconding supervision during the two-year follow-up period. Absconding occurs when a probationer avoids supervision by leaving the jurisdiction or otherwise making him/herself unavailable to the probation officer.
 - **Technical:** Revocation due to violation(s) of the conditions of supervision that require probationers to conform their behavior in a manner not normally applicable to a person who is not under criminal justice system supervision (e.g., possession of a firearm, failure to follow treatment recommendations, failure to obtain employment). A technical violation does not necessarily imply criminal activity. For JRA offenders, a technical revocation of probation can only occur after the imposition of two CRVs.

APPENDIX B: ADDITIONAL TABLES AND FIGURES

Table B.1
Profile of CRV Offenders (N=1,381)

Personal Characteristics		Prior Criminal Justice Contacts <i>continued</i>		
Gender		Prior Revocations		
Female	16	% with Any Prior Revocation		45
Male	84	Total # of Prior Revocations		1,083
Race		Prior Incarcerations		
Black	51	% with Any Prior Incarceration		43
White	46	Total # of Prior Incarcerations		1,148
Other/Unknown	3	Current Conviction		
Age at CRV Release		Offense Class		
Under 21 Years	13	Class E		5
21-29 Years	48	Class F		11
30-39 Years	23	Class G		15
40-49 Years	11	Class H		44
50 Years and Older	5	Class I		25
Marital Status		Offense Type		
Single	75	Person		13
Divorced/Separated	14	Property		46
Married/Widowed	11	Drug		33
Other/Unknown	0	Other		8
Education		Risk and Need Assessments		
High School Graduate	31		#	%
High School Dropout	69	Risk Level		
Employment		Extreme	631	46
Employed	43	High	499	36
Unemployed	57	Moderate	251	18
Substance Abuse		Need Level		
None Indicated	42	Extreme	484	35
Substance Abuse or Need	58	High	271	19
Prior Criminal Justice Contacts		Moderate	452	33
Prior Arrests		Low	162	12
% with Any Prior Arrest	93	Minimal	12	1
Total # of Prior Arrests	5,895	Supervision Level		
Prior Probation Admissions			#	%
% with Any Prior Prob. Admission	61	Level 1 (Most Restrictive)	282	21
Total # of Prior Prob. Admissions	1,702	Level 2	662	48
		Level 3	346	25
		Level 4	89	6
		Level 5 (Least Restrictive)	2	0

Note: Twelve offenders were missing education information; 181 were missing employment information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

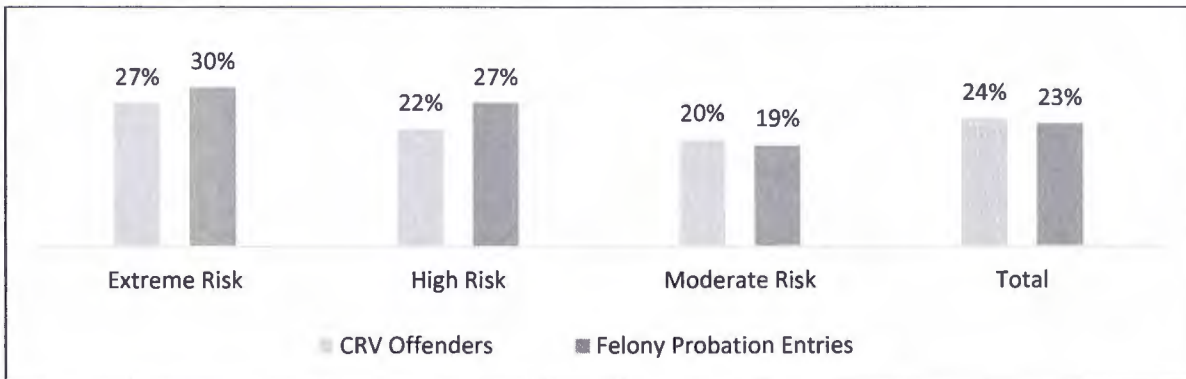
Table B.2
Profile of Felony Probation Entries (N=8,674)

Personal Characteristics	%	Prior Criminal Justice Contacts <i>continued</i>	
Gender		Prior Revocations	
Female	14	% with Any Prior Revocation	48
Male	86	Total # of Prior Revocations	6,977
Race		Prior Incarcerations	
Black	51	% with Any Prior Incarceration	40
White	45	Total # of Prior Incarcerations	6,651
Other/Unknown	4	Current Conviction	%
Age at Probation Entry		Offense Class	
Under 21 Years	19	Class E	4
21-29 Years	39	Class F	10
30-39 Years	25	Class G	12
40-49 Years	12	Class H	48
50 Years and Older	5	Class I	26
Marital Status		Offense Type	
Single	74	Person	11
Divorced/Separated	14	Property	44
Married/Widowed	12	Drug	35
Other/Unknown	0	Other	10
Education		Risk and Need Assessments	# %
High School Graduate	35	Risk Level	
High School Dropout	65	Extreme	1,082 13
Employment		High	2,351 27
Employed	45	Moderate	5,241 60
Unemployed	55	Need Level	
Substance Abuse		Extreme	2,776 32
None Indicated	55	High	1,624 19
Substance Abuse or Need	45	Moderate	2,917 33
Prior Criminal Justice Contacts		Low	1,188 14
Prior Arrests		Minimal	169 2
% with Any Prior Arrest	91	Supervision Level	# %
Total # of Prior Arrests	36,659	Level 1 (Most Restrictive)	1,391 16
Prior Probation Admissions		Level 2	3,663 42
% with Any Prior Prob. Admission	69	Level 3	2,789 32
Total # of Prior Prob. Admissions	12,754	Level 4	831 10
		Level 5 (Least Restrictive)	0 0

Note: Twelve offenders were missing education information; 7 were missing employment information.

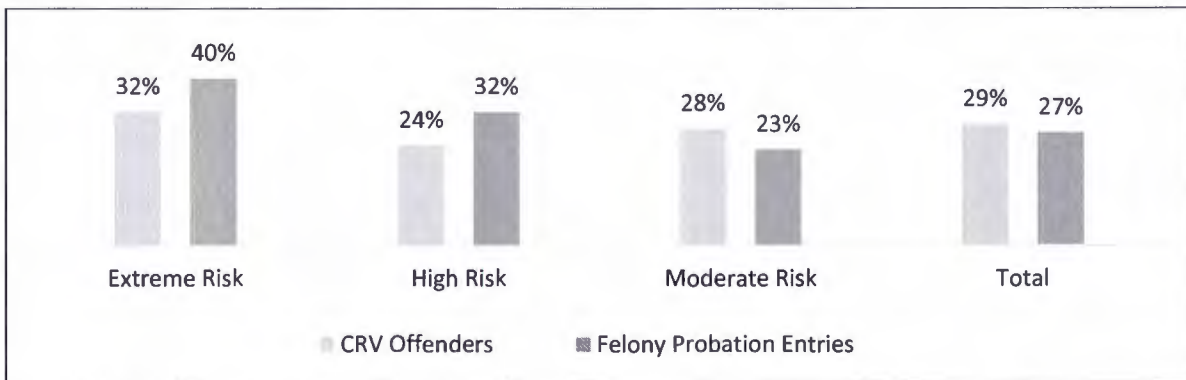
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

Figure B.1
Recidivist Conviction Rates: Two-Year Follow-Up



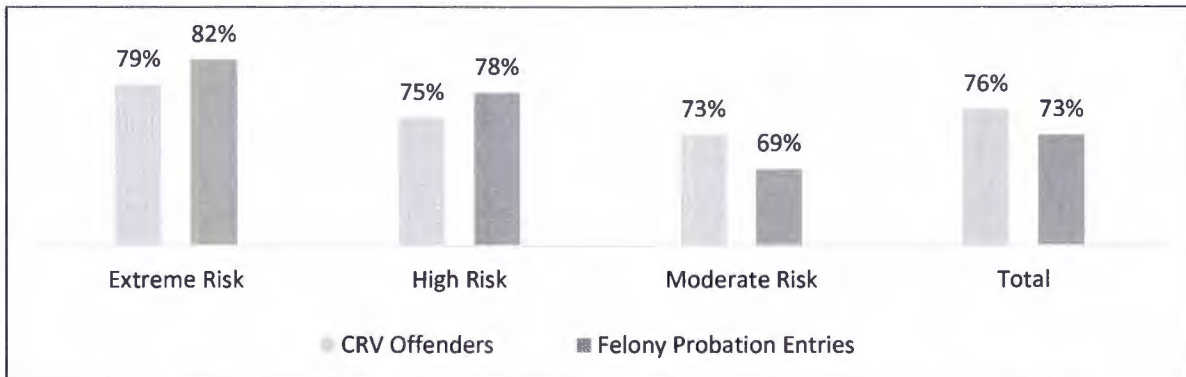
Note: See Tables B.1 and B.2 for the distribution of CRV offenders and felony probationers by risk level.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

Figure B.2
Recidivist Incarceration Rates: Two-Year Follow-Up



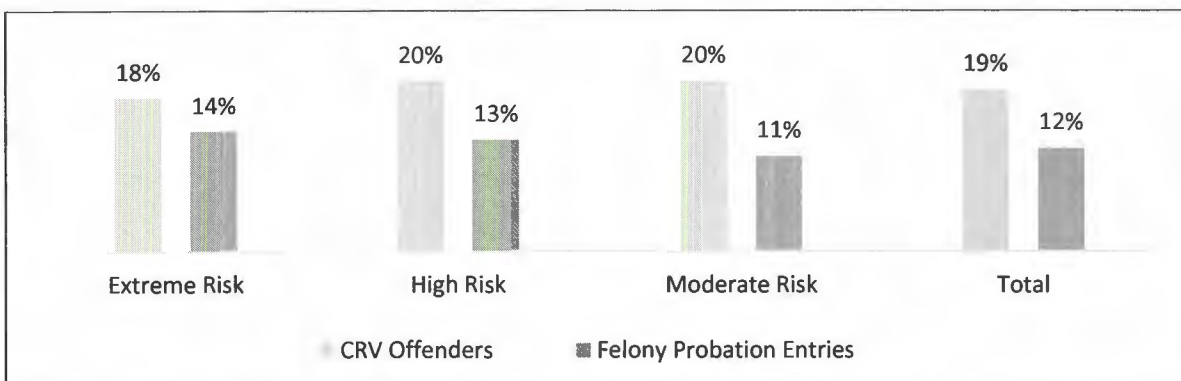
Note: See Tables B.1 and B.2 for the distribution of CRV offenders and felony probationers by risk level.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

Figure B.3
Violation Rates: Two-Year Follow-Up



Note: See Tables B.1 and B.2 for the distribution of CRV offenders and felony probationers by risk level.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

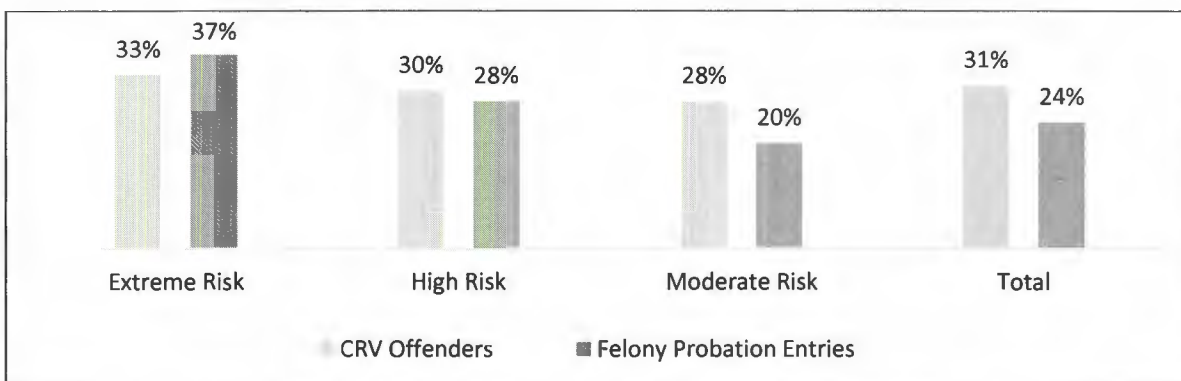
Figure B.4
CRV Rates: Two-Year Follow-Up



Note: For CRV offenders, a CRV during the two-year follow-up indicates a subsequent CRV. For felony probation entries, a CRV during the two-year follow-up indicates at least one CRV. See Tables B.1 and B.2 for the distribution of CRV offenders and felony probationers by risk level.

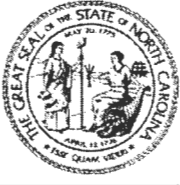
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

Figure B.5
Revocation Rates: Two-Year Follow-Up



Note: See Tables B.1 and B.2 for the distribution of CRV offenders and felony probationers by risk level.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data



North Carolina Sentencing and Policy Advisory Commission

Research Brief
September 2016

CORRECTIONAL PROGRAMS AND RECIDIVISM FOR PRISON RELEASES

In 1998, the North Carolina General Assembly directed the Sentencing and Policy Advisory Commission to prepare biennial reports evaluating the effectiveness of the State's correctional programs (N.C.G.S. § 164-47). Correctional resources and, specifically, their effectiveness in increasing public safety and deterring future crime have continued to be of interest to legislators and policy makers. It is the goal of most programs to sanction and control offenders, to offer them opportunities that will assist in altering negative behavioral patterns, and, consequently, to lower their risk of reoffending (i.e., their recidivism). This research brief is a follow-up to the 2016 report that was submitted in compliance with the directive and examined recidivism for Structured Sentencing Act (SSA) offenders who were released from prison or placed on supervised probation in FY 2013.^{1,2}

The research brief focuses on the FY 2013 prison release sample (i.e., prisoners with a felony offense) and examines participation in select correctional programs during incarceration and recidivism during the two-year follow-up. Additional analyses focus on outcomes by gender. Academic Education, Alcohol and Chemical Dependency Programs (ACDP), Correction Enterprises, Sex Offender Accountability and Responsibility (SOAR), Vocational Education, and Work Release were the six correctional (or in-prison) programs selected for analysis and are described below.³

- **Academic Education:** Academic Education is administered by the Rehabilitative Programs and Services Section within the Division of Adult Correction and Juvenile Justice (DACJJ). Post-secondary education is offered through continuing education (community college) courses of study for adult offenders and/or youthful offenders who have their diploma or high school equivalency credentials.
- **Correction Enterprises:** Correction Enterprises is a self-supporting prison industry program operating within the Department of Public Safety (DPS) in various prison units across the state. Correction Enterprises provides inmates with opportunities to learn job skills by producing goods and services for the DPS and other tax-supported entities.
- **ACDP:** Staff from the ACDP administer and coordinate chemical dependency screening, complete a "common assessment" and provide intervention, treatment, aftercare, and continuing care services for female and male inmates with substance abuse problems.
- **SOAR:** The SOAR program was established in 1991 for the treatment of male inmates who have committed sexual offenses and meet eligibility criteria for the program. The program's goal is to

¹ See the Sentencing Commission's *Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in FY 2013* at http://www.nccourts.org/Courts/CRS/Councils/spac/Documents/recidivism_2016.pdf.

² Data for offenders in the samples were provided by the Department of Public Safety (DPS) and the State Bureau of Investigation (SBI).

³ The six correctional programs in the research brief have been previously examined as special topics in the Sentencing Commission's prior recidivism reports.

change offenders' cognition, values, and expectations that have supported and maintained their sexually abusive cycle of behavior.

- **Vocational Education:** Vocational Education is administered by the Rehabilitative Programs and Services Section within the DACJJ and is a collaborative effort with the North Carolina Community College System. Vocational training (e.g., welding, cosmetology, horticulture) is provided through curriculum or continuing education offerings, or a combination of both.
- **Work Release Program:** The Work Release Program provides select inmates the opportunity for employment in the community during imprisonment, addressing the transitional needs of soon-to-be released inmates. Inmates are carefully screened for participation and can only be approved for the program by prison managers or the Post-Release Supervision and Parole Commission.

The FY 2013 sample was comprised of 13,873 prison releases. Ninety percent of prisoners were male and 10% were female. The distribution of select prison programs by gender was generally similar to the overall prison population by gender. Notably, nearly half of the FY 2013 prison releases were in Academic Education and a little over one-third were in Vocational Education while incarcerated. Table 1 examines the number of males and females in each program as a percentage of the total population of males or females. A higher percentage of the female prison population were in Academic Education, ACDP, and Vocational Education during incarceration, while a higher percentage of males were in Correction Enterprises. A similar percentage of males and females were in Work Release.

Table 1
Prisoners in Select Correctional Programs by Gender

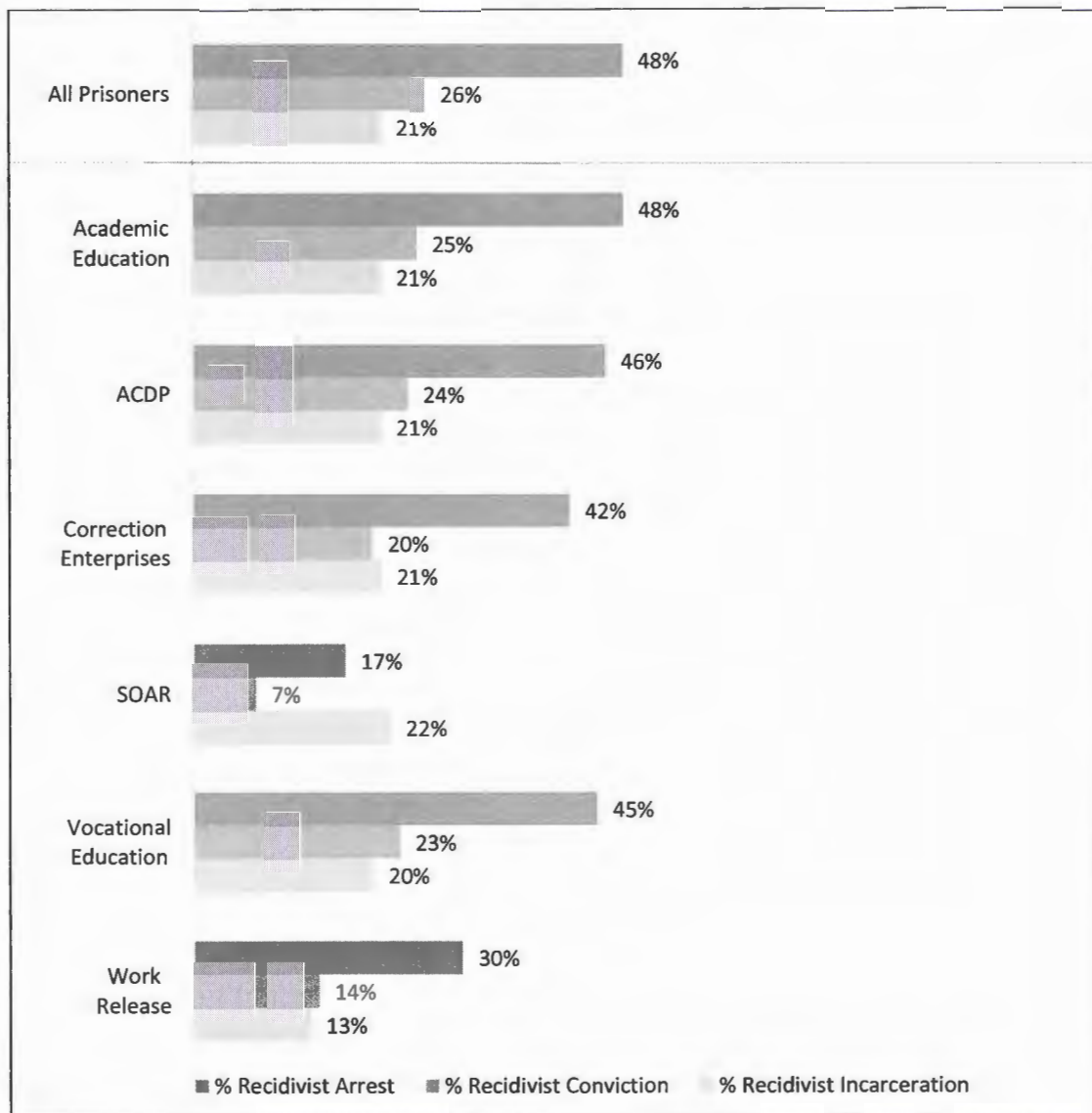
Select Correctional Programs	Prisoners N=13,873		Males n=12,478		Females n=1,395	
	# in Program	% of all Prisoners	# in Program	% of all Males	# in Program	% of all Females
Academic Education	6,744	49	5,911	47	833	60
ACDP	3,124	23	2,754	22	370	27
Correction Enterprises	1,692	12	1,589	13	103	7
SOAR	41	0	41	0	n/a	n/a
Vocational Education	4,753	34	4,082	33	671	48
Work Release	798	6	703	6	95	7

Note: Prisoners can participate in multiple prison programs during their incarceration period and, therefore, may be represented in more than one program.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

Figure 1 provides recidivism rates for prison releases by select correctional programs. Recidivism was defined broadly as arrest, conviction, or incarceration during a fixed two-year follow-up period. (For detailed definitions, see Appendix B of the 2016 recidivism report.) Recidivism rates for prisoners in Academic Education, ACDP, and Vocational Education were fairly similar or slightly lower than those found for the overall prison population. Prisoners in Correction Enterprises, SOAR, and Work Release generally had lower recidivism rates than the overall prison population.

Figure 1
Criminal Justice Outcomes for Prison Releases by Select Correctional Programs

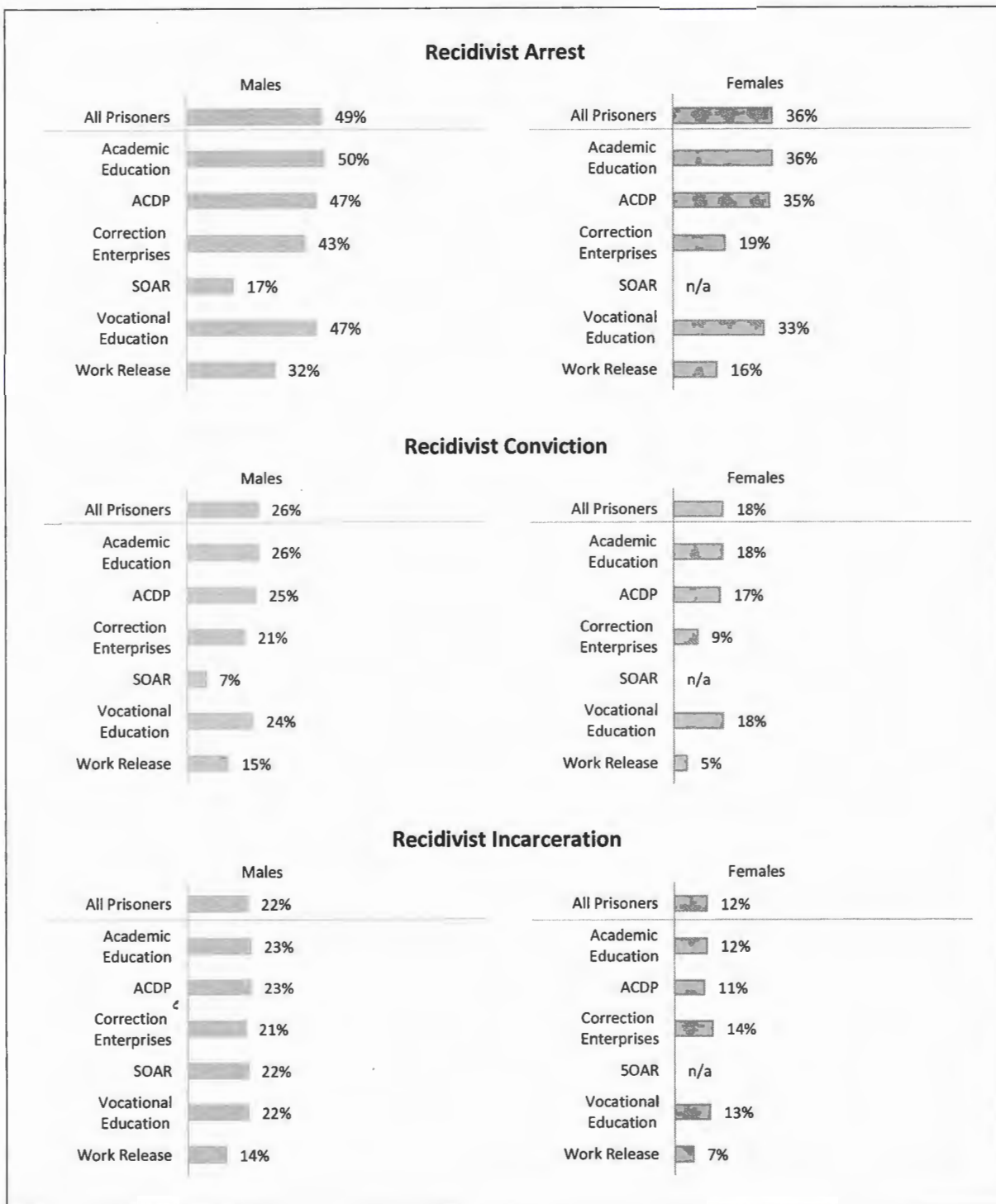


Note: Prisoners can participate in multiple prison programs during their incarceration period and, therefore, may be represented in more than one program.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

Figure 2 presents criminal justice outcomes for select correctional programs by gender. Overall, males had higher recidivism rates than females. Males and females in Academic Education, ACDP, and Vocational Education had fairly similar or slightly lower recidivism rates than the overall recidivism rates for males and females, while males and females in Correction Enterprises and Work Release generally had lower recidivism rates than the overall recidivism rates for males or females.

Figure 2
Criminal Justice Outcomes for Prison Releases by Select Correctional Programs and Gender



Note: Prisoners can participate in multiple prison programs during their incarceration period and, therefore, may be represented in more than one program.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 Correctional Program Evaluation Data

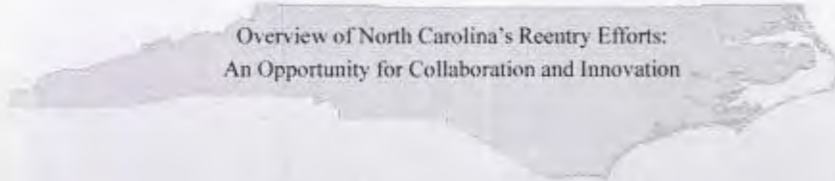
This research brief is intended to provide a broad overview of prison programs. The analysis does not include an examination of characteristics of prisoners in select programs (e.g., age, risk level, need level, sentence length) or their level of participation in the program (e.g., duration, successful completion). As such, the findings are not intended to be exhaustive. It should be noted that the recidivism rates of prison programs cannot be compared to one another for several reasons. Not only does program availability vary by prison, but the capacity of programs can be affected by the availability of funding. In addition, prisoners can participate in multiple programs during their incarceration period and, therefore, may be represented in more than one of the six prison programs examined. Future examination of prison programs and their effectiveness will include additional analysis variables following the DPS's realigning and remissioning of its prison programs and recent effort to assign offenders to prison programs based on a validated risk and need instrument. A more comprehensive analysis will allow for greater understanding of prison programs and their effect on recidivism.





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Joint Appropriations Committees on Justice and Public Safety



Overview of North Carolina's Reentry Efforts:
An Opportunity for Collaboration and Innovation

Nicole Sullivan, Director
Rehabilitative Programs and Services

North Carolina Department of Public Safety

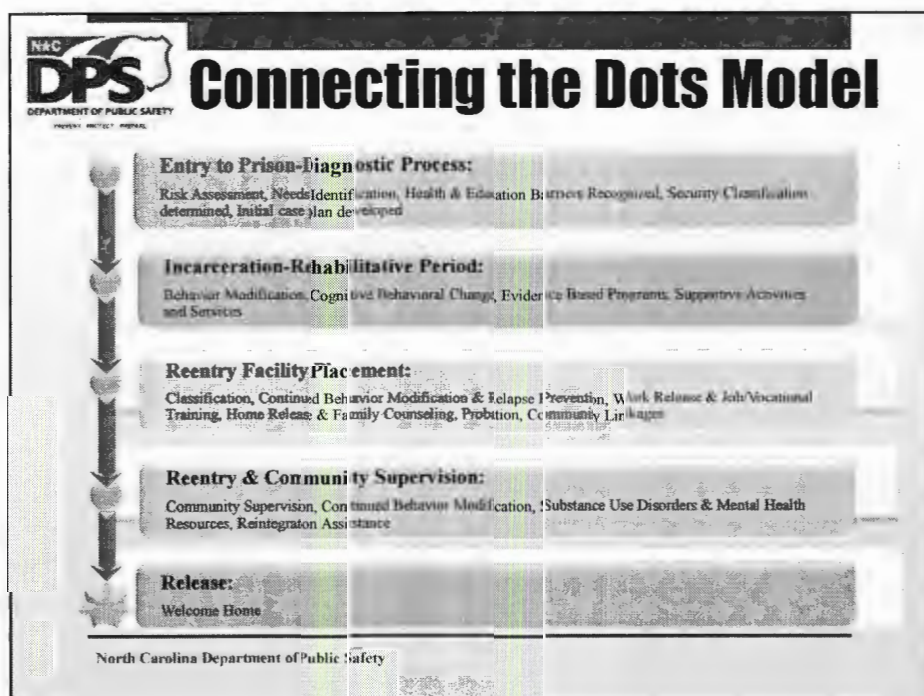
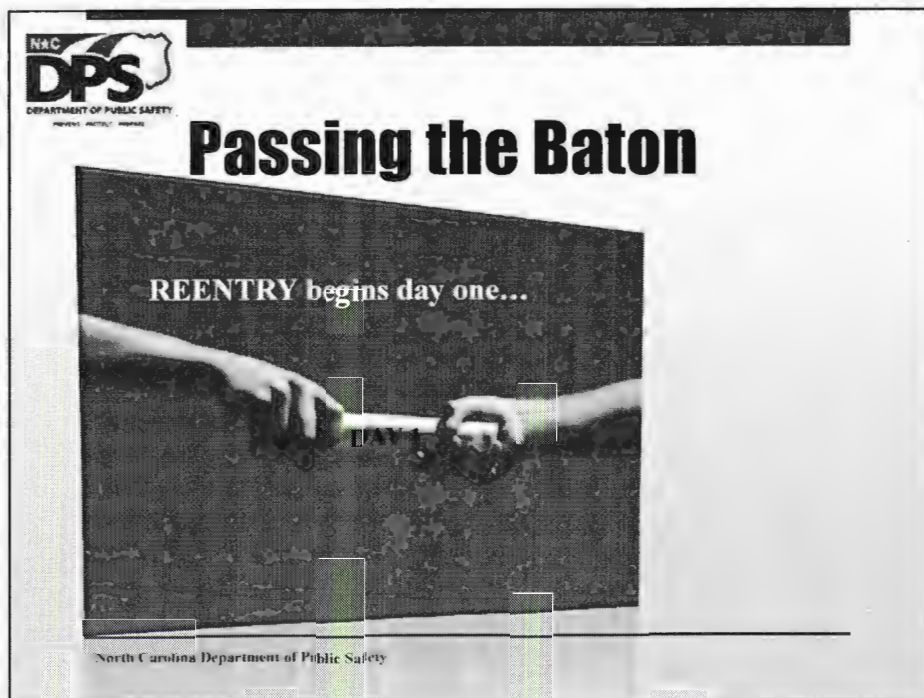


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Points to Consider....

- ❖ FY 2015-16, State prison entries totaled 23,531
 - 24% with sentence length less than one year
 - 31% with sentence length between 1-2 years
 - 26% with sentence length between 2-5 years
 - 95% of the state's incarcerated population will be released at some point
- ❖ FY 2015 -2016, State prisons released 23,875
 - Custody Levels
 - 9% in Close Custody
 - 29% in Medium Custody
 - 63% in Minimum Custody

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The Phases of Reentry

❖ Phase 1: Getting Ready (Institutional Phase)

- Assessment & Classification
- Rehabilitative Programming & Jobs

❖ Phase 2: Going Home (Transitional Phase)

- Release Planning and Preparation
- Reentry Facility Placement
- Supervision & Services

❖ Phase 3: Staying Home (Community Phase)

- Conditions of Release
- Discharge Planning & Aftercare
- Reintegration Assistance

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Phase 1 – Getting Ready

❖ Institutional Phase

- **Assessment & Classification – Diagnostic Process**
 - Risk Assessment
 - Needs Identification
 - Barriers Recognized
 - Security Classification
 - Initial case plan developed
- **Prison Programming Plan – Determines housing location and case plan for programming**
 - Matching person to right prison facility to address risk, needs, security, and programming identified during diagnostic process

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Phase I – Getting Ready

❖ Institutional Phase – Jobs

- Prison Facility Jobs
 - Food service, Maintenance, Janitorial, General Labor crews, DOT crews
- Correction Enterprises
 - Provides rehabilitative opportunities and produces high-quality merchandise at a savings to the taxpayer
- Inmate Construction Program
 - Provides on the job training in marketable construction skills while reducing the cost of capital projects
- Work Release
 - Provides an opportunity for employment in the community during the period of incarceration

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Phase I – Getting Ready

❖ Institutional Phase

- Ongoing Activities:
 - Re-mission current prison facilities
 - Reentry
 - Behavior Modification
 - Specialized Treatment:
 - Mental Health
 - Substance Use Disorders
 - Sex Offenders
 - Gang Affiliated

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Phase 2 – Going Home

❖ Transitional Phase

- **Release Planning & Preparation**

- 12-15 months remaining on sentence
- Address any remaining core programming and treatment needs
- Specific attention to Chronic Medical, Mental Health, Veteran, Substance Use Disorders, Family Reunification
- Transition Document Envelope (TDE) to gather state issued ID cards (DMV), Birth Certificate, Social Security card, academic and vocational credentials, and discharge & aftercare plans
- Community linkages, programming and services
 - Conducted by community-based organizations, faith-based organizations, non-profits, etc.

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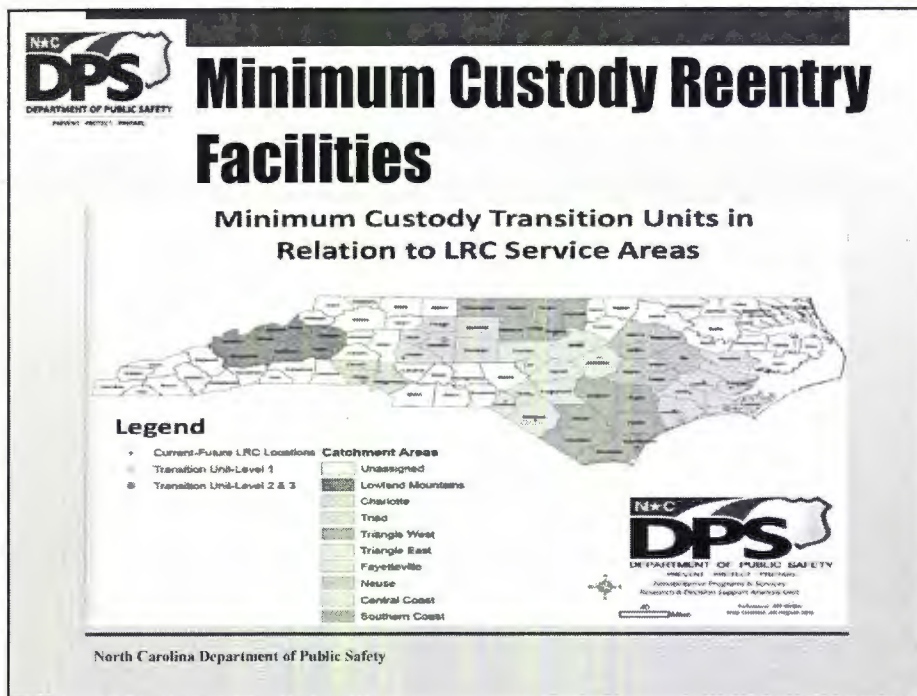
Phase 2 – Going Home

❖ Transitional Phase

- **Supervision and Services**

- Institutional Probation/Parole Officer (IPPO)
 - Based at Reentry Prison Facility
 - Team Approach working with Case Manager and Programs staff
 - Coordinate release planning with Parole Commission and supervising officer in home county
 - Deliver evidence-based programming focused on life skills for successful reentry
 - Connect with community resources and support in home community

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Phase 3 – Staying Home

❖ Community Phase

- **Conditions of Release**
 - 9 months remaining on sentence – “REENTRY WINDOW”
 - Institutional Probation/Parole Officer and Prison Case Manager
 - Discuss release plans and conditions at monthly meetings with individuals preparing for release
 - Home Plan investigation
 - Employment, Education, Family, Transportation, Housing
 - Discharge Planning & Aftercare: Medical, Mental Health, Substance Use Disorders
 - Coordinate applications for public benefits (e.g., food assistance, Medicaid, Social Security, etc.)

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Phase 3 – Staying Home

❖ Community Phase

- Reintegration Assistance
 - Local Reentry Councils
 - Current pilot in 5 areas of state (involving 9 counties)
 - Buncombe, Mecklenburg, Nash/Edgecombe/Wilson, Pitt, and Hoke/Scotland/Robeson
 - New Councils funded December 2016 in McDowell, Wake, Durham, and New Hanover
 - Other operational Councils: Craven/Pamlico, Carteret, and Onslow/Jones
 - Future expansion areas: Cumberland, Guilford, Forsyth
 - Major Local Reentry Council elements
 - Intermediary Agency
 - Dedicated reentry staff
 - Supportive services funding
 - Automated case management software

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Phase 3 – Staying Home

❖ Community Phase

- Reintegration Assistance
 - Local Reentry Council Outcomes (as of March 3, 2017)
 - Pilot sites entered data regarding 452 reentry participants
 - Mostly male, 26-30 age range
 - 58% released from state prison facilities
 - 68% currently under state community supervision
 - Services Requested: Employment, Housing, and Transportation
 - 96 placed in full-time jobs, wages greater than \$10.00/hr

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State Agency Partnerships

- NC Community College System – Provides academic and vocational education in all prison facilities
- DHHS – Assesses treatment needs and makes referrals for behavioral health services
- Commerce/DWS – Provides employment assistance at prison facilities
- DMV – Issues state identification (using mobile units) at prison facilities

North Carolina Department of Public Safety



QUESTIONS

North Carolina Department of Public Safety

VISITOR REGISTRATION SHEET

Name of Committee

House/Senate Public Safety

Date

3/9/17

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Jim Ross	JCC
Andy Brandon	NC DPS
John Madler	NC Sentencing Commission
Michelle Hall	"
Ginny Hevener	" "
Nicole Sullivan	NC DPS
Joe Pater	UCDPS
Tim Moore	NC DPS
Ann Anderson	OSBM
Mildred Spearman	NCAOC
Kris Parker	DRNC



VISITOR REGISTRATION SHEET

Name of Committee

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Lao Robert

CJAC

Connor Bullard

Hase Intern (Turner)

Ben Wadcox

Sen. Poulson





**Joint Committee On Appropriations
On Justice and Public Safety**

March 9, 2017

Room 415 LOB

8:30 AM

House Sergeant at Arms:

BARRY MOORE

WILLIAM MOORE

BILL RILEY

Senate Sergeant at Arms:

WILLIAM "BILLY" FRITSCHER

JIM HAMILTON



Senate Pages Attending

COMMITTEE: Apps. Justice & Pub. Safety ROOM: 415

DATE: 3-7 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!....or else!!!!

Page Name	Hometown	Sponsoring Senator
① Samuel Gammon	New London	McKinnis
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

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

DAY & DATE: Tuesday, March 14, 2017
TIME: 8:30 AM
LOCATION: 415 LOB

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative Ted Davis, Jr., Co-Chair
Representative Allen McNeill, Co-Chair
Representative Rena W. Turner, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 11:22 AM on Monday, March 13, 2017.

____ Principal Clerk
____ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)



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

March 14, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Warren Daniel	Representative Jamie Boles
	Senator Shirley Randleman	Representative Ted Davis
	Senator Norm Sanderson	Representative Allen McNeill
		Representative Rena Turner, Presiding

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

Justice Reinvestment Act
Jamie Markham, School of Government

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meetings: March 15: Community Corrections
 March 16: Prisons Wrap-Up

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Appropriations, Justice and Public Safety

[illegible]



Appropriations, Justice and Public Safety

[illegible]



**House Committee on Appropriations, Justice and Public Safety
Tuesday, March 14, 2017 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 A.M. on March 14, 2017, in Room 415 of the Legislative Office Building. Representatives Belk, Boles, Davis, C. Graham, G. Graham, John, Jones, McNeill, Richardson, Rogers, Speciale, Stevens, Turner, and Willingham attended. Senators Daniel, Foushee, Randleman, and Sanderson were also in attendance.

Representative Rena Turner presided. She called the meeting to order at 8:32 A.M. Chairman Turner introduced the Sergeant at Arms staff and pages present for the meeting.

Chairman Turner introduced Jamie Markham, School of Government, to give an overview of the Justice Reinvestment Act. A copy is attached as Exhibit "A".

The meeting adjourned at 9:30 AM.



Representative Rena Turner, Chair
Presiding



Barbara Gaiser, Committee Clerk



Justice Reinvestment in North Carolina

Jamie Markham

Associate Professor, UNC School of Government

March 14, 2017



UNC
SCHOOL OF GOVERNMENT

www.sog.unc.edu

"A data-driven justice reinvestment approach . . . to reduce spending on corrections and reinvest in strategies to increase public safety."

— Council of State Governments

JUSTICE ★ CENTER

THE COUNCIL OF STATE GOVERNMENTS



Public Safety
Performance
Project



Bureau of Justice Assistance



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Findings

1. Over half of new prison entries are revoked probationers
2. Most inmates leave prison with no supervision in the community
3. Treatment and supervision resources not allocated in an evidence-based way
4. Unusual number of misdemeanants in prison

Legislation

2011 Justice Reinvestment Act
2011 Technical Corrections Act
2012 Technical Corrections Act
2013 Clarifying Changes Act
2014 Jail Credit Clarifications
2015 CRV eliminated for misdemeanants
2016 JRA Amendments



THE NORTH CAROLINA Justice Reinvestment Act

James M. Markham



UNC
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Finding: Over half of new prison entries are revoked probationers

Limit Judges' Authority to Revoke

Before JRA

- Judge could revoke for any single violation of probation

2015: CRV repealed for misdemeanants

- Substitute 2-3 day "quick dips" for CRV

After JRA

Revocation limited to:

- New criminal offense
- Absconding

All other violations:

- 90-day "Confinement in Response to Violation" (CRV)
- After two CRV periods, court may revoke



Pathways to Revocation for Technical Violations

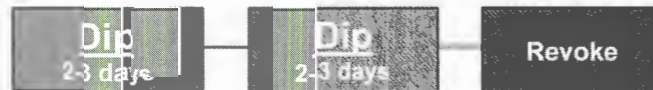
Felony



Misdemeanor Placed on before 12/1/15



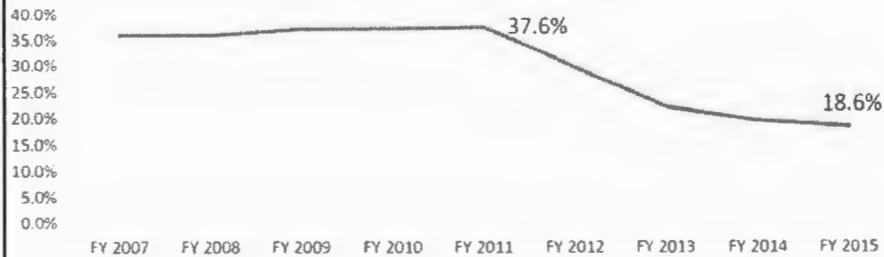
Misdemeanor Placed on on/after 12/1/15



DWI

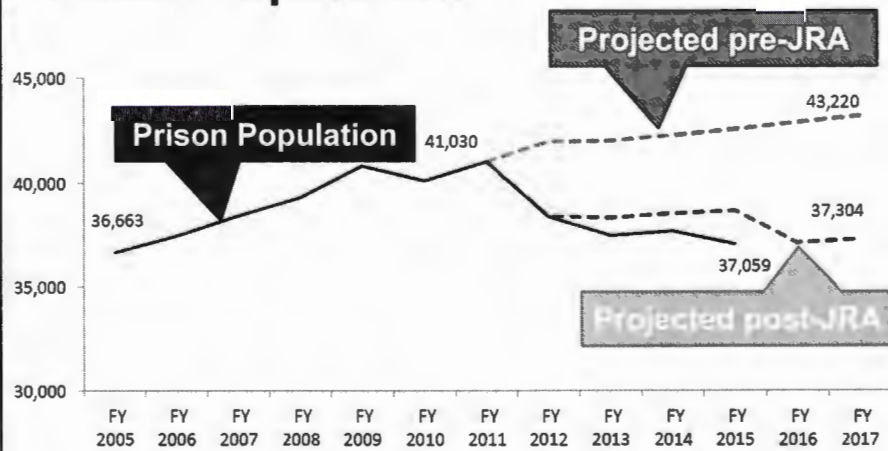


Probation Revocation Rate



UNC
BY DESIGN THE BETTER WAY

Prison Population



UNC
BY DESIGN THE BETTER WAY



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Finding: Most inmates leave prison with no supervision in the community

Post-Release Supervision (PRS) for All Felons

Before JRA

9-month PRS for
Class B1-E felons

After JRA

9-month PRS for
Class F-I felons
12-month PRS for
Class B1-E felons
60-month PRS for
sex offenders



Finding: Treatment and supervision resources not allocated in an evidence-based way

Expand Delegated Authority

Before JRA

Probation officer had
limited authority to
impose new conditions in
response to violation

After JRA

Probation officer has
expanded authority to
impose more conditions
in response to violations
or risk level
— Includes power to impose
“quick dips” in the jail in
response to violation

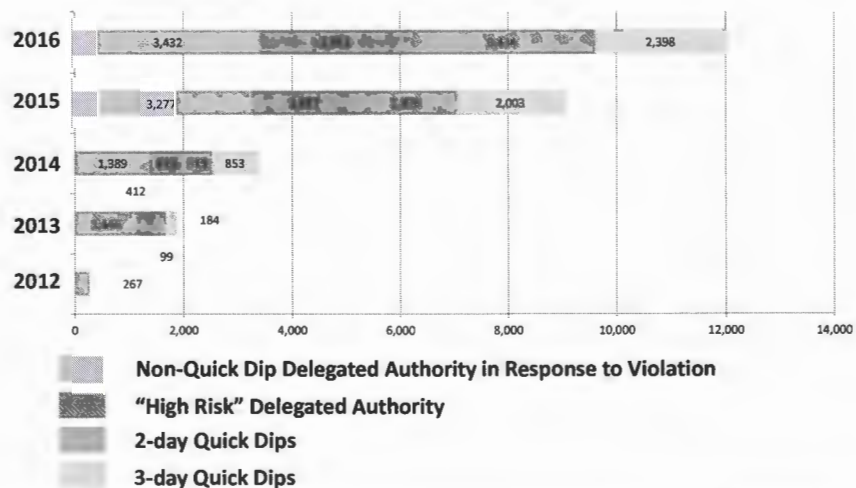


Delegated Authority

- Community service
- Substance abuse assessment, monitoring, or treatment
- Electronic house arrest
- Curfew with monitoring
- Educational/vocational programs
- Quick dip confinement

Note:
Delegated
authority does
not apply in
DWI cases

Delegated Authority Utilization



Finding: Unusual number of misdemeanants in prison

Change Place-of-Confinement Rules

Before JRA

Felons: Prison, except at sheriff/board request

Misdemeanants:

- 1-90 days: Local jail
- 91+ days: Jail or prison in judge's discretion

After JRA

Felons: Prison

Misdemeanants:

– 1-90 days: Local jail

– 91+ days: SMCP

Since 2015:

- 1-90: Local jail
- 91+: SMCP
- ALL DWI: SMCP

– 18+ months: Prison

– Exempt: Prison

Statewide Misdemeanant Confinement Program (SMCP)

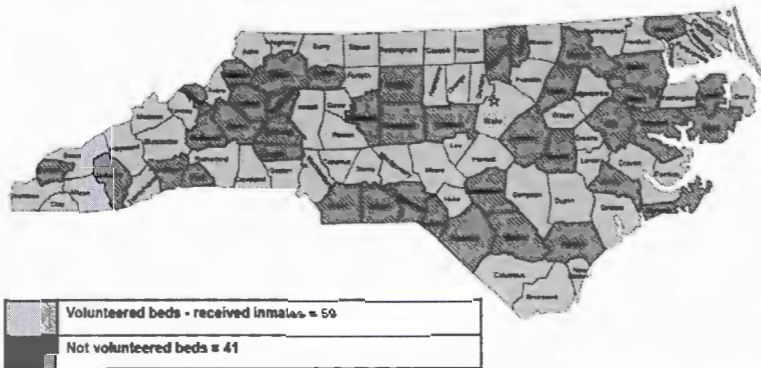
Process:

- Judge commits defendant to SMCP
- N.C. Sheriffs' Association identifies space in a jail that has volunteered space to the program
- If no space, defendant goes to DAC
- SMCP reimburses the custodian (\$40/day)



Statewide Misdemeanant Confinement Program

Counties that have Volunteered Beds to the Statewide Misdemeanant Confinement Program (SMCP)



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SMCP Numbers

As of 31 January 2017:

- Capacity: 1737 beds
- Population: 1102 inmates
- DWI population: 160
- 2015 year-end Fund balance: \$50 million
- 2016 reimbursements paid: \$18 million
- 2016 medical payments: \$1 million

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Other Changes

Advanced Supervised Release created
G.S. 90-96 deferral expanded
Habitual felon law amended
Habitual breaking/entering created



Advanced Supervised Release (ASR)

Before JRA

No felon released before
serving minimum
sentence

ASR sentences

2016: 79
2015: 90
2014: 71

After JRA

ASR gives opportunity for
early release upon
completion of "risk
reduction incentives" in
prison

- Only certain Class D-H defendants eligible
- Requires trial judge and prosecutor approval



G.S. 90-96 Deferral Expanded

Before JRA

Optional deferral program for first-time drug offenders

- Mostly misdemeanants

If successful on G.S. 90-96 probation, conviction is dismissed

After JRA

Mandatory deferral program for first-time drug offenders

Returned to discretionary status in 2013



Habitual Felon Law

Before JRA

Fourth/subsequent felony sentenced as Class C felony, regardless of offense class

- E.g., Class I → Class C

After JRA

Four-class enhancement for fourth/subsequent felony, capped at Class C

- Class I → Class E
- Class H → Class D
- All others → Class C

914 habitual felon sentences in 2016



Habitual Breaking/Entering

Before JRA

None

- 2016: 158 sentences
- Note: B/E is still most common substantive offense associated with the regular habitual felon law (96/914)

After JRA

Second/subsequent felony breaking/entering offense may be sentenced as Class E felony

Questions?

Jamie Markham
UNC School of Government
markham@sog.unc.edu
(919) 843-3914



VISITOR REGISTRATION SHEET

Appropriations Committee on Justice and Public Safety

Date: 3/14/2019

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Dawn Blagrove	CSTC
Rebecca Murdock	SPAC
MARK HAMMONDS	CLERK OF SUPERIOR COURT - ARIZONA COUNTY
J. R. ROWELL	CLERK OF SUPERIOR CT. - UNION CO.



VISITOR REGISTRATION SHEET

Appropriations Committee on Justice and Public Safety

Date: 03/14/17

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Andy Brandon	NC DPS
David Ferrell	VB
Barbara Moore	NC AOC
Mildred Spearman	NCAOC
Jamie Lassiter	Conf of Clerks
Ann Anderson	OSBM
Cari Arthur	NLRMA



House Pages
Assignments
Tuesday, March 14, 2017
Session: 2:00 PM

Committee	Room	Time	Staff	Comments	Member
Appropriations on Department of Transportation	1027/1128	8:30 AM	Emilie Norwood		Rep. Speaker Tim Moore
			Emily Pennington		Rep. Speaker Tim Moore
Appropriations on Education / Higher Education	Other	8:30 AM	Marissa Huggins		Rep. Mike Clampitt
			Sophia Sload		Rep. Speaker Tim Moore
Appropriations on General Government and Information Technology	425	8:30 AM	Savannah Barnes		Rep. Speaker Tim Moore
			Eleanor McNamee		Rep. Speaker Tim Moore
Appropriations on Justice and Public Safety	415	8:30 AM	Hannah Bethea		Rep. Garland Pierce
			Makenzie Waites		Rep. Sarah Stevens
Appropriations, Agriculture and Natural and Economic Resources	421	8:30 AM	Emily Kornegay		Rep. Speaker Tim Moore
			Hannah Lewis		Rep. Speaker Tim

9

10



11



12

13

**House Pages
Assignments
Tuesday, March 14, 2017**

Committee	Room	Time	Staff	Comments	Member
					Moore
Finance	544	9:00 AM	Eliza Hilton		Rep. Speaker Tim Moore
			Wilson Moore		Rep. Speaker Tim Moore
Education - K-12	643	10:00 AM	Yasmeen Ayes		Rep. Speaker Tim Moore
			Jasmine Jones		Rep. Speaker Tim Moore
			Yara Mahmoud		Rep. Speaker Tim Moore
			Mariah Pride		Rep. Speaker Tim Moore





Senate Pages Attending

COMMITTEE: Jt. Apps. Justice & Public Safety ROOM: 415

DATE: 3-14 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!....or else!!!!

Page Name	Hometown	Sponsoring Senator
①. Chrisean Hardy	Winston-Salem	Sn. Paul Lowe
②. Catlyn Sosbe	Rougemont	Sn. Michael Woodard
③. Alyssa Alfaro	Goldsboro	Sn. Louis Pate
④. Jillian Jessup	Raleigh	Sn. John Alexander
5.		
6.		
7.		
8.		

Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.





Joint Committee
ON
Appropriations, Justice and Public Safety

March 14, 2017

Room 415 LOB

8:30 AM

Senate Sergeant at Arms:

LARRY HANCOCK

LINDA MATTHEWS

HOUSE SGT AT ARMS

BILL MOORE

BILL RILEY

BARRY MOORE

Senate Committee on Appropriations on Justice and Public Safety
Wednesday, March 15, 2017 at 8:30 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 8:34 AM on March 15, 2017 in Room 415 of the Legislative Office Building. 12 members were present.

Senator Norman W. Sanderson, Chair, presided.

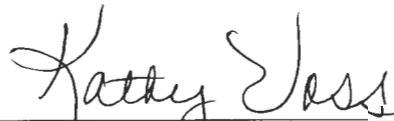
The chair welcomed all members and visitors then introduced and thanked House Sergeants at Arms, Bill Moore, Bill Riley, Barry Moore and Senate Sergeants at Arms John Enloe and Tom Burrows. He then introduced House Pages Yara Mahmoud and Eleanor McNamee, sponsored by Speaker Tim Moore and Senate Pages Aleksia Kliene of Cary, sponsored by Senator Barringer and Candace Bowden of Wilmington, sponsored by Senator Lee.

The chair introduced Ms. Kristine Leggett and Mr. John Poteat, from our Fiscal Research Division, for a presentation and reporting on the DPS-Community Corrections budget. See attachments. Fiscal staff and DPS staff responded to questions from Representatives Johns, McNeill, C Graham, G Graham, and Richardson and Senator Sanderson.

There being no further business, the meeting adjourned at 9:38 am.



Senator Norman W. Sanderson, Chair
Presiding



Kathy Voss, Committee Clerk



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

March 15, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Warren Daniel	Representative Jamie Boles
	Senator Shirley Randleman	Representative Ted Davis
	Senator Norm Sanderson, Presiding	Representative Allen McNeill
		Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DPS-Community Corrections Budget
John Poteat, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

Next meeting:

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



Community Corrections

Department of Public Safety

G.S. Reference: 15A-1341

Provides for the conditions of supervision for persons on probation.

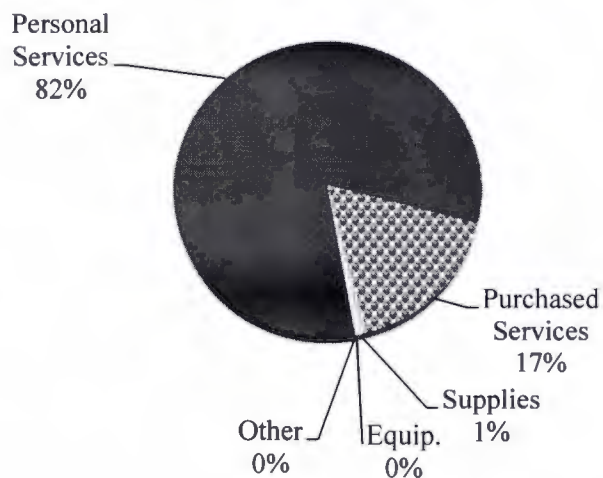
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$182,384,279	\$189,275,434	\$199,879,916	\$201,472,193	\$201,481,034
Less Receipts	\$1,533,613	\$817,215	\$508,662	\$308,662	\$308,662
Appropriation	\$180,850,666	\$188,458,219	\$199,371,254	\$201,163,531	\$201,172,372
FTE	2,707.80	2,703.80	2,701.80	2,701.80	2,701.80

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

<u>Fund</u>	<u>Fund Title</u>	<u>Page in Budget</u>
1360	Community Corrections - Management	103
1365	CC - Interstate Compact	106
1370	CC - Regular Supervision	108
1375	CC - Community Supervision Programs	111
1377	CC - Electronic Monitoring	113
1380	CC - Judicial Services	115

Community Corrections

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1360	\$2,457,380	\$322,401	\$12,507	\$10,215	\$2,857	\$2,805,360	32.30
1365	\$603,441	\$60,866	\$3,540	\$2,670	\$37,443	\$707,960	10.00
1370	\$148,614,313	\$14,787,410	\$1,183,267	\$1,161,595	\$61,278	\$165,807,863	2,409.00
1375	\$302,748	\$12,098,387	\$2,272	\$539	\$375	\$12,404,321	4.50
1377	\$406,948	\$6,484,885	\$1,126	\$4,268	\$450	\$6,897,677	6.00
1380	\$12,708,216	\$77,148	\$25,196	\$4,715	\$33,737	\$12,849,012	240.00
Total	\$165,093,046	\$33,831,097	\$1,227,908	\$1,184,002	\$136,140	\$169,321,183	2,701.80

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
1360	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1365	\$0	\$0	\$0	\$0	\$0	\$199,845	\$199,845
1370	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1375	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1377	\$0	\$0	\$108,817	\$0	\$0	\$0	\$108,817
1380	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$108,817	\$0	\$0	\$199,845	\$308,662

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1360	Community Corrections - Management	103
1365	CC - Interstate Compact	106
1370	CC - Regular Supervision	108
1375	CC - Community Supervision Program	111
1377	CC - Electronic Monitoring	113
1380	CC - Judicial Services	115

Confinement in Response to Violation Facilities

Department of Public Safety

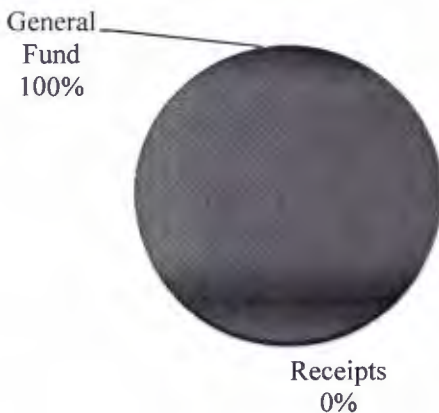
G.S. Reference: 15A-1344 (d2)

Provides for the confinement of certain probation violators in a CRV facility to provide security and treatment.

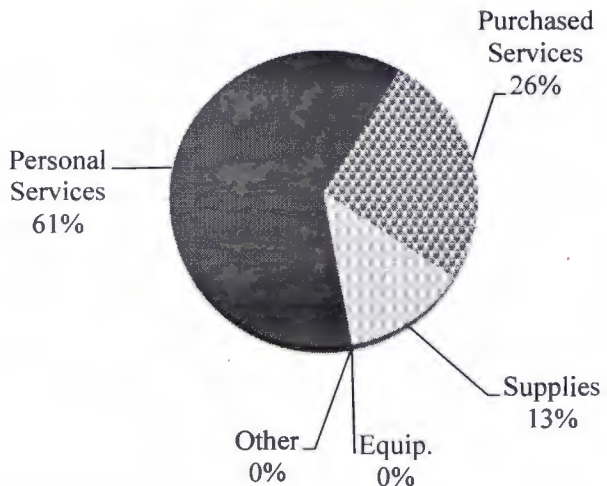
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$4,131,208	\$7,506,814	\$10,326,770	\$10,495,134	\$10,495,134
Less Receipts	\$0	\$0	\$0	\$0	\$0
Appropriation	\$4,131,208	\$7,506,814	\$10,326,770	\$10,495,134	\$10,495,134
FTE	86.00	111.00	121.00	121.00	121.00

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

<u>Fund</u>	<u>Fund Title</u>	<u>Page in Budget</u>
1355	CRV Facilities	101

Confinement in Response to Violation Facilities

Department of Public Safety

Expenditures: Summary by Account

Fund Code	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		FTE
	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	
1355	\$6,422,629	\$2,720,450	\$1,325,500	\$13,200	\$13,355	\$10,495,134	121.00
Total	\$6,422,629	\$2,720,450	\$1,325,500	\$13,200	\$13,355	\$10,495,134	121.00

Revenues: Summary by Account

Fund Code	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	Total
	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	
1355	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1355	CRV Facilities	101

Post-Release Supervision and Grievance Resolution Board

Department of Public Safety

Expenditures: Summary by Account

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1390	\$2,528,290	\$193,157	\$10,636	\$9,661	\$1,275	\$2,743,019	33.00
1392	\$417,285	\$69,046	\$7,805	\$3,468	\$100	\$497,704	5.00
Total	\$2,945,575	\$262,203	\$18,441	\$13,129	\$1,375	\$3,240,723	38.00

Revenues: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - XXX	438-538-XXX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contributions & Donations	Misc.	Intergovernmental Transactions	Total
1390	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1392	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1390	Post-Release Supervision/Parole Comr	120
1392	Grievance Resolution Board	122

Post-Release Supervision and Grievance Resolution Board

Department of Public Safety

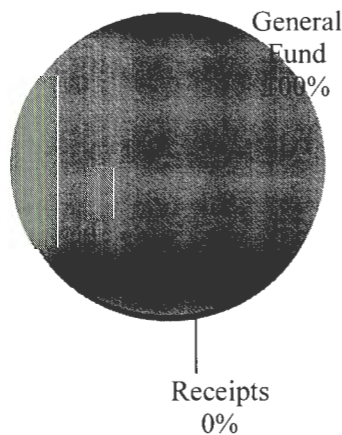
G.S. Reference: 143B-720 and 148-118.6

Provides for a four-member Commission that sets the conditions of post-release supervision for offenders and considers the parole of eligible inmates and offenders. Provides for a five-member board that investigates inmate grievances.

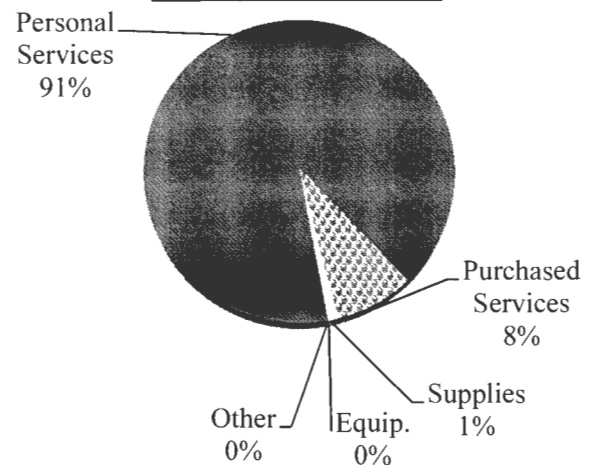
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$3,065,248	\$3,232,575	\$3,182,397	\$3,240,723	\$3,245,747
Less Receipts	\$21,941	\$5,972	\$0	\$0	\$0
Appropriation	\$3,043,307	\$3,226,603	\$3,182,397	\$3,240,723	\$3,245,747
FTE	39.00	40.00	38.00	38.00	38.00

FY 2017-18 Base Budget

Source of Funds



Expenditure of Funds



Funds Included in Division/Program

Fund	Fund Title	Page in Budget
1390	Post-Release Supervision/Parole Comm.	120
1392	Grievance Resolution Board	122

Joint Appropriations Committees on
Justice and Public Safety

**Department of Public Safety
Community Corrections**



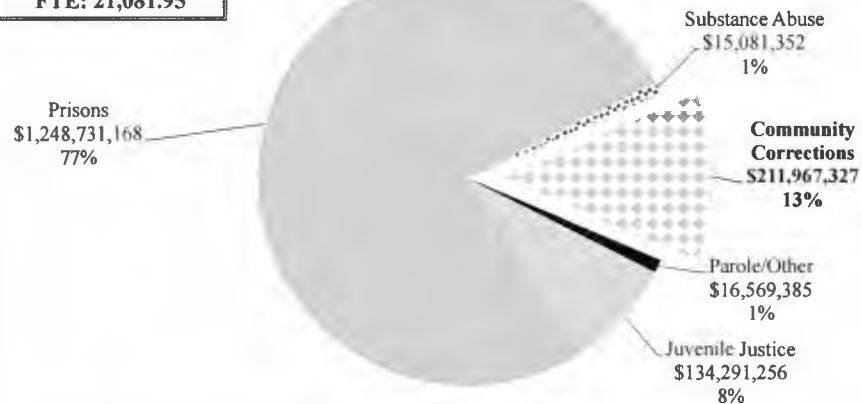
March 15, 2017



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

FY 2017-18 DACJJ Base Budget

Total Budget: \$1.6b
FTE: 21,081.95



Source: Recommended Base Budget (Worksheet 1) 02/09/17

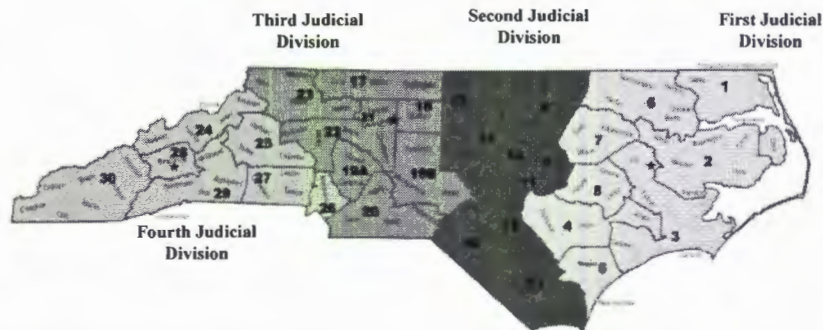


FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Adult Correction—Community Corrections

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.



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

3

March 15, 2017

Community Corrections Section

- **Budget:** \$220.2 million
- **Locations:** 239
- **Facilities:** 4
- **Beds:** 800
- **Under Supervision:** 97,839
- **Employees:** 2,938 employees
- **Miles Driven:** 18,823,689 miles in 2,145 vehicles

10th largest “city” in NC

Source: Community Corrections Administration

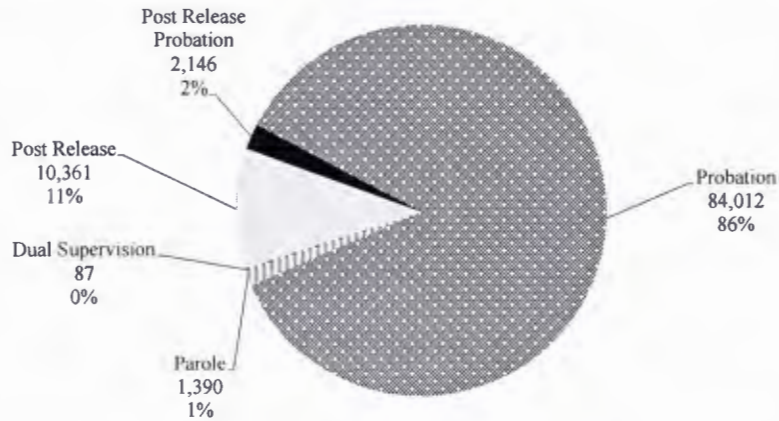


FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

4

March 15, 2017

Community Corrections Population



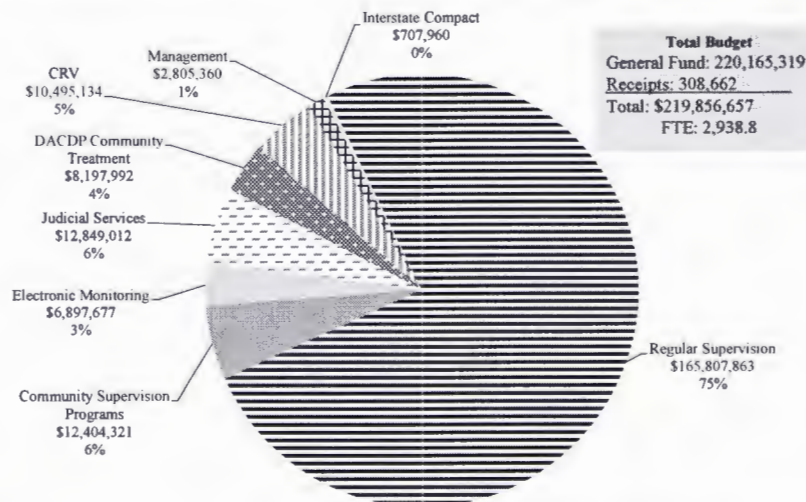
Source: DPS, Automated System Query; 01/31/17

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

5

March 15, 2017

2017-18 Community Corrections Budget



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

6

March 15, 2017

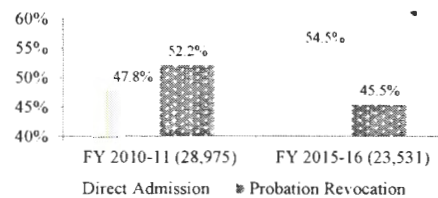
Community Corrections Population Drivers

Structured Sentencing— FY 2015-16:

- 16,983 felons received supervised probation
- 25,511 misdemeanants received supervised probation

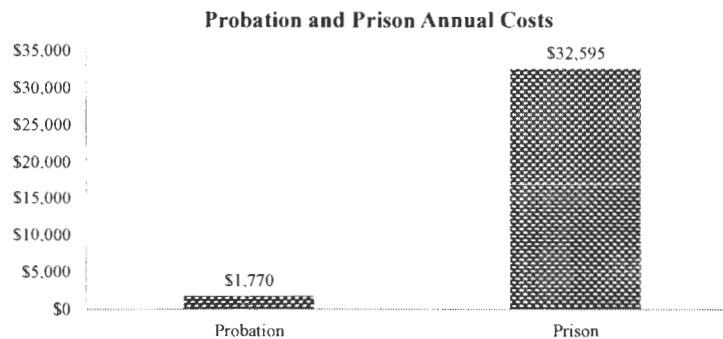
Justice Reinvestment Act

- All felons receive Post-Release Supervision (an additional 8,568 since 2011-12)
- Same rate of revocations as FY 2010-11: 1,563 additional inmates



Community Corrections

Prison Costs 18 times more than Probation



FY 2015-16 CC Population

Admissions: 63,246

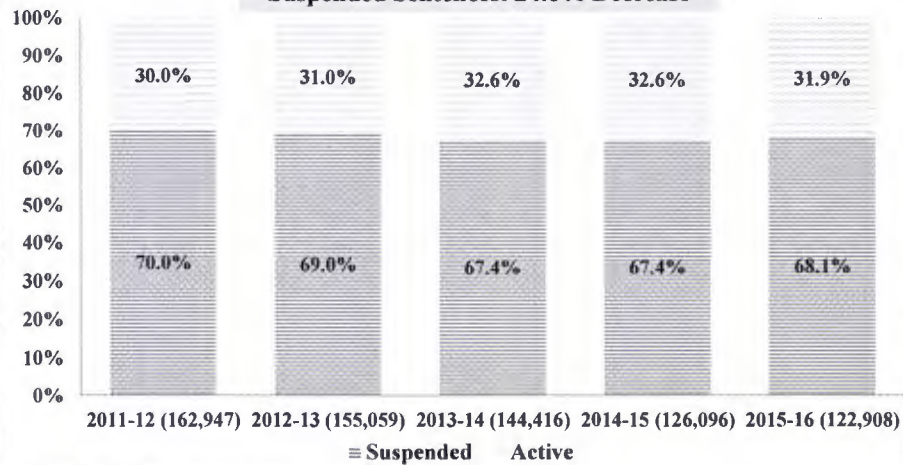
Exits: 64,696

Felons		Misdemeanants	
Probation Population	40,898	Probation Population	46,045
Admissions	18,267	Admissions	32,649
Exits	18,133	Exits	35,887
Average Length of Stay	27 months	Average Length of Stay	14 months

Source: SPAC and DPS

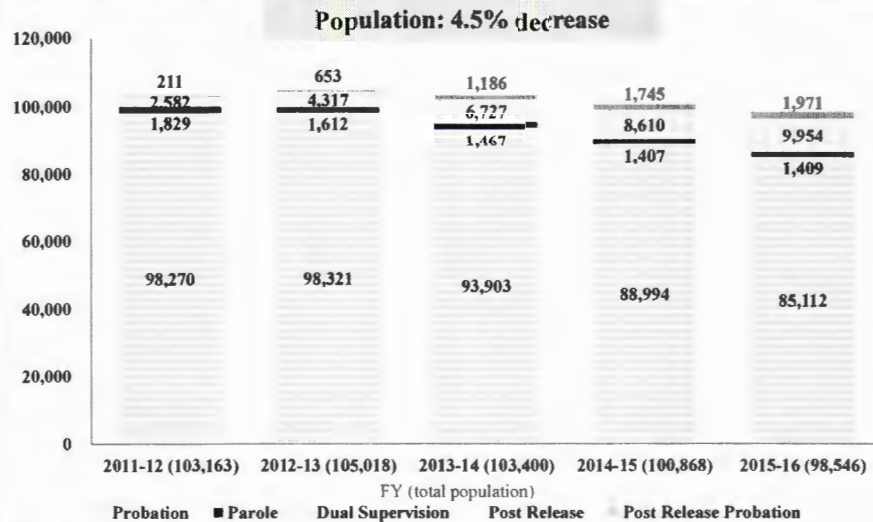
Type of Sentence

Suspended Sentences: 24.6% Decrease



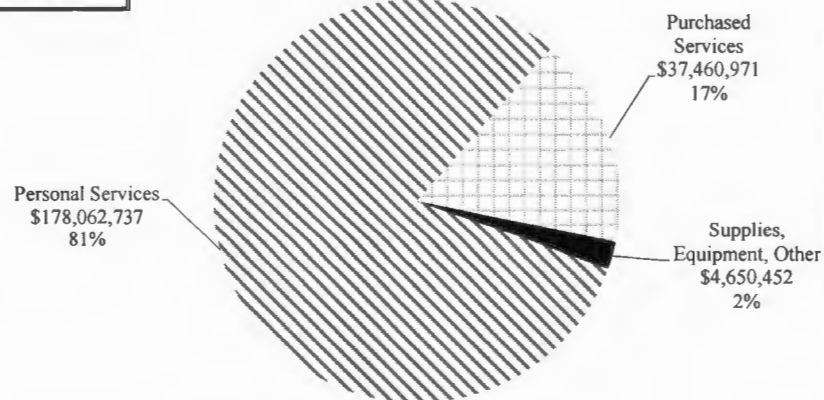
Source: SPAC, annual statistical reports

Community Corrections Population



FY 2017-18 DCC Budget by Purpose

Total Budget:
\$220.2 M



Source: Recommended Base Budget (Worksheet I) 02 09 17

2017-18 CC FTE Positions

Area	#
Community-Based Substance Abuse Treatment	127
DART-Cherry (Wayne)	42
Black Mountain Treatment Center for Women (Buncombe)	85
Regular Probation	2,409
Judicial Division/Assistant Division Administrators	8
Judicial District Managers/Asst. JDMs	54
Chief PPOs	269
PPOs + W/A PPO Associates	1,675 + 199
PPO Field Specialists	25
Admin & Other	179
Judicial Services	240
Commitment in Response to Violation (CRV) Centers	138
Burke CRV	66
Robeson CRV	72
Electronic Monitoring	6
Interstate Compact	10
Parole Commission	33.3
Management & Community Supervision Programs	37.38
Total	3,000.68

Source: Beacon BO 149 (01/24/2017)

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March 15, 2017

Regular Supervision

FTE: 2,409

FY 2017-18 Requirements: \$165,807,863

90% of Budget is Personal Services

30 Offices in 4 Divisions

- Administration: 179
- Division and District Management: 62
- Chief Probation Officers: 269
- Probation Officers: 1,899



Source: Recommended Base Budget (Worksheet I) 02/09/17 and Beacon BO 149 Report (01/24/17)

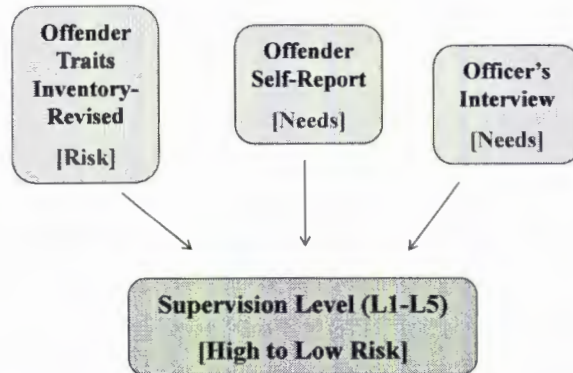
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March 15, 2017

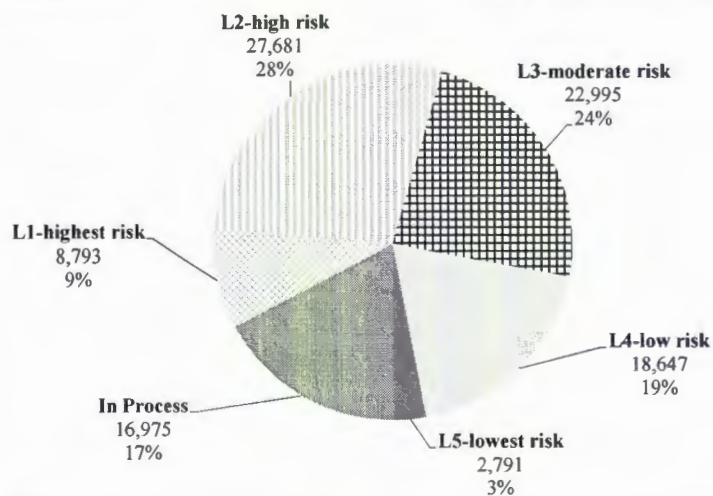
Risk and Needs Assessment

Justice Reinvestment Act requires risk assessment



Source: DPS

Offender Risk Assessments



Source: DCC, Risk Assessment by Supervision Level, 12/31/16

Regular Supervision—Caseloads

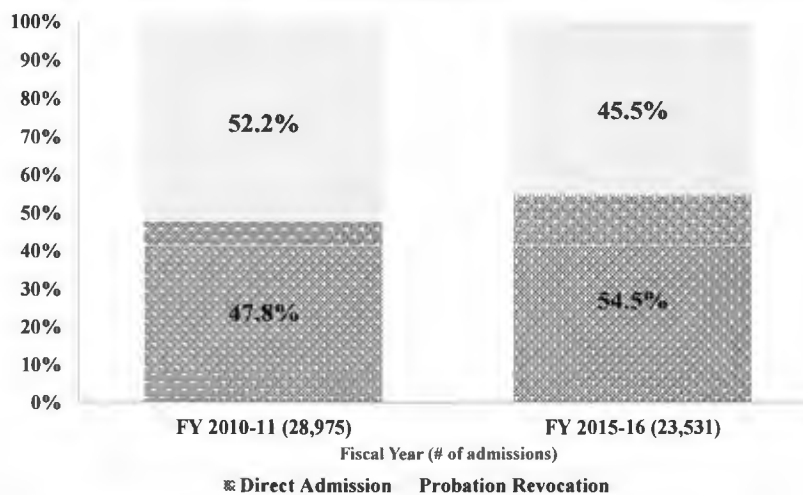
Probation Officers

- High-Risk (L1-L2): 40
- High-to-Moderate Risk (L2-L3): 60
- Low-Risk (L4-L5): 120
- All Risk (L1-L5): 60

Caseloads by Division

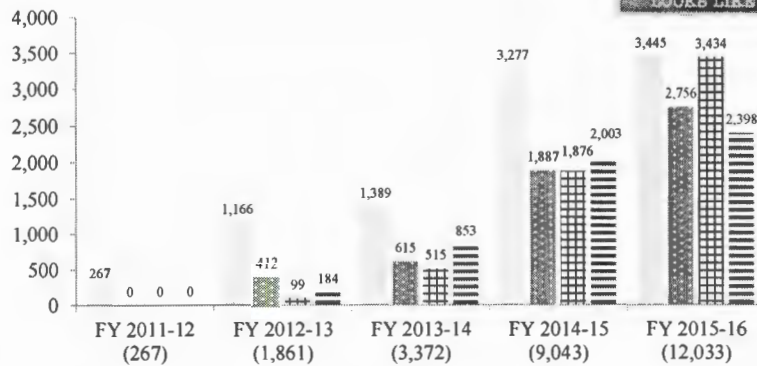
	Caseload Average	Current Staff	Offender
Division 1	55	424	21,557
Division 2	57	499	25,399
Division 3	61	501	27,808
Division 4	55	431	21,561
Statewide	57	1,855	96,325

Sources of Prison Admissions



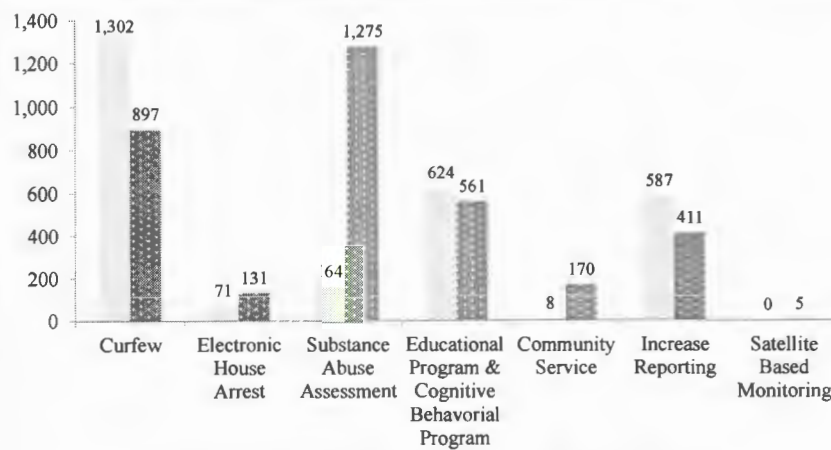
Source: DPS, Automated System Query

Tool Utilization



Delegated Authority ■ High Risk Delegated Authority ■ Quick Dip (2 Day) ■ Quick Dip (3 Day)

FY 2015-16 Delegated Authority Usage



High Risk Delegated Authority

■ Delegated Authority

Judicial Services

FTE: 240

FY 2017-18 Requirements: \$12,849,012

Judicial Services Coordinators and Specialists: 228

Monitor unsupervised community service caseloads and also process supervised probation cases out of court; average: 90

FY 2015-16 Unsupervised Cases:

- Felonies: 246 (1% of the total)
- Misdemeanors: 21,211 (34% of the total)

Source: Recommended Base Budget (Worksheet I) 02/09/17 and Beacon BO 149 Report (01/24/17)

Community Supervision Program

FTE: 4.5

FY 2017-18 Requirements: \$12,404,321

98% of Budget is Purchased Services

Treatment for Effective Community Supervision (TECS)

Fund evidence-based programs

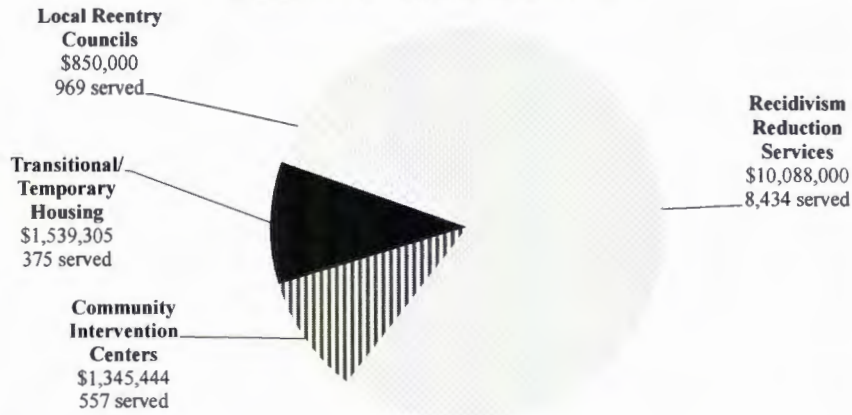
- Cognitive Behavior Intervention (CBI)
- Substance Abuse services

Providers awarded 25% of contract amount as a base plus milestone deliverables for additional payments

Source: Recommended Base Budget (Worksheet I) 02/09/17 and DPS, Annual TECS Report

TECS Programs

FY 2015-16 TECS Contracts



Source: DPS, Annual TECS Report

Confinement in Response to Violation Centers

FTE: 121

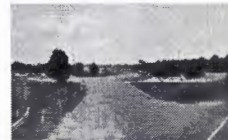
FY 2017-18 Requirements: \$10,495,134

Court orders offenders based upon technical violations

Mix of Custody, Probation, Program, and Administrative Staff

Hybrid of Prison and Community Correction facility

- Prisons: supervise operation, staff, budget, health care
- Probation: PPO staffing, programing, contract with providers



Source: Recommended Base Budget (Worksheet 1) 02 09 17 and DPS

Confinement in Response to Violation Centers

Facilities:

- Burke: 66 FTE and 248 beds
- Robeson: 72 FTE and 192 beds
- Eastern CI: 1 FTE* and 96 beds

200 hours over 90 days (CBI, substance abuse, & life skills):

- Mandatory group programs (16.5 hours/week)
- Discretionary programs w/Community Colleges (14 hours/week)
- Local county health department
- Community volunteer

* 4-6 PPOs come weekly to provide programming

Source: DPS



Electronic Monitoring

FTE: 6

FY 2017-18 Requirements: \$6,788,860

94% of Budget is Purchased Services

\$90 fee plus actual daily cost (\$7.36)

FY 2015-16 Collected: \$107,226



Source: Recommended Base Budget (Worksheet 1) 02/09/17

Electronic Monitoring

	Sex Offenders		Adult Correction	
	FY 2014-15	FY 2015-16	FY 2014-15	FY 2015-16
Lifetime	336	390	-	-
Satellite Based Monitoring	358	387	-	-
Electronic House Arrest	28	30	465	488
Electronic Monitoring	228	155	1,689	1,270
Radio Frequency	-	-	738	450
TOTAL	950	962	2,892	2,208

Note: Lifetime and Satellite Based are court ordered

Source: DPS, Electronic Monitoring

Community Based Treatment

DART-Cherry

FTE: 85

FY 2016-17 Requirements: \$4,964,415

90-day male facility in Wayne County

Capacity: 300

Daily Cost: \$64.51 Enrollment: 1,354

72% completion rate



Source: Recommended Base Budget (Worksheet 1) 02/09/17

Community Based Treatment

Black Mountain Substance Abuse Treatment Center

FTE: 42

FY 2016-17 Requirements: \$2,672,669

90-day female facility in Buncombe County

Capacity: 60

Daily Cost: \$137.50 Enrollment: 293

82% completion rate



Source: Recommended Base Budget (Worksheet I) 02/09 17 and DPS



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March 15, 2017

Parole and Post-Release Supervision Commission

FTE: 33

FY 2017-18 Requirements: \$2,743,019

- Commissioners: 4
- Case Analysts: 16
- Administrative: 11
- Psychologist and Program Development Coordinator: 2

Source: Recommended Base Budget (Worksheet I) 02/09 17



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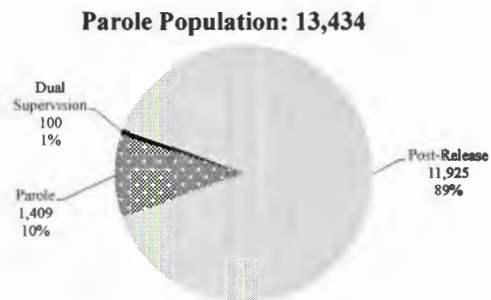
March 15, 2017

Parole and Post-Release Supervision Commission

Sets Post-Release conditions for all felons exiting prison

- B1-E: 12 months
- F-I: 9 months

- Entries: 13,876
- Exits: 12,089



Parole & Medical Release

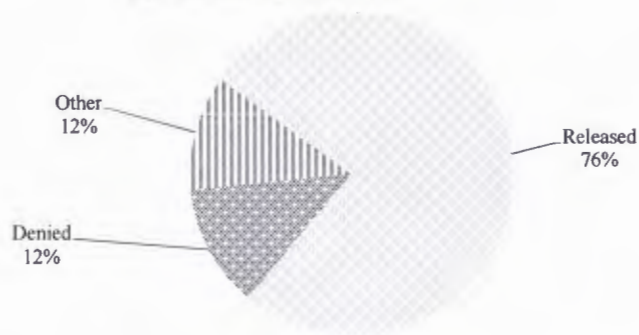
G.S. 15A-1369 directs the Department of Public Safety and the Post-Release Supervision and Parole Commission to provide for the medical release of inmates who are permanently and totally disabled, terminally ill, or geriatric. Department determines:

- the inmate is permanently and totally disabled, terminally ill, or geriatric; and
- is incapacitated to the extent that the inmate does not pose a public safety risk; and
- **Ineligible:** convicted of a capital felony or a Class A, B1, or B2 felony and persons convicted of a Sex Offense registry offense

Parole & Medical Release

Medical Release: 2008-2016

138 Inmates Considered



Source: DPS, Parole Commission, annual medical release reports



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March 15, 2017

Reinvestment

2013:

- Probation Officers: \$12.1 million and 175 new positions
- Parole Commission: \$374,000 and 8 new positions
- Electronic monitoring equipment: \$1.8 million
- Substance funds for high-risk population: \$2 million

2014:

- CRV Centers: \$7.4 million and 86 positions
- Probation vehicles: \$1.8 million for 100 new vehicles

2015:

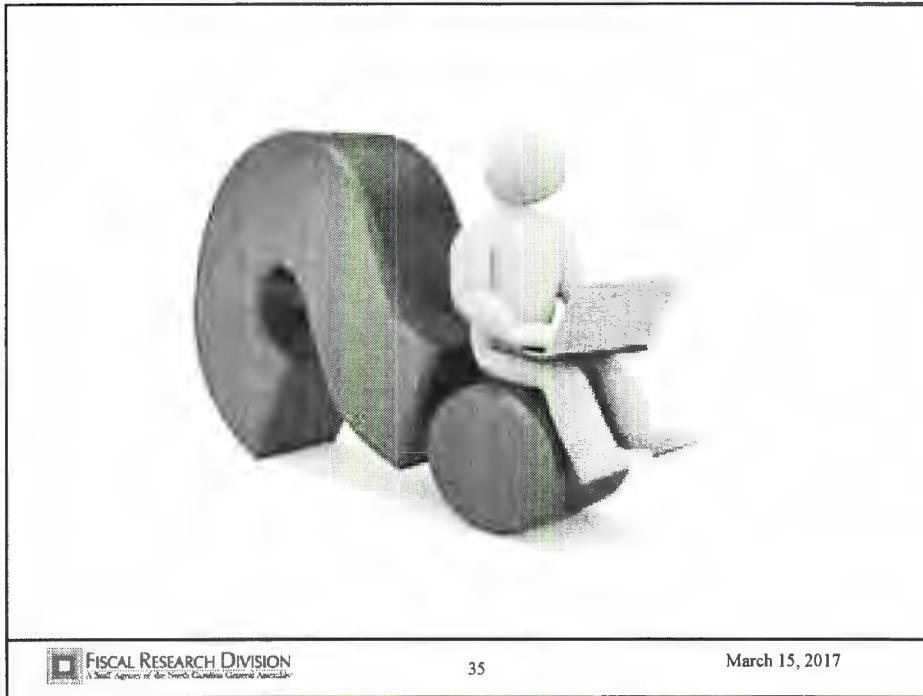
- Electronic monitoring equipment: \$2.6 million



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March 15, 2017



VISITOR REGISTRATION SHEET

Appropriations Committee on Justice and Public Safety

Date: 3/15/2017

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

<u>NAME</u>	<u>FIRM OR AGENCY AND ADDRESS</u>
Dawn Blagro VC	CJPC
Lisa Rubin	CJPC
Gudy Brandon	NC DPS
Crystal Kellman	SH
Mildred Spearman	NCAOC
Rex Dore	Conference of DAs
Lexi AMMIR	NCRMA
HARON GALLAGHER	COMMUNITY CORRECTIONS
CYNTHIA WILLIAMS	COMMUNITY CORRECTIONS
Ann Anderson	OSBM

1994 - 1995: 100%

House Committee on Appropriations, Justice and Public Safety
Tuesday, March 21, 2017 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 21, 2017 in Room 415 of the Legislative Office Building. Representatives Jamie Boles, Ted Davis, Jr., Allen McNeill, Rena Turner, Chairs, and Mary Belk, Charles Graham, George Graham, Brenden Jones, William Richardson, David Rogers, Michael Speciale, Sarah Stevens and Shelly Willingham attended as well as four Senators.

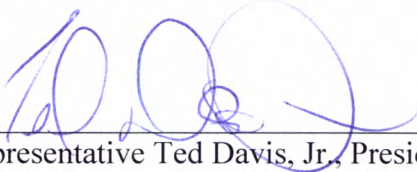
Representative Ted Davis, Jr. Chair, presided. He introduced the Sargeants-at-Arms from the House, Bill Moore, Bill Reily and Barry Moore and from the Senate, Billy Fritscher and Terry Edmondson. House pages Colin Konieczka and Garrett Penley and Senate pages Isaac Castellones and Lawson Cope were also introduced.

He called for comments from the other Chairs and there were none.

Chairman Davis introduced Mark White from the Fiscal Research Division who gave a comprehensive report on the Department of Public Safety-Division of Juvenile Justice Budget. A copy of the report is included as Attachment A.

Following the presentation, the Chairman asked if there were any further questions. Several members requested additional information and Mr. White indicated he would provide supplemental reports.

The meeting adjourned at 9:30 AM.



Representative Ted Davis, Jr., Presiding Chair



Judy Lowe, Committee Clerk

Attachment A:

Department of Public Safety-Division of Juvenile Justice Budget



**NORTH CAROLINA HOUSE OF REPRESENTATIVES
JOINT COMMITTEE MEETING NOTICE
AND
BILL SPONSOR NOTIFICATION
2017-2018 SESSION**

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

DAY & DATE: Tuesday, March 21, 2017
TIME: 8:30 AM
LOCATION: 415 LOB

Respectfully,

Representative James L. Boles, Jr., Co-Chair
Representative Ted Davis, Jr., Co-Chair
Representative Allen McNeill, Co-Chair
Representative Rena W. Turner, Co-Chair

I hereby certify this notice was filed by the committee assistant at the following offices at 4:25 PM on Thursday, March 16, 2017.

____ Principal Clerk
____ Reading Clerk – House Chamber

Kerry Guice (Committee Assistant)



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

March 21, 2017 8:30 A.M.

I. CALL TO ORDER

Chairs:	Senator Warren Daniel Senator Shirley Randleman Senator Norm Sanderson	Representative Jamie Boles Representative Ted Davis, Presiding Representative Allen McNeill Representative Rena Turner
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II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

DPS – Division of Juvenile Justice Budget
Mark White, Fiscal Research Division

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS:

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



**Joint Appropriations Committees on
Justice and Public Safety**

**Department of Public Safety
Division of Adult Correction and Juvenile Justice
Division of Juvenile Justice**

March 21, 2017



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Outline

- I. Juvenile Justice: Basic Facts and Current Trends**
- II. The Process**
 - i. Level I – Community Programs and JCPCs
 - ii. Level II – Community and Residential Programs
 - iii. Level III – Youth Development Centers
- III. Recent Budget Actions**
- IV. Questions**

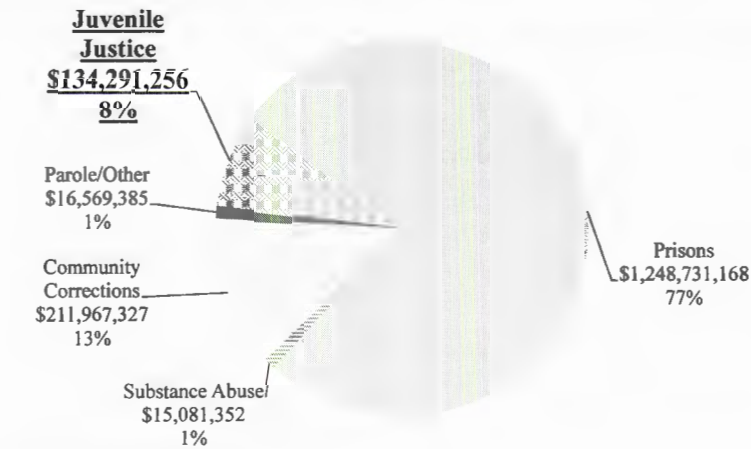


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March 21, 2017

DACJJ Base Budget FY 2017-18



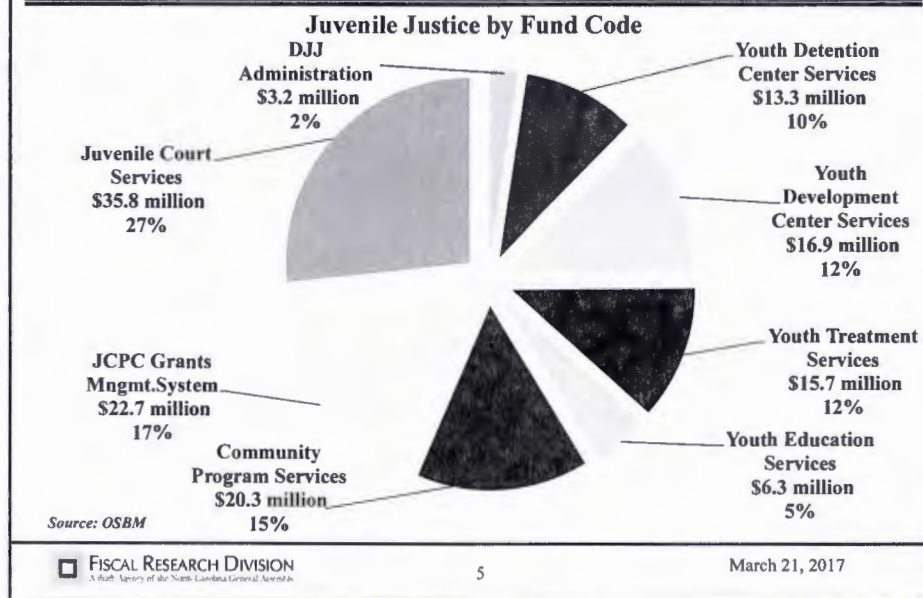
Source: NCIBIS, Worksheet 1, 02/09/2017

Base Budget FY 2017-18



Source: OSBM

Base Budget FY 2017-18



Defining Juvenile

- 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)

Source: AC&JJ

North Carolinians Ages 6-17

1,582,313

Juvenile Pop. By Gender

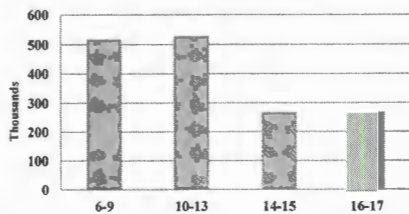


773,903

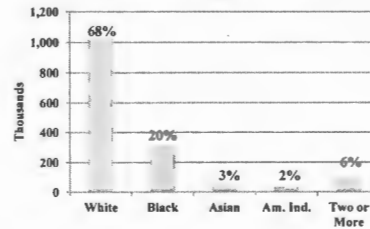


808,410

Juveniles Pop. by Age



Juvenile Pop. By Race



Estimate as of July 1, 2016. Source: <http://www.osbm.nc.gov/demog/county-estimates>



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March 21, 2017

Trends in North Carolina: Complaints

Complaints By Gender



6,858

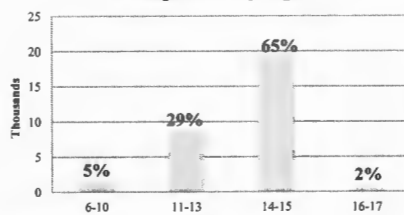


20,664

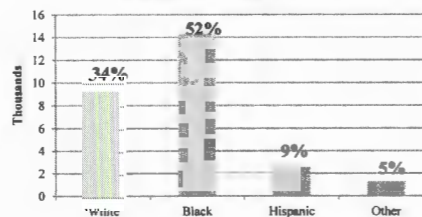
Calendar Year 2016

27,522

Complaints by Age



Complaints by Race



Source: AC&JJ



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Trends in North Carolina: Complaints

Complaints by Source, Calendar Year 2016



Data Source: DACJJ

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The Process: Intake

- Complaint made by parents/guardians, SROs, law enforcement, or DSS
- Juvenile screened and evaluated by a **court counselor**, who may:
 - *Divert* the juvenile;
 - *Approve* the complaint for court; OR
 - *Resolve* with no further action needed
- Certain offenses **CANNOT** be diverted and must proceed to court



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March 21, 2017

Court Services

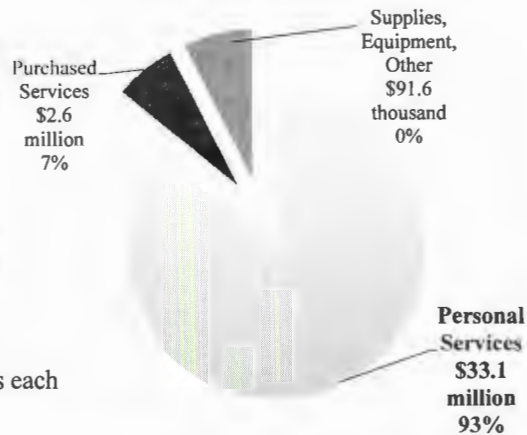
Requirements:
\$35,774,518

Receipts:
\$0

**Net General Fund
Appropriation:**
\$35,774,518

Total FTE:
532.75

FY 2017-18 Base Budget



Offices Breakdown:
Four Areas with 7-8 Districts each

Source: OSBM, DACJJ

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March 21, 2017

Court Counselors at a Glance

- 376 Juvenile Court Counselors State-wide
- Average salary: \$43,737
- Average Caseload: 24 juveniles at a given time
- Average Cases Served Per Year: 288
- Cost per child: \$1,865*

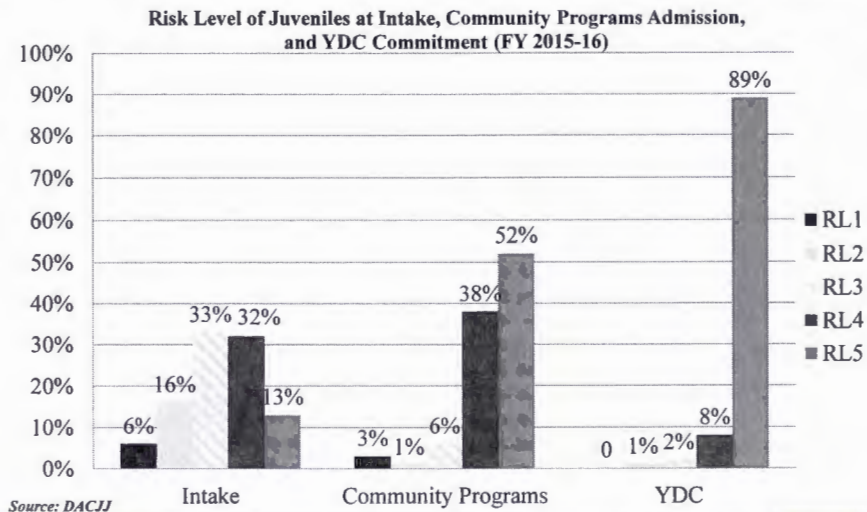


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March 21, 2017

Risk Levels and Disposition Results

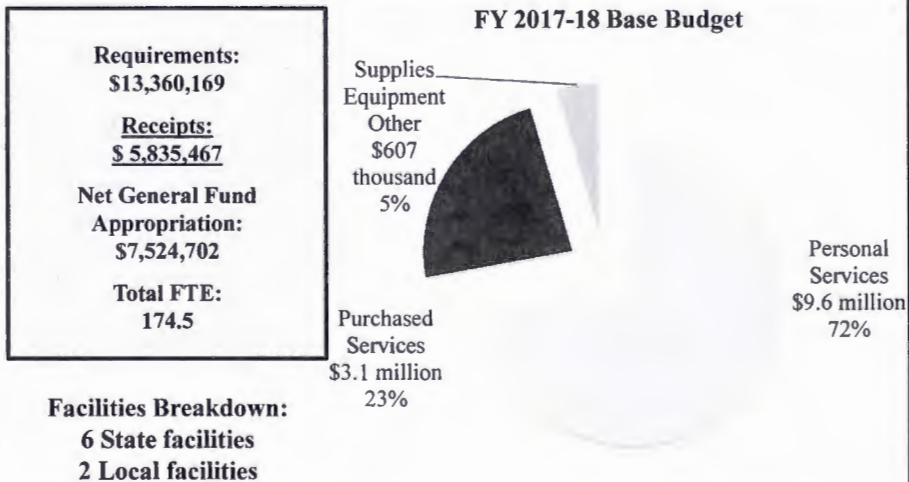


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March 21, 2017

Detention Center Services



Source: OSBM

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March 21, 2017

Detention Center Services

State Detention Centers	FY 2015-16 Budget	FTE	Beds	Cost/Bed	ADP FY 2015-16
Alexander	\$2,164,191	31	24	\$90,175	21
Cabarrus	\$1,798,395	32	30	\$59,947	28
Cumberland	\$1,712,317	28	18	\$95,129	14
New Hanover	\$1,582,823	28	18	\$87,934	14
Pitt	\$1,445,827	27	18	\$80,323	16
Wake	\$1,942,291	32	24	\$80,929	20
Total	\$7,776,502	178	132	\$82,406	113
County Detention Centers	FY 2015-16 Budget	FTE	Beds	Cost/Bed	ADP FY 2015-16
Durham	\$1,172,694	21	14	\$83,764	9
Guilford	\$2,765,821	26	44	\$62,860	37

Source: DACJJ, County Govs.

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:

- 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

Base Budget Receipts from Counties,
FY 2017-18: \$5.6 million

\$244/day
Current Rate

The Process: Hearings and Adjudication

- If complaint against the juvenile is not closed or diverted, case proceeds to court
- Judge may:
 - *Dismiss* charges;
 - *Transfer* serious cases to superior court; OR
 - *Hold hearings* for adjudication and disposition
- In dispositional hearing, judge decides plan of action based on General Statutes and JJ's Dispositional Chart



The Process: Sanctions

Level I – Community Disposition (2,824 juveniles, 61%)

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 (1,657 juveniles, 36%)

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 (133 juveniles, 3%)

Placement in a youth development center for at least 6 months

Total for FY 2015-16: 4,614 distinct juveniles adjudicated delinquent

G.S. 7B-2506-2517; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2016

Offense Classification and Disposition Level

Offense	Disposition Level			TOTAL
	Level I (Community)	Level II (Intermediate)	Level III (Commitment)	
Violent (A-E felony)	4 (3%)	90 (66%)	38 (29%)	132 (3%)
Serious (F-I felony; A1 misd.)	346 (30%)	743 (64%)	69 (6%)	1,158 (25%)
Minor (1-3 misd.)	2,474 (74%)	824 (25%)	26 (1%)	3,324 (72%)
TOTAL	2,824	1,657	133	4,614

G.S. 7B-2508; Source: Sentencing Commission Juvenile Delinquent Population Projection Report, November 2016, Table 3

Level I Disposition

Community Disposition

- Community based program
- Substance abuse treatment
- Restitution
- Fines
- Community service
- Victim/offender reconciliation
- Probation
- License revocation
- Curfew
- Intermittent confinement
- Supervised day program

Court counselors continue to work with the juvenile and family throughout process until court orders have been fulfilled and case is terminated

Level I: Community Programs

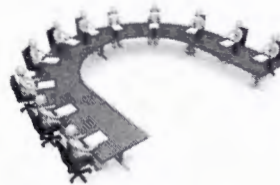
G.S. 143B-845 – Legislative Intent

- 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*

Level I: Juvenile Crime Prevention Councils (JCPCs)

- 100 JCPCs, one for each county
- Consist of 27 members of the local community, including among others: chief of police; sheriff; district attorney, school superintendent, members of the public, members of the faith community, and two people under 18
- Charged by Division of Juvenile Justice to identify and fund local *effective* community programs for resolving delinquent juvenile justice cases
- JCPC-selected programs average cost per child: \$956



**Base Budget for
FY 2017-18:
\$22,745,217**

Level II Disposition

Intermediate Disposition

- Intensive probation
- Residential treatment facility
- Supervised day program
- Detention
- Regimented training program
- House arrest
- Placement in a multipurpose group home



Level II: JCPC-Endorsed Programs

- Community-specific programs designed to address local needs for Level II youth
- 243 youth served in FY 2015-16
- Cost per child: \$3,321
- \$807,003 total
- Recidivism within 12 months: 29%



Level II: AMikids

- Functional Family Therapy model
 - Community-based
- 89 Counties
- 521 youth served in FY 2015-16
- Cost per child: \$5,083
- \$2.65 million total
- Recidivism within 12 months: 20%

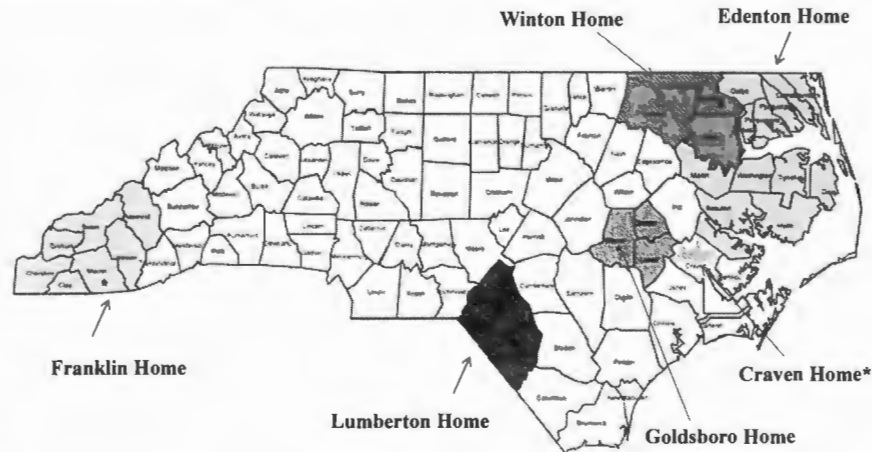


Level II: Multipurpose Group Homes

- **Contract with Methodist Home for Children**
- 5 homes – 8 beds each; 80 youth served annually
- Cost per child: \$24,184
- Recidivism rate within 12 months: 26%



Level II: Multipurpose Group Homes



Level II: Residential Programs

Eckerd Youth Alternatives (boys)

- \$4.7 million contract
- Two campuses: Candor (Montgomery) and Boomer (Wilkes)
- 3-month program for 64 boys (180 served in FY 2015-16)
- Cost per child: \$24,081
- Recidivism within 12 months: 30%

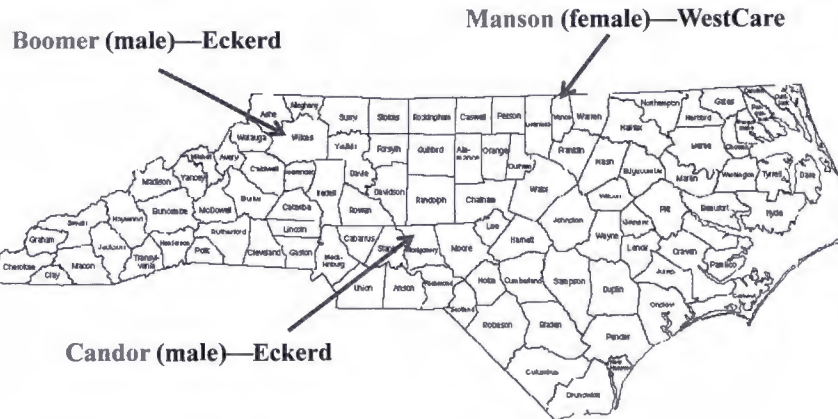
Eckerd
Kids

WestCare (girls)

- \$1.45 million contract
- 3-month program for 16 girls (48 served in FY 2015-16)
- Cost per child: \$28,333
- Recidivism within 12 months: 11%

WESTCARE

Level II: Residential Programs



Level II: Juvenile Crisis and Assessment Centers

- New, short-term residential services
 - Comprehensive clinical psychological assessment to match youth with appropriate community services
- Public-Private Partnership with Methodist Home for Children
- Locations:
 - Insight JCAC in Butner
 - Bridges JCAC in Winston-Salem
 - Western Area JCAC in Asheville
- Cost per child: \$25,644
- Recidivism within 6 months: 9%



Alternatives to Commitment Programs

- Community programs for youth who would otherwise be placed in YDC
- Provide wrap-around services for juveniles and families, including:
 - Home-based family counseling; individual counseling; tutoring; interpersonal skill-building; behavior management; cognitive behavior training; mentoring
- 152 juveniles served in FY 2015-16
- Cost per child: \$5,292
 - \$804,397 total funding, FY 2015-16
- Recidivism within 12 months: 24%

Community Program Services/JCPCs

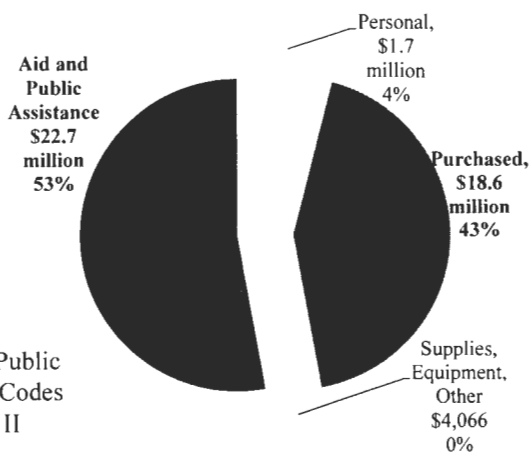
Requirements:
\$43,042,639

Receipts:
\$298,110

**Net General Fund
Appropriation:**
\$42,744,529

Total FTE:
23

FY 2017-18 Base Budget



Note: JCPC Fund is entire Aid/Public Assistance Amount. Both Fund Codes support Level I AND Level II Dispositions

Source: OSBM, DACJJ

Total Community Services Budget (Levels I and II Dispositions)

Program	FY 2017-18 Base Budget
Regular JCPC Fund	\$22,745,217
JCPC-Endorsed Level II Services	\$892,802
Residential	\$13,727,404
Non-Residential	\$2,877,600
Expansion Projects in Progress	\$673,276
Total	\$40,916,299

Level III Disposition: Youth Development Centers

Commitment

- Placed for minimum of six months
- Full-service facilities including education, basic healthcare, meals, etc.
- Typical but not exclusive resolution for violent felonies and repeat offenders



Youth Development Center Services

Requirements:
\$16,850,321

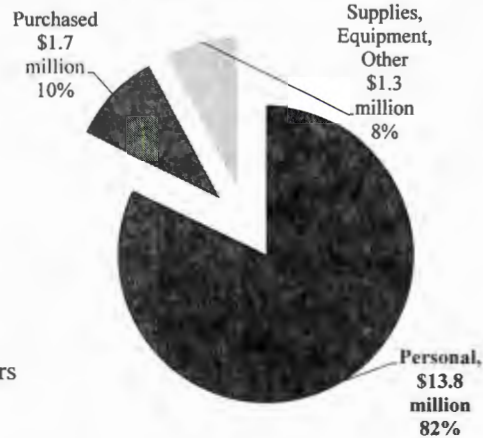
Receipts:
\$571,954

**Net General Fund
Appropriation:**
\$16,278,367

Total FTE:
232

Four Youth Development Centers
across the state

FY 2017-18 Base Budget



Source: OSBM, DACJJ

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Youth Treatment Services

Requirements:
\$15,731,349

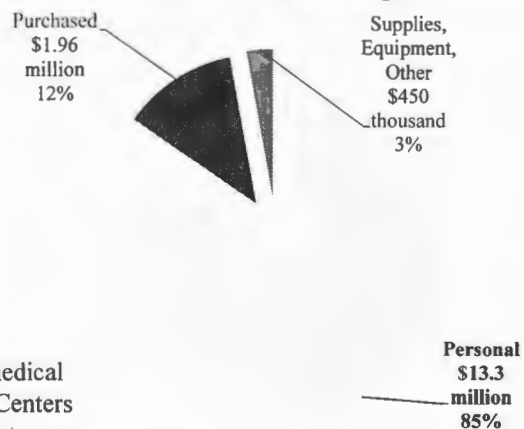
Receipts:
\$630.00

**Net General Fund
Appropriation:**
\$15,730,719

Total FTE:
220

Provides psychological and medical
support in Juvenile Detention Centers
and Youth Development Centers

FY 2017-18 Base Budget



Source: OSBM, DACJJ

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Youth Education Services

Requirements:
\$6,334,596

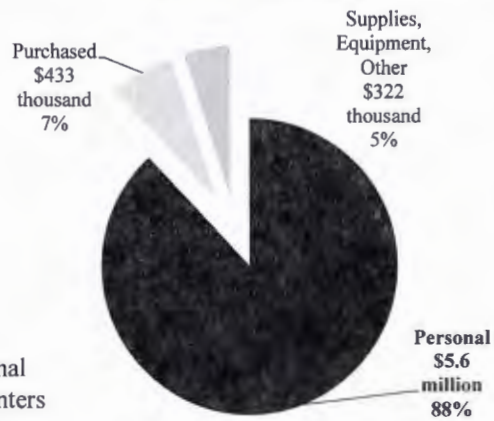
Receipts:
\$928,085

**Net General Fund
Appropriation:**
\$5,406,511

Total FTE:
69

Provides teachers and educational support in Juvenile Detention Centers and Youth Development Centers

FY 2017-18 Base Budget



Source: OSBM, DACJJ

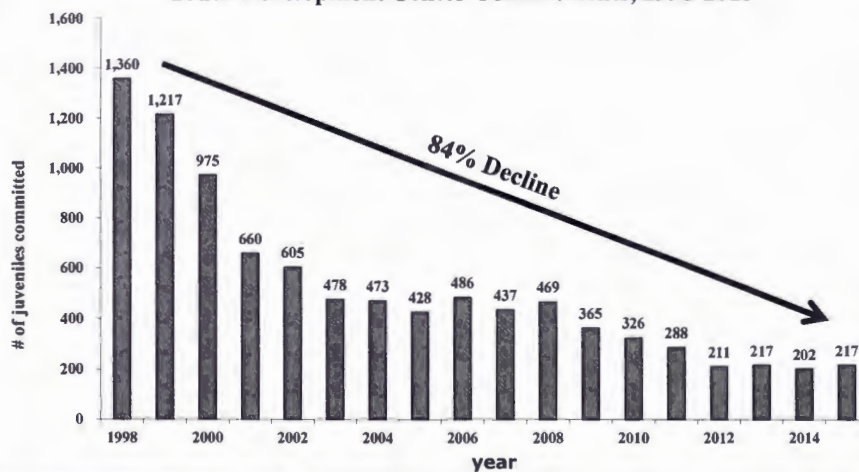
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YDC Trends

Youth Development Center Commitments, 1998-2015



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YDCs: FY 2017-18

	Number of Beds	Average Daily Population (FY 15-16)	FTE	Total Expenses	Cost Per-Bed
Chatham	32	30.2	71	\$4,436,111	\$138,628
Lenoir/ Dobbs	44	37.1	75	\$4,427,330	\$100,621
Cabarrus (Stonewall Jackson)	128	94.1	222	\$14,539,699	\$113,591
Edgecombe	44	27.3	72	\$4,230,693	\$96,152
Total	248	237	440	\$27,633,833	\$112,248 (Average)

Source: DACJJ; Annual Report on Youth Development Centers



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Re-Entry Services from Level II or YDC

- Craven Transitional Home
 - Male, 6-12 month residential program
 - 6 beds serving 16 youth annually
- North Hills Transitional Home
 - Female, 6 to 12 month residential program
 - 5 beds serving 10 youth annually
- Cost per child: \$33,333
- Recidivism within 12 months: 22%



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In Summary: Disposition Costs

Program	Cost Per Child (FY 15-16)
JCPC Programs – Level I	\$956
JCPC-Endorsed Level II Programs	\$3,321
AMIkids North Carolina Family Services	\$5,083
Alternatives to Commitment Programs	\$5,292
Eckerd Short-Term Residential	\$24,081
Multi-Purpose Group Homes Residential Program	\$24,184
Crisis and Assessment Centers	\$25,644
WestCare North Carolina Girls Program	\$29,333
Craven and North Hills Transitional Home	\$33,333
Youth Development Center	\$117,915

In Summary

- Juvenile Justice trends:
 - Fewer complaints and lower rate of complaints despite growing state population
 - Continued focus on community- and home-based programs over confinement
 - Policy direction supported by research
 - Fewer juveniles placed in detention centers prior to adjudication
 - Fewer juveniles placed in YDCs



In Summary

- Juvenile Justice costs:
 - Primarily personnel-driven
 - Majority of personnel in Court Services
 - Low offender-to-counselor ratio facilitates programming and punishment tailored for individual needs and risks
 - YDC personnel includes teachers, nurses, psychological staff, etc.
 - Fewer facilities in operation and less demand for facilities

Recent Actions

- Facility Closures:
 - Richmond and Buncombe Detention Centers closed in FY 2013-14 budget
 - Gaston Detention Center closed in 2016
 - Swannanoa, Samarcand, Edgecombe, and Lenoir YDCs all closed within past six years
 - C.A. Dillon YDC closed in 2016
- Facility Openings/Renovations:
 - Buncombe Detention Center repurposed as Transitional Housing, 2016
 - Cabarrus Detention Center opened on campus of Stonewall Jackson YDC, 2016
 - Edgecombe YDC renovated and reopened, taking in former Dillon juveniles, 2016
 - Lenoir YDC soon to reopen; Dobbs YDC to close and convert to JCAC

Questions



Division of Juvenile Justice

Prevent, Protect, Prepare



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March 21, 2017



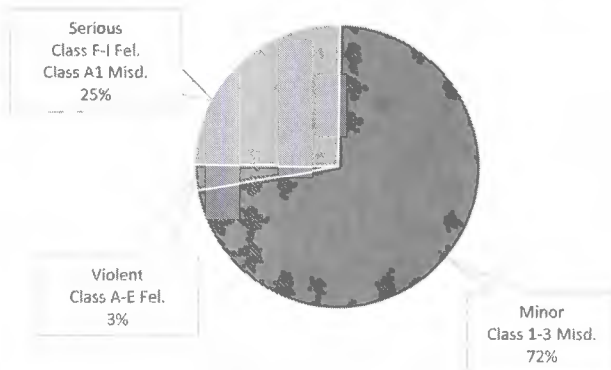


Quick Facts: Juvenile Dispositions

FISCAL YEAR 2016

- ⇒ 4,614 delinquent dispositions were imposed for juveniles in FY 2016.
- ⇒ The majority of juveniles were adjudicated for a minor offense.
- ⇒ Of the 1,158 adjudications for a serious offense, 35% were for Class A1 misdemeanor offenses.
- ⇒ Few (3%) juveniles received a Level 3 disposition (Commitment/YDC).
- ⇒ Most dispositions were for either a property offense (39%) or a person offense (36%).

Offense Classification

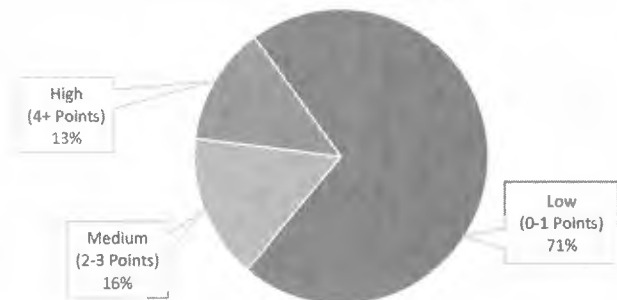


Offense Type	N	%
Person	1,687	36
Property	1,793	39
Drug	366	8
Public Order	768	17

Juvenile Characteristics

- The vast majority of juveniles were male (79%).
- 52% of juveniles were Black, 34% were White, 9% were Hispanic, 1% were Native American, and 4% were Other.
- The average age at disposition was 14.
- The majority (71%) of juveniles had a low delinquency history level; 60% of juveniles had 0 delinquency history points.
- Slightly over half (53%) of dispositions involved a juvenile adjudicated for a minor offense with a low delinquency history level.

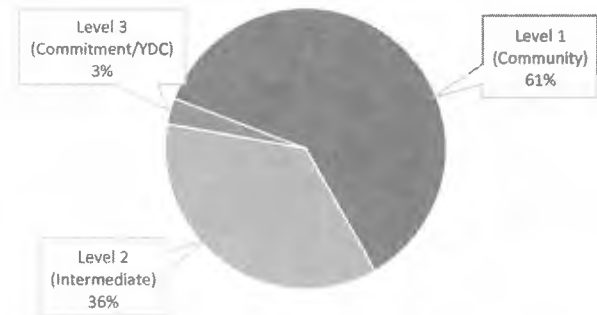
Delinquency History Level



Dispositions Imposed

- Most juveniles received a Level 1 disposition.
- Of the 4,481 juveniles receiving a Level 1 or Level 2 disposition, 22% received 6 months of probation, 13% received 9 months, 60% received 12 months, and 5% received another probation length.
- By statute, juveniles with a YDC disposition must be committed for a minimum of 6 months.
- The top 5 adjudicated offenses account for 37% of dispositions imposed in FY 2016.

Dispositions Imposed



Top 5 Adjudicated Offenses

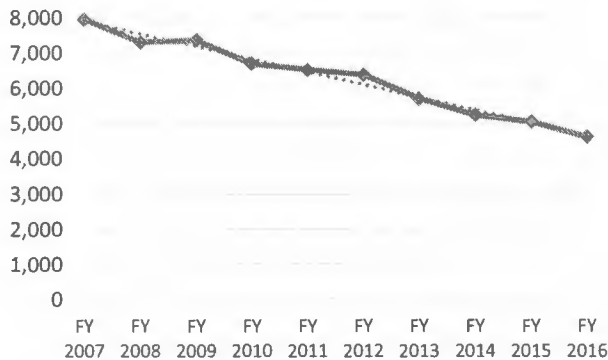
Offense	Class	N
Simple Assault	2	635
Misdemeanor Larceny	1	441
Disorderly Conduct at School	2	259
Felony Breaking and/or Entering	H	190
Misdemeanor Breaking and Entering	1	168

Quick Facts: Juvenile Dispositions

FISCAL YEAR 2007 – FISCAL YEAR 2016

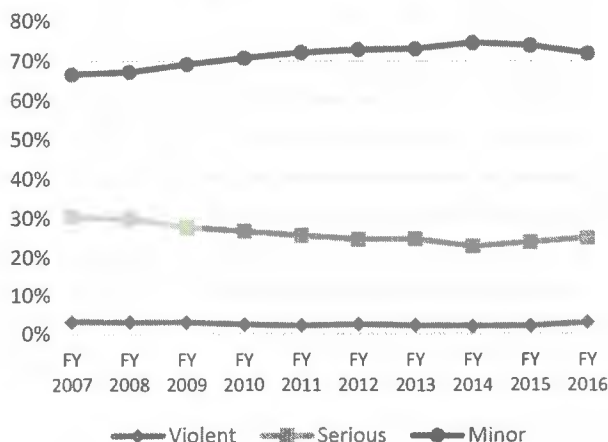
Over the past ten fiscal years, the number of delinquent dispositions has decreased 42% (from 7,973 in FY 2007 to 4,614 in FY 2016). Delinquent dispositions decreased 8% in the past fiscal year.

Total Delinquent Dispositions



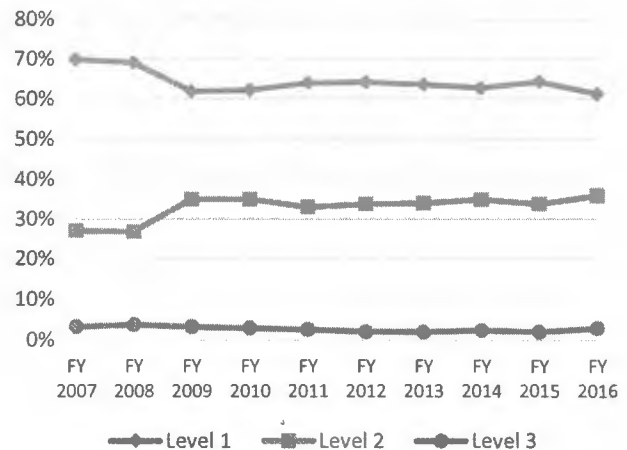
Historically, the distribution of dispositions by offense classification has remained remarkably stable. Over the past ten fiscal years, the majority of delinquent dispositions have been for minor and serious offenses, with totals ranging between 97% and 98%. The percentage of delinquent dispositions for violent offenses has remained between 2% and 3%.

Offense Classification



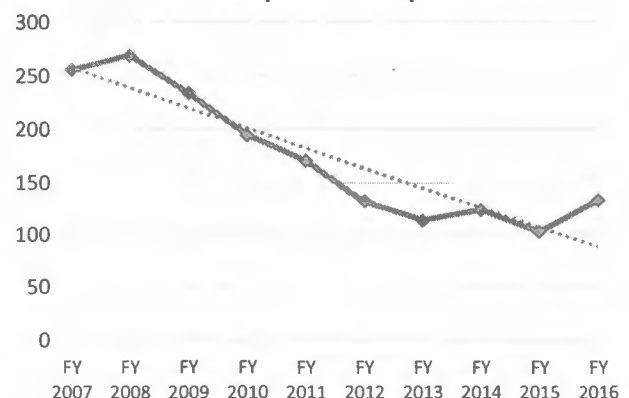
From FY 2009 to FY 2016, the distribution of dispositions imposed has remained relatively stable from year to year. Shifts in Level 1 and Level 2 dispositions from FY 2008 to FY 2009 are most likely attributed to a methodological change in the way juvenile dispositions were captured.

Dispositions Imposed



Historically, Level 3 dispositions account for a very small percentage of overall dispositions. Over the past ten fiscal years, the number of Level 3 dispositions has decreased 48% (from 256 in FY 2007 to 133 in FY 2016). Level 3 dispositions increased from 103 to 133 over the past fiscal year.

Level 3 Dispositions Imposed



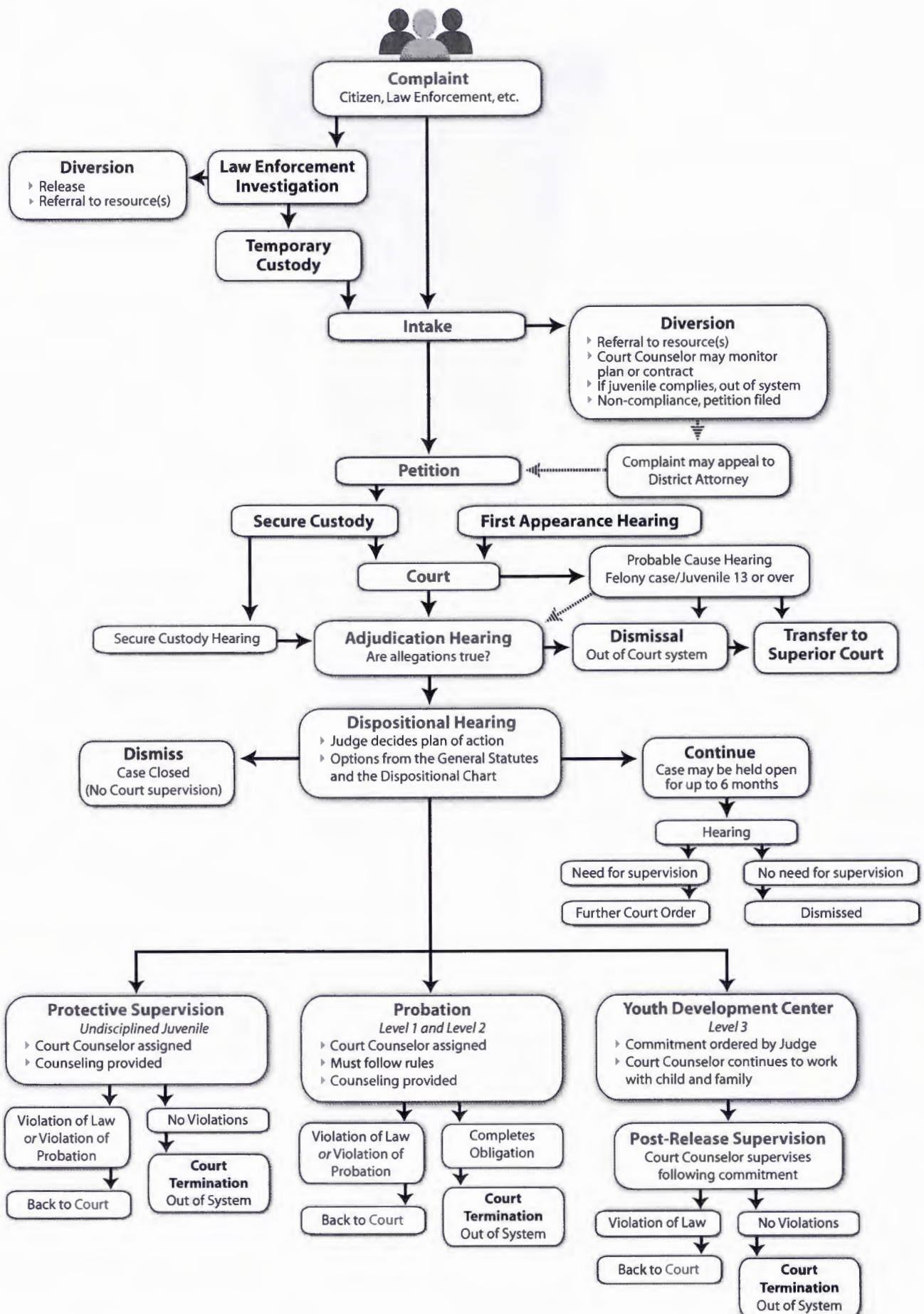
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2007 – FY 2016 Disposition Simulation Data

NC Sentencing and Policy Advisory Commission
PO Box 2448 | Raleigh, NC 27602
(919) 890-1470

The Honorable W. Erwin Spainhour, Chairman
Michelle Hall, Executive Director

For the NC Sentencing and Policy Advisory Commission's annual *Youth Development Center Population Projections* and all other publications, see the Commission's website: <http://www.nccourts.org/Courts/CRS/Councils/spac/>.

North Carolina Juvenile Justice Process



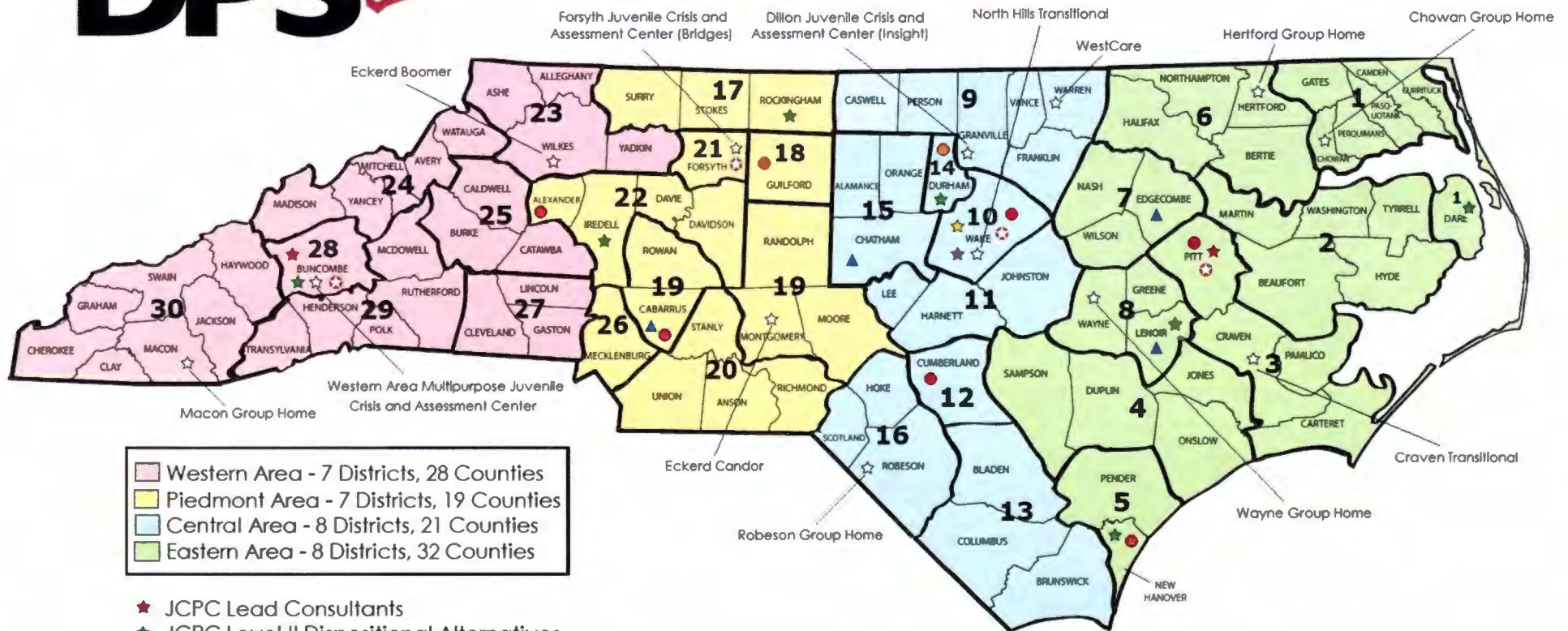


1





Juvenile Justice Comprehensive Map



- Western Area - 7 Districts, 28 Counties
- Piedmont Area - 7 Districts, 19 Counties
- Central Area - 8 Districts, 21 Counties
- Eastern Area - 8 Districts, 32 Counties

- ★ JCPD Lead Consultants
- ★ JCPD Level II Dispositional Alternatives
- ☆ Residential Community Programs
- ☆ Court Services Area Administrators
- ★ DPS Headquarters
- ★ Juvenile Justice Central Office
- State Detention Centers
- County Detention Centers
- ▲ Youth Development Centers

- Edgecombe Youth Development Center will replace C.A. Dillon in 2016
- Functional Family Therapy (FTT) is available in 89 counties
- JCPD Programs are located in all 100 counties



Division of Juvenile Justice

Department of Public Safety

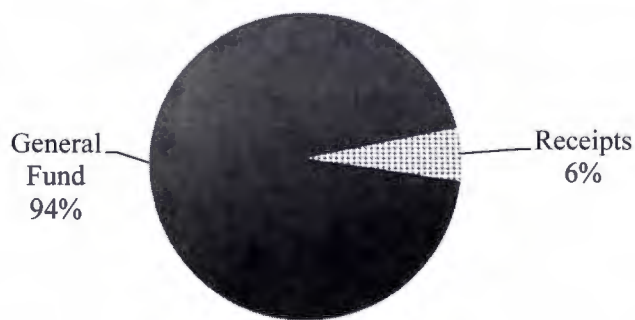
G.S. Reference: G.S. 7B, G.S. 143B-800 ff.

The Division of Juvenile Justice provides disciplinary services for North Carolinians aged 15 and younger who are accused of committing a crime. These include court counselors, detention, commitment to a Youth Development Center, community programs, and other services.

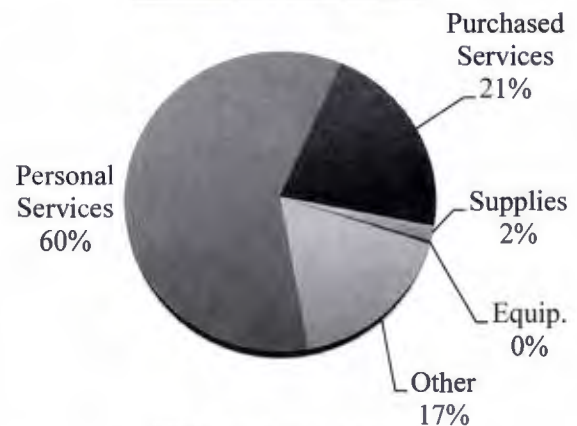
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
	Actual	Actual	Authorized	Base	Base
Expenditures	\$127,291,971	\$125,466,682	\$133,179,146	\$134,291,256	\$134,296,464
Less Receipts	\$8,610,276	\$7,387,537	\$7,634,246	\$7,634,246	\$7,634,246
Appropriation	\$118,681,695	\$118,079,145	\$125,544,900	\$126,657,010	\$126,662,218
FTE	1,323.24	1,308.25	1,303.75	1,303.75	1,303.75

FY 2017-18 Base Budget

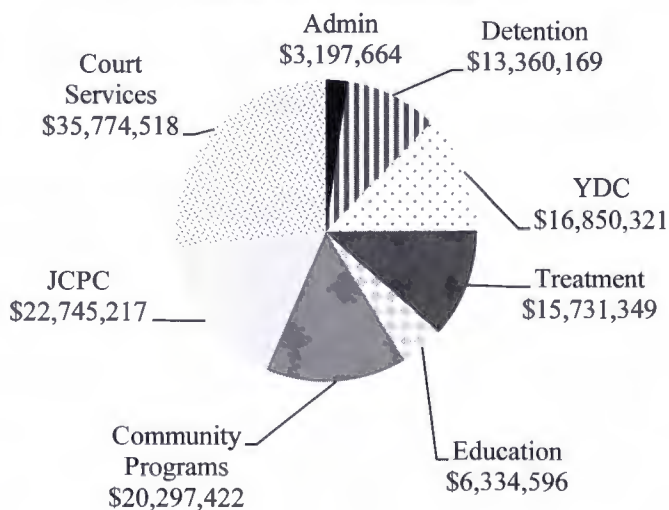
Source of Funds



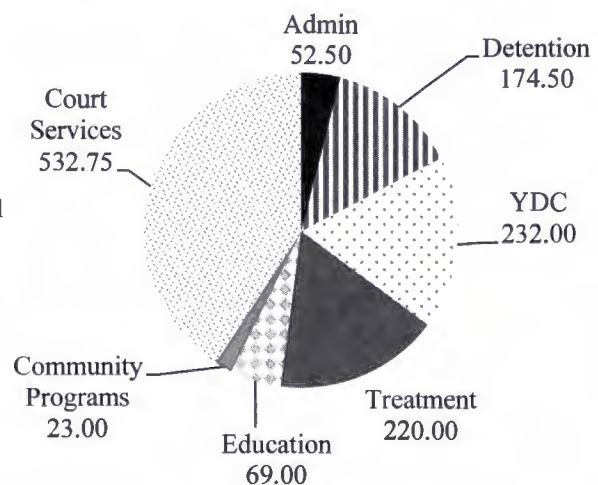
Expenditure of Funds



Budget by Fund Code



FTE by Fund Code



Division of Juvenile Justice

Department of Public Safety

Expenditures: Summary by Account

	432-XXX	434-XXX	435-XXX	436-XXX	437 - 438-XXX		
Fund Code	Personal Services	Purchased Services	Supplies	Equipment	Other	Total	FTE
1200	\$2,642,674	\$493,960	\$11,220	\$49,260	\$550	\$3,197,664	52.50
1210	\$9,647,927	\$3,105,091	\$519,953	\$81,668	\$5,530	\$13,360,169	174.50
1220	\$13,846,131	\$1,662,538	\$1,107,745	\$163,613	\$70,294	\$16,850,321	232.00
1225	\$13,318,790	\$1,962,506	\$408,774	\$12,650	\$28,629	\$15,731,349	220.00
1226	\$5,579,475	\$433,433	\$81,807	\$98,111	\$141,770	\$6,334,596	69.00
1230	\$1,726,051	\$18,567,305	\$4,066	\$0	\$0	\$20,297,422	23.00
1240	\$0	\$0	\$0	\$0	\$22,745,217	\$22,745,217	0.00
1250	\$33,104,910	\$2,578,042	\$56,983	\$11,584	\$22,999	\$35,774,518	532.75
Total	\$79,865,958	\$28,802,875	\$2,190,548	\$416,886	\$23,014,989	\$134,291,256	1,303.75

	531-XXX	532-XXX	533-XXX	534-XXX	535 - 538-XX	538-8XX	
Fund Code	Grants	Sales, Services & Rentals	Fees, Licenses & Fines	Contrib. & Donations	Misc.	Federal Funds	Total
1200	\$550	\$0	\$0	\$0	\$0	\$0	\$550
1210	\$176,449	\$9,342	\$0	\$0	\$5,649,676	\$0	\$5,835,467
1220	\$379,656	\$147,977	\$0	\$0	\$44,321	\$0	\$571,954
1225	\$0	\$0	\$0	\$0	\$630	\$0	\$630
1226	\$927,619	\$0	\$0	\$0	\$466	\$0	\$928,085
1230	\$0	\$0	\$0	\$0	\$32	\$0	\$32
1240	\$0	\$0	\$0	\$0	\$298,078	\$0	\$298,078
1250	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$1,484,274	\$157,319	\$0	\$0	\$5,993,203	\$0	\$7,634,796

Funds Included in Division/Program		
Fund	Fund Title	Page
1200	DJJ Administration	352
1210	Youth Detention Center Services	356
1220	Youth Development Center Services	363
1225	Youth Treatment Services	371
1226	Youth Education Services	376
1230	Community Program Services	383
1240	JCPC - Grants Management System	389
1250	Juvenile Court Services	390

North Carolina Sentencing and Policy Advisory Commission



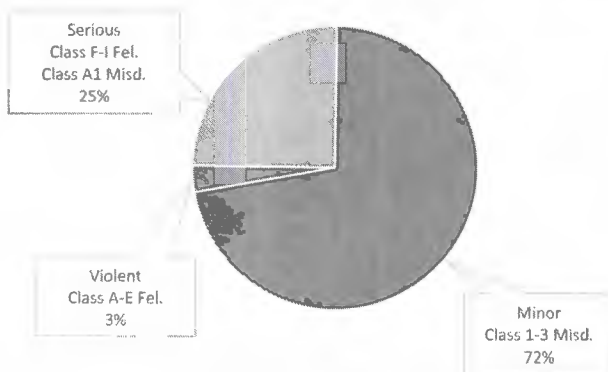
December 2016

Quick Facts: Juvenile Dispositions

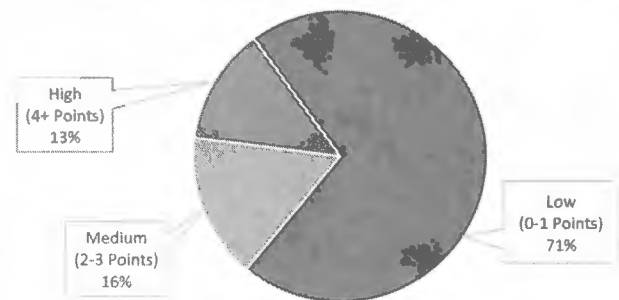
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Offense Classification



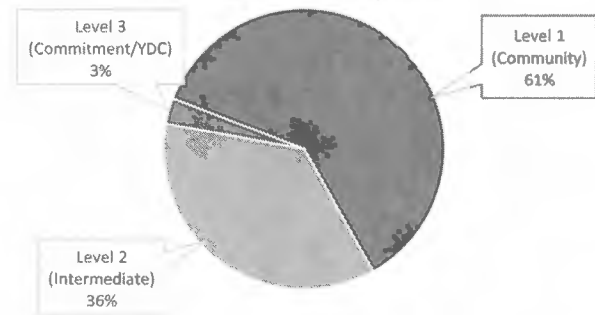
Delinquency History Level



Dispositions Imposed

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Dispositions Imposed



Top 5 Adjudicated Offenses

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Juvenile Characteristics

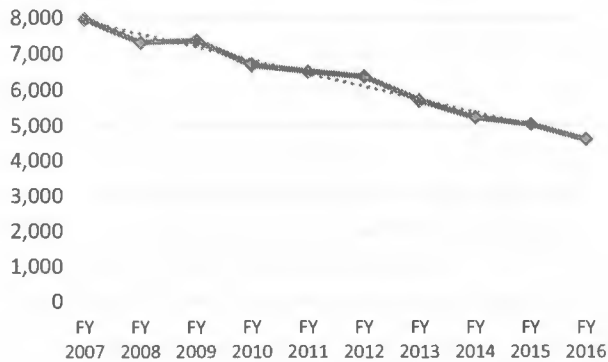
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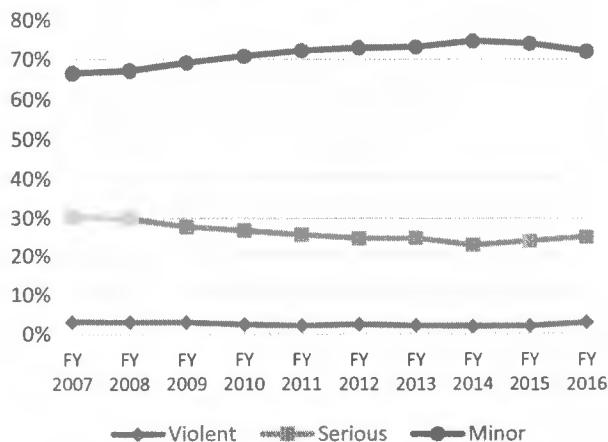
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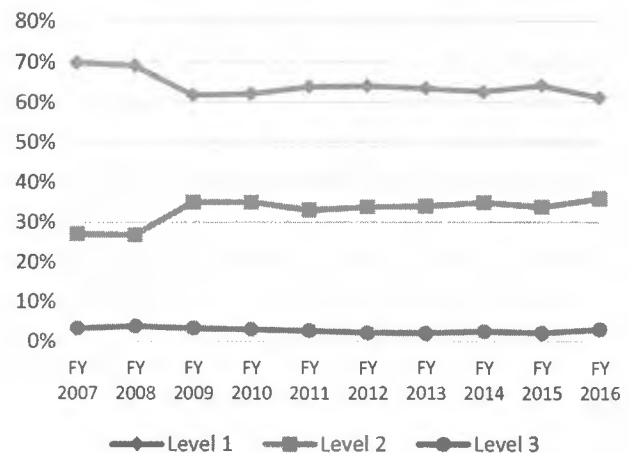
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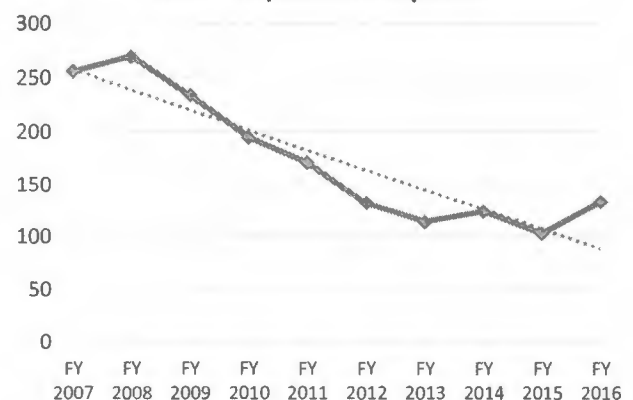
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Level 3 Dispositions Imposed



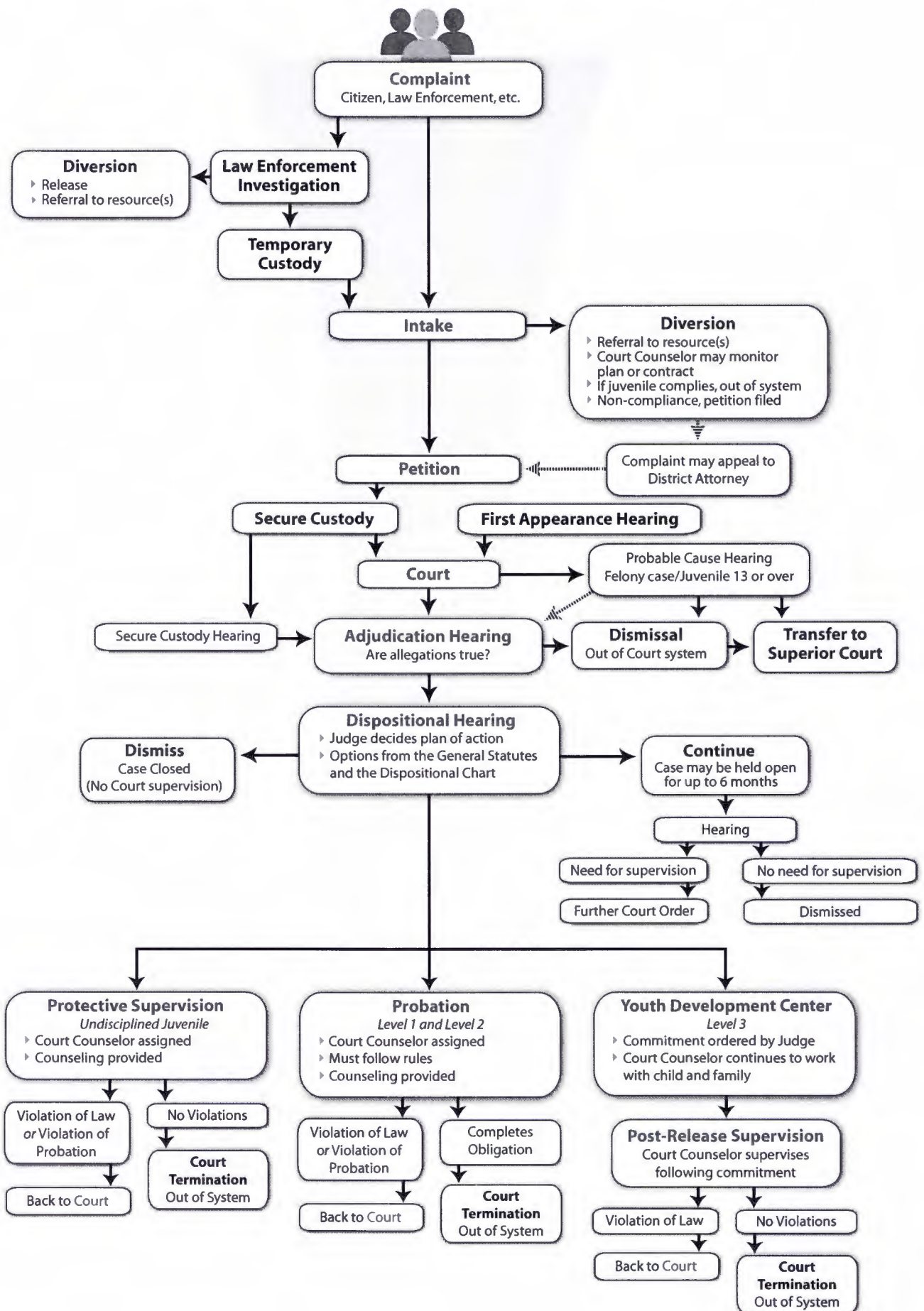
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2007 – FY 2016 Disposition Simulation Data

NC Sentencing and Policy Advisory Commission
PO Box 2448 | Raleigh, NC 27602
(919) 890-1470

The Honorable W. Erwin Spainhour, Chairman
Michelle Hall, Executive Director

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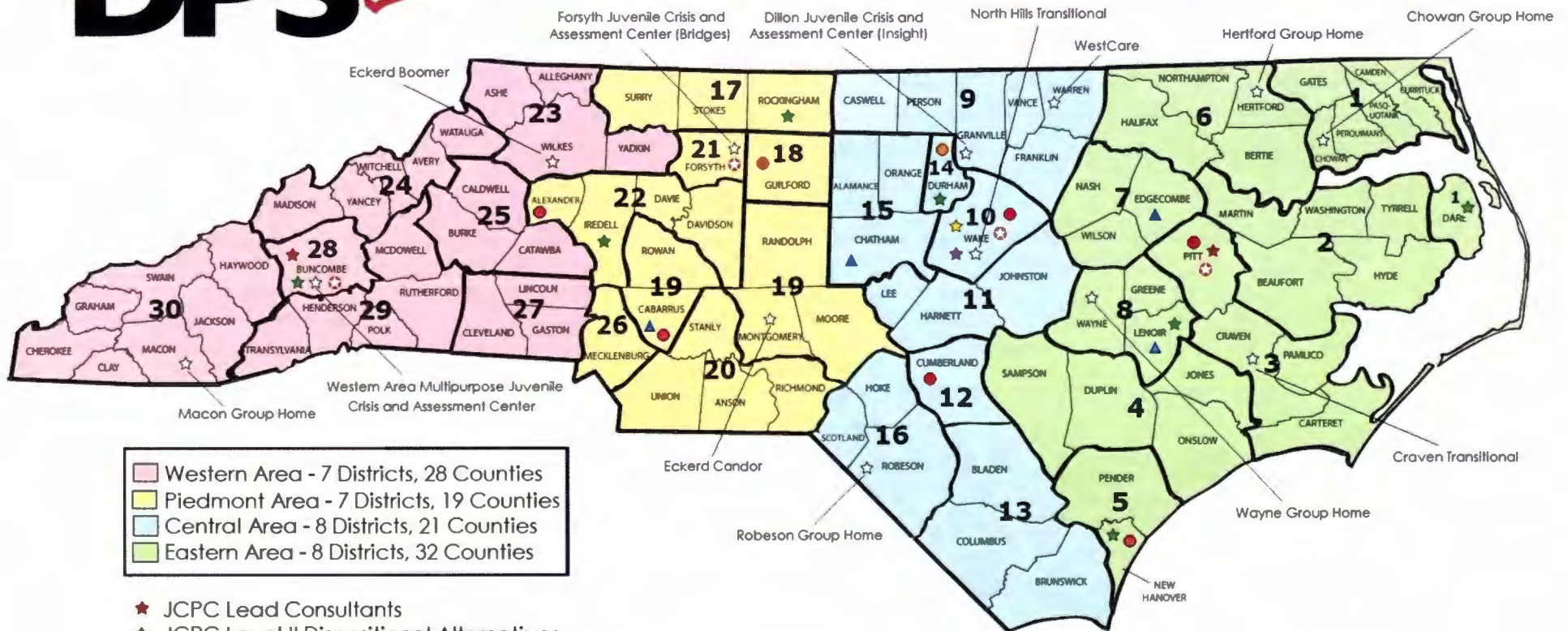
North Carolina Juvenile Justice Process







Juvenile Justice Comprehensive Map

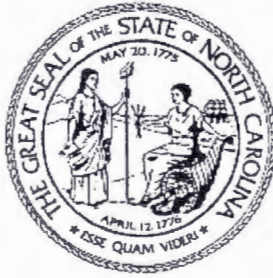


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- ▲ Youth Development Centers

- Edgecombe Youth Development Center will replace C.A. Dillon in 2016
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- JCPC Programs are located in all 100 counties





March 21, 2017
(DATE)

Joint Committee Appropriations on Justice & Public Safety
(COMMITTEE)

SENATE SERGEANT-AT-ARMS

Billy Fritscher

Terry Edmondson

HOUSE SERGEANT-AT-ARMS

Bill MOORE

Bill Reily

BARRY MOORE



**House Pages
Assignments
Tuesday, March 21, 2017
Session: 1:00 PM**

Committee	Room	Time	Staff	Comments	Member
Appropriations on General Government and Information Technology	425	8:30 AM	Joshua Babson		Rep. William Brisson
			Akirah Graves		Rep. Rodney Moore
Appropriations on Health and Human Services	643	8:30 AM	Autumn Brisson		Rep. William Brisson
			Kailey Gause		Rep. William Brisson
Appropriations on Justice and Public Safety	415	8:30 AM	Colin Konieczka		Rep. Linda Hunt- Williams
			Garrett Penley		Rep. Julia Howard
Appropriations, Education	Other	8:30 AM	Connor Scanlon		Rep. Joe John
			Kayla Yarborough		Rep. Dean Arp
Appropriations, Transportation	1027/1128	8:30 AM	Lily Ahlin		Rep. George Cleveland
			Blake Bellanger		Rep. Larry Bell
Education - K-12	643	10:00 AM	Autumn Brisson		Rep. William Brisson
			Kailey Gause		Rep. William Brisson
Appropriations, Capital	415	11:00 AM	Colin Konieczka		Rep. Linda Hunt- Williams

Senate Pages Attending

COMMITTEE: Jt. App. on Justice & P. Safety ROOM: 415
DATE: 3-21 TIME: 8:30

PLEASE PRINT LEGIBLY!!!!!!!!!!!!!!.....or else!!!!

Page Name	Hometown	Sponsoring Senator
1. Isaac Castellones	Wake Wakeforest Raleigh	Berger
2. Lawson Cope	Raleigh	Berger
3.		
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Pages: Present this form to either the Committee Clerk at the meeting or to the Sgt-at-Arms.



VISITOR REGISTRATION SHEET

Appropriations, Justice and Public Safety

Name of Committee

3/21/17

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Connor Bullard	House Intern (R. Turner)
Peg Dour	DAs Conference
Mike Rieder	Juvenile Justice Section - DAC JU-NPS
Kimberly Quintus	DPS, ACTJ, Juvenile Justice
CATHERINE ANDERSON	DPS - DACJJ - JJ
Audrey Brandon	NC DPS
Kris Parker	DENC
Suzanna Binkson	ACU - NC
Jillian Toman	MWC LLC
Tamela Collier	CCSR
William Lassiter	DPS - SS



VISITOR REGISTRATION SHEET

Appropriations, Justice and Public Safety

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FIRM OR AGENCY AND ADDRESS

Matthew Hor

DRNC

Andy Section 4

Rep. Stevens

Воткуп 70 руб

Rep. Stevens

Harry Holt

MWC

Lexi Arthur

NCRMA



Senate Committee on Appropriations on Justice and Public Safety
Thursday, March 23, 2017 at 9:00 AM
Room 415 of the Legislative Office Building

MINUTES

The Senate Committee on Appropriations on Justice and Public Safety met at 9:06 AM on March 23, 2017 in Room 415 of the Legislative Office Building. 16 members were present.

Senator Warren Daniel, Chair, presided.

Sergeant-at-Arms:

Senate: Tom Burroughs, Frances Patterson

House: Bill Moore, Bill Riley, Barry Moore

Pages:

Senate: Bethany Forrest of Norwood (McInnis), Lawson Cope of Raleigh (Berger), Glory Eaddy of Raleigh (Sanderson)

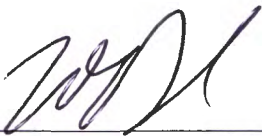
House: Joshua Babson (Brisson), Garrett Penley (Howard)

Agenda: State Crime Lab presentation by Director Byrd.

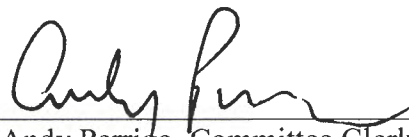
Discussion:

Byrd walked the committee through his budget presentation. Included in the presentation was an explanation of the difference between 'accreditation' and 'certification', at the request of Rep. John. Byrd then went on to complete his presentation. Byrd had a time restraint and was able to take few questions. Rep. George Graham asked that Byrd take a look at diversity in the Crime Lab staff. Members of the committee that had additional questions for Director Byrd were encouraged to submit the questions to the Chairs so that they can be submitted to Byrd for a written response.

The meeting adjourned at 9:41.



Senator Warren Daniel, Chair
Presiding



Andy Perrigo, Committee Clerk



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

March 23, 2017 9:00 A.M.

I. CALL TO ORDER

Chairs: Senator Warren Daniel, Presiding
Senator Shirley Randleman
Senator Norm Sanderson

Representative Jamie Boles
Representative Ted Davis
Representative Allen McNeill
Representative Rena Turner

II. OPENING REMARKS BY CHAIRS

III. PRESENTATIONS

State Crime Laboratory Annual Report
John Byrd, Director
NC State Crime Laboratory

IV. COMMITTEE DISCUSSION

V. OTHER BUSINESS

VI. ADJOURNMENT

House Appropriations Subcommittee on JPS

Rep. Boles (Chair)
Rep. Davis (Chair)
Rep. McNeill (Chair)
Rep. R. Turner (Chair)
Rep. Belk, Rep. C. Graham, Rep. G. Graham
Rep. John, Rep. B. Jones, Rep. W. Richardson,
Rep. Rogers, Rep. Setzer, Rep. Speciale,
Rep. Stevens, Rep. Willingham

Senate Appropriations Subcommittee on JPS

Sen. Daniel (Chair)
Sen. Randleman (Chair)
Sen. Sanderson (Chair)
Sen. Blue, Sen. Britt, Sen. Foushee



NORTH CAROLINA STATE CRIME LABORATORY FY2015/2016 Annual Report

Justice and Public Safety Appropriations Committees
Thursday, March 23, 2017
Raleigh, NC

1

Agenda

Quality & Transparency
Case Submissions and Completions
Process Improvements
Expansion Requirements
Fiscal Resource Needs Identification
Video Testimony Pilot Report

Our Mission:

Conduct the highest quality, technically proficient forensic analysis in a timely manner and provide unbiased expert witness testimony for the Criminal Justice Community.

Our Purpose

Truth through Science so Justice is served.

2

FY 15/16 Highlights

- Case inventory and Turnaround Times (TAT) continues to drop
 - *FY 15-16 significant increase in submissions*
- Vacancy rate is at or lower than other agencies
- Toxicology Outsourcing contract is meeting expectations; winding down
- New Western Lab on time and under budget
- Transparency and Accountability
- Video testing project mock court case complete

3

Highest Forensic Science Quality Standards

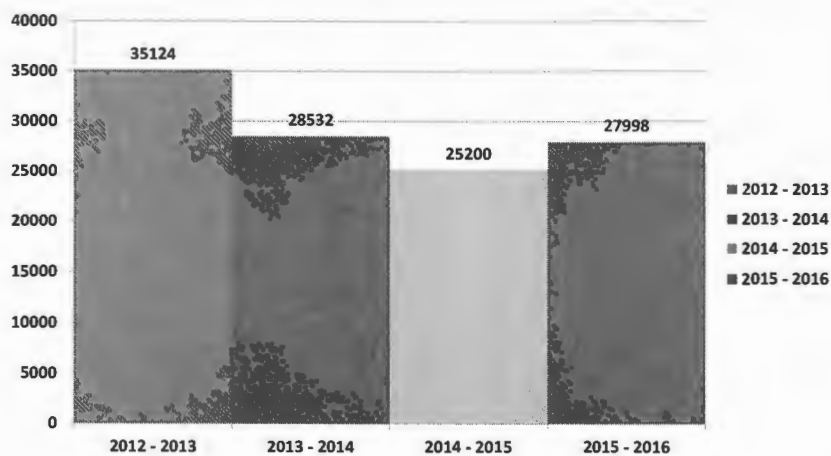
Laboratory Accreditation
Forensic Scientist Certification

4

Submissions
Completions
Trends
Turnaround Time (TAT)
Rush Requests
DNA Database

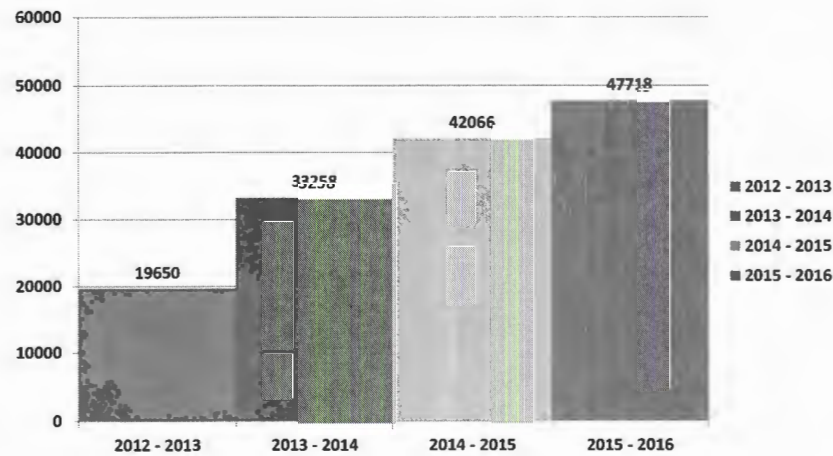
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Annual Case Record Submissions



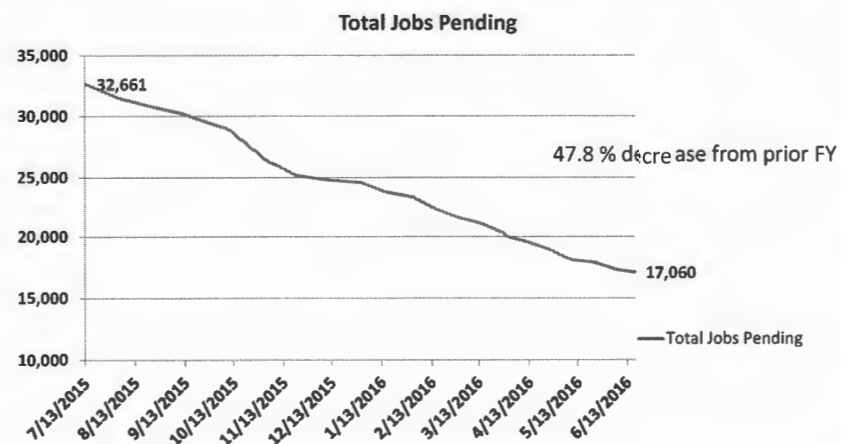
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Annual Case Records Completed



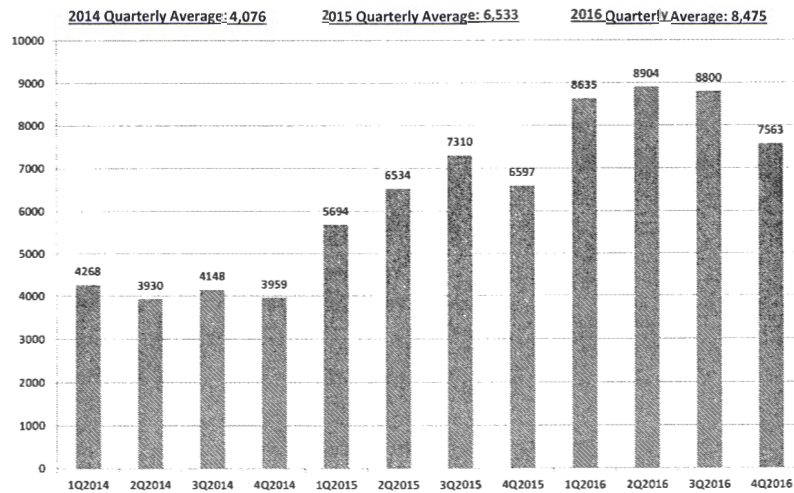
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Technical Operations- Overall Case Trends through 6/30/16

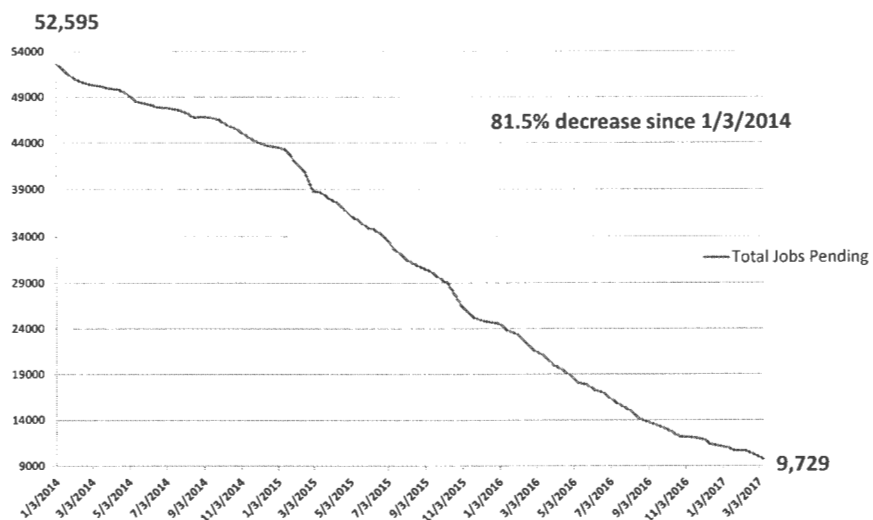


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Exams Completed by Quarter

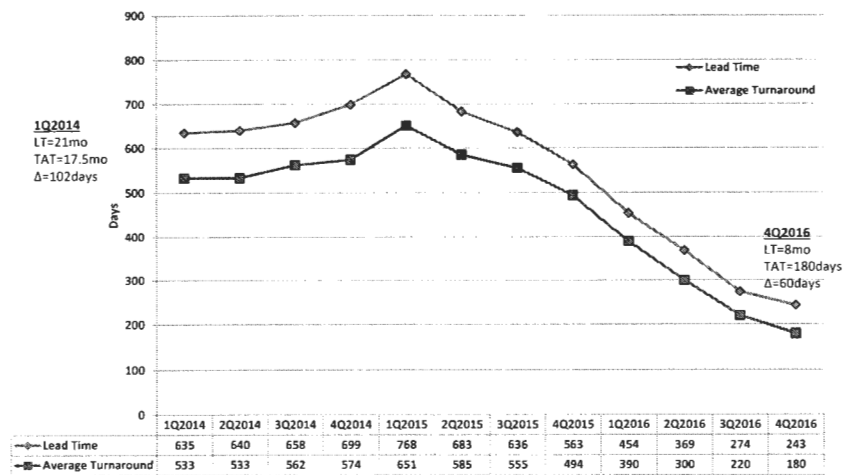


Total Jobs Pending 03/10/2017



Lead Time (LT) versus Average Turnaround Time (TAT)

LT = Queue Time + Analysis Time (aka TAT)



03/22/2017

NC State Crime Laboratory

DNA Database

- **Record 456 hits** to the DNA Database
- Over 300,000 DNA profiles
- G.S. 15A-266.3A authorized the collection of DNA profiles from those arrested for 35 additional offenses to include all violent felonies.
- Duplicate sample submissions around 20%
- Expungement workload continues to rise

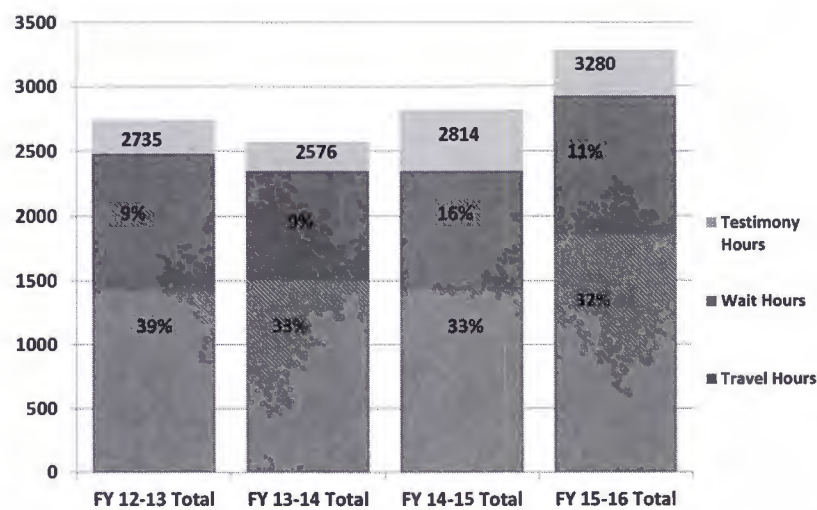
12

Process Improvements
 Court Testimony
 Judicial Efficiencies
 Toxicology Outsourcing
 Stop Works

June 2009 Impact of
 Melendez-Diaz v. Massachusetts

13

Court Testimony Hours 2012-2016



UNC School of Government

Report of the State Crime Laboratory Working Group: Administrative Solutions to Alleviate Lab Backlog

- Memorandum of Agreement (MOA)
 - 17 recommendations
 - 26 Judicial Districts have adopted the MOA or modified MOA (As of 1/4/2016)
 - 12 are pending finalization
 - **12 have made no indication to adopt**
-
- **Stop Work notifications are addressed in 5 of 17 recommendations.**
 - **Goal = Quality and Timely Analysis**

15

Toxicology Outsourcing

- 5,019 cases outsourced; 25 Batches sent.
- Total funds spent to date \$1,865,541.03
- AG has approved moving forward with Sexual Assault Kit testing
 - Kits older than one year sitting in LEAs
 - Request for Proposal (RFP) posted 3/21/17

Stop Works

- 43 of 44 DAs either fully or partially participating
- Some DAs have changed internal business processes to help us eliminate inflated caseloads. This efficiency opportunity helps the State have a more accurate workload assessment.

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Video Testimony Pilot Greensboro, NC

May 26, 2016

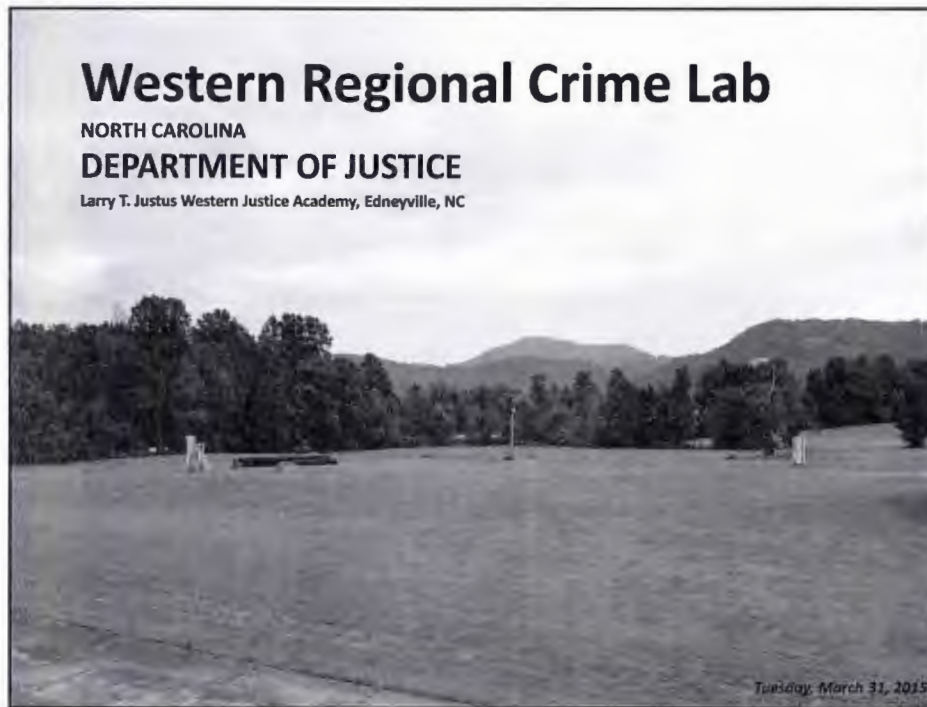
Chief District Judge H. Thomas Jarrell,
Presiding

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Expansion

Western Regional Laboratory



Fiscal Resources

Unfunded Mandates
2011 Forensic Science Act

23

Unfunded Mandates from 2011 Forensic Science Act

- Forensic Science Advisory Board
 - Ombudsman
 - Laboratory Accreditation
 - Scientist Certification
 - Training
 - Recertification
- “Continuing external education in the disciplines in which analysis is performed is critical for the professional development of forensic scientists and a **requirement** for continued certification.”*

*Quote from FSAB letter to NCGA dated 11 February 2016

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Scientific Equipment

- \$13.5 million scientific equipment inventory
- \$64,680 annual replacement budget
- Industry standard - replace scientific equipment every five years

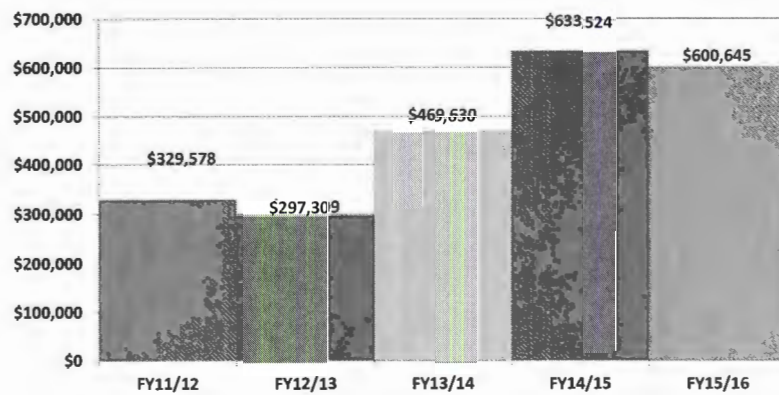
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Operational Expenses

- Certified Budget for operating expenses for FY15-16: \$3,864,007 (\$750k is non-recurring)
- Actual operating expenses for FY15-16: \$5,019,021
 - Δ made up in carry forward funding and lapse salary
- Certified Budget for FY 16-17 is \$7,393,530 (\$3.925M is non-recurring)

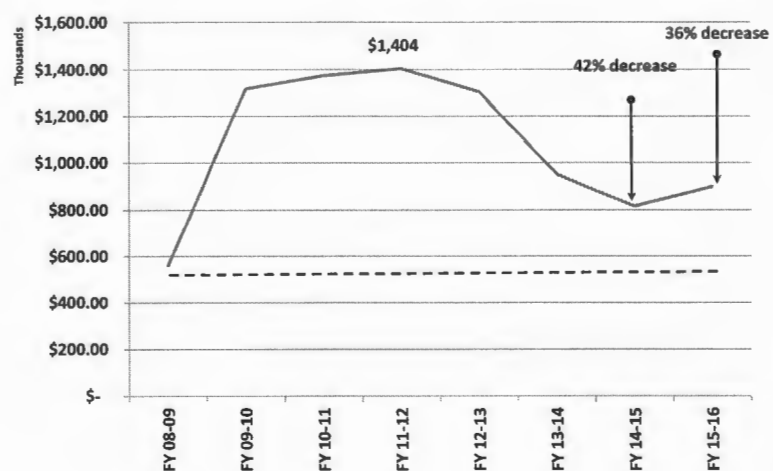
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Expenditures for Scientific Supplies FY 11/12 –FY15/16



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DOJ Receipts for \$600 Crime Lab Fees



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DOJ Budget Requests

- Finance unfunded mandates from the 2011 Forensic Science Act
 - Scientist certification, Laboratory accreditation, and Forensic Science Advisory Board
- Appropriate funding for 6.0 FTE positions
 - 5.0 Forensic Scientists – current court receipt funding source is unreliable
 - 1.0 Ombudsman – another unfunded mandate from the Forensic Sciences Act
- Establish a Special Reserve Fund – No Cost
 - Allows the Lab to lease scientific equipment – a best practice for Crime Labs nationally.
- Fund replacement of Outdated Equipment
 - Industry standard for replacing Lab equipment is 5 years.

Program Updates

- Toxicology Outsourcing – Concluded
- Testing of Untested Sexual Assault Kits older than one year
- CODIS Hit Follow Thru
- Recommend Adopting UNC SOG MOA
 - Reduce wait time for scientists

Skin in the Game

Transparency and Accountability

31

Strengthening Forensic Science in the United States: A Path Forward, August 2009

Recommendation 4:

To improve the scientific bases of forensic science examinations and to maximize independence from or autonomy within the law enforcement community, Congress should authorize and appropriate incentive funds to the National Institute of Forensic Science (NIFS) for allocation to state and local jurisdictions for the purpose of removing all public forensic laboratories and facilities from the administrative control of law enforcement agencies or prosecutors' offices.

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Conclusion

<http://ncdoj.gov/crime-lab.aspx>

Director John Byrd jbyrd@ncdoj.gov
North Carolina State Crime Laboratory

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Back Up Slides

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Laboratory Accreditation

- Sustained ISO/IEC 17025 Accreditation
- Audit by ANAB
- Audit by VA State Crime Laboratory
- DNA Quality Assurance Standards (QAS)
- In compliance with all established standards



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Scientist Certification

All eligible scientists independently certified

International Association for Identification (IAI)



American Board of Criminalistics (ABC)

Association of Firearm and Tool Mark Examiners (AFTE)

American Board of Forensic Toxicologists (ABFT)



EnCase Certified Examiner (EnCE)



International Association for Property and Evidence (IAPE)



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**House Pages
Assignments
Thursday, March 23, 2017
Session: 12:00 PM**

Committee	Room	Time	Staff	Comments	Member
Agriculture / Environment / Natural Resources	421	8:30 AM	Lily Ahlin		Rep. George Cleveland
			Colin Konieczka		Rep. Linda Hunt- Williams
Appropriations, Education	Other	8:30 AM	Autumn Brisson		Rep. William Brisson
			Kailey Gause		Rep. William Brisson
Appropriations, Transportation	1027/1128	8:30 AM	Blake Bellanger		Rep. Larry Bell
			Connor Scanlon		Rep. Joe John
Appropriations on Justice and Public Safety	415	9:00 AM	Joshua Babson		Rep. William Brisson
			Garrett Penley		Rep. Julia Howard
Homeless, Foster Care, and Dependency	1228/1327	9:00 AM	Akirah Graves		Rep. Rodney Moore
			Kayla Yarborough		Rep. Dean Arp



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Appropriations, Justice and Public Safety

Name of Committee

3-23-17

Date

VISITORS: PLEASE SIGN IN BELOW AND RETURN TO COMMITTEE CLERK

NAME

FIRM OR AGENCY AND ADDRESS

Brent Johnson

NASW-DC

Manah Cowell

NASW-NC

MATTHEW LONGOBARDI

NC DOT



VISITOR REGISTRATION SHEET

Appropriations, Justice and Public Safety

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NAME

FIRM OR AGENCY AND ADDRESS

Kris Parker	NCAJ
Connor Bullard	House Intern
Jennifer Remy	State Crime Lab
Jody West	State Crime Lab
Karen Morrow	State Crime Lab
Zach Killenbach	State Crime Lab
Chris Parker	State Crime Lab
Ann Hamlin	North Carolina State Crime Laboratory
PETE WARE	N.C. State Crime Lab
Robert PASCHKA	NC DOJ
Ann Anderson	OSBM



Senate Pages Attending

COMMITTEE: Jt. App. on Justice & Pub. Safety ROOM: 415
DATE: 3-23 TIME: 9 AM

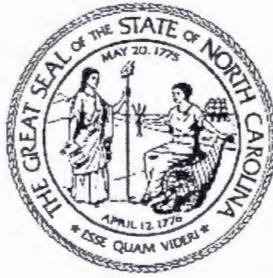
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Page Name	Hometown	Sponsoring Senator
1. Bethany Forrest	Norwood	McInnis
2. Lawson Cope	Raleigh	Berger
3. Gilroy Eaddy	Raleigh	Sanderson
4.		
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✓



March 23, 2017
(DATE)

App Justice and Public Safety
(COMMITTEE)

SENATE SERGEANT-AT-ARMS

Tom Burroughs _____
Frances Patterson _____

HOUSE SERGEANT-AT-ARMS

BILL MOORE _____
Bill Riley _____
BARRY MOORE _____

