

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1076
Judiciary II Committee Substitute Adopted 5/7/09
House Committee Substitute Favorable 6/25/09
House Committee Substitute #2 Favorable 7/7/09
Fifth Edition Engrossed 7/13/09

Short Title: Modify Crim. Justice Partnership Program.

(Public)

Sponsors:

Referred to:

March 31, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM TO
3 ALLOW CERTAIN COMMUNITY-LEVEL OFFENDERS TO BE SERVED BY THE
4 PROGRAM.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 143B-273.4 reads as rewritten:

7 "§ 143B-273.4. Eligible population.

8 (a) An eligible offender is an adult offender who was convicted of a misdemeanor or a
9 felony offense ~~and received and~~:

10 (1) Received a nonincarcerative sentence of a community punishment, if the
11 Division of Community Corrections determines that the offender would
12 benefit from program participation, based upon the results of a risk
13 assessment;

14 (2) Received a nonincarcerative sentence of an intermediate punishment
15 punishment; or

16 (3) is ~~is~~ serving a term of parole or post-release supervision after serving an
17 active sentence of imprisonment.

18 (b) The priority populations for programs funded under this Article shall be offenders
19 sentenced to intermediate punishments."

20 SECTION 2. G.S. 143B-273.14(a) reads as rewritten:

21 "(a) Fundable programs under this Article shall include community-based corrections
22 programs which are operated under a county community-based corrections plan and funded by
23 the State subsidy provided in this Article. Based on the prioritized populations in
24 G.S. 143B-273.4, the programs may include, but are not limited to, the following:

25 (1) For offenders who receive community or intermediate punishments:

- 26 a. Residential facilities;
27 b. Day reporting centers;
28 c. Restitution centers;
29 d. Substance abuse services;
30 e. Employment services;

31 (2) For offenders who are appropriate for release from jail prior to trial:

- 32 a. Pretrial monitoring services;
33 b. Pretrial electronic surveillance;



- 1 (3) For offenders who are serving a term of post-release supervision after
2 completing active sentences of imprisonment:
3 a. Aftercare support services."

4 **SECTION 2.1.** G.S. 143B-273.8(b) reads as rewritten:

5 "(b) The Department of Correction shall report by February 1 of each year to the Chairs
6 of the Senate and House Appropriations Committees, the Senate and House Appropriations
7 Subcommittees on Justice and Public Safety, and the Joint Legislative Corrections, Crime
8 Control, and Juvenile Justice Oversight Committee on the status of the Criminal Justice
9 Partnership Program. The report shall include the following information:

- 10 (1) The amount of funds carried over from the prior fiscal year;
11 (2) The dollar amount and purpose of grants awarded to counties as
12 discretionary grants for the current fiscal year;
13 (3) Any counties the Department anticipates will submit requests for new
14 implementation grants;
15 (4) The number of counties submitting offender participation data via the
16 electronic reporting system;
17 (4a) Details of personnel, travel, contractual, operating, and equipment
18 expenditures for each program type;
19 (4b) For counties whose expenditures deviate proportionally from the average
20 percentage expenditure for each program type, an explanation of the
21 variance shall be included;
22 (5) An analysis of offender participation data received; and
23 (6) An update on efforts to ensure that all counties make use of the electronic
24 reporting system."

25 **SECTION 3.** This act becomes effective December 1, 2009.