

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS55168-LH-129A* (02/26)

Short Title: Ex-Offender Reentry Study. (Public)

Sponsors: Senator Jones.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMITTEE ON EX-OFFENDER REENTRY.

Whereas, North Carolinians depend on their government to maintain their safety and security and expect it to be reliable and fair in addition to being effective at deterring crime and punishing offenders; and

Whereas, nearly 1,000,000 individuals in North Carolina have a criminal record; and

Whereas, approximately 40,000 individuals are currently in North Carolina prisons; and

Whereas, 98% of incarcerated individuals will eventually leave prison and return to their communities; and

Whereas, North Carolina's prison population has more than doubled over the past 25 years; and

Whereas, approximately 28,000 individuals entered and 27,000 individuals were released from North Carolina prisons in 2008; and

Whereas, approximately 50% of those leaving prison will be rearrested within three years; and

Whereas, the Department of Correction has an annual budget of \$1,300,000,000, which includes the cost of \$23,000 to incarcerate an individual per year of confinement; and

Whereas, the cost of prison construction is approximately \$80,000 per bed; and

Whereas, the North Carolina Department of Correction projects a shortage of 6,000 beds within the next 10 years if incarceration continues at its current rate; and

Whereas, the current system of incarceration and reincarceration is failing too many, including victims of crime, costing too much, and helping too few; Now, therefore, The General Assembly of North Carolina enacts:

SECTION 1.(a) The General Assembly finds that each year tens of thousands of individuals are arrested, convicted of crimes, placed on probation, sent to prison, or released from prison. The safety of our communities depends on the successful reintegration of these individuals into society. Most of these individuals need assistance finding jobs, increasing their education, or accessing other essential services in order to successfully reintegrate into society and improve their lives. However, most ex-offenders will encounter an array of barriers that hinder their ability to become productive members of society. Ex-offenders who are barred from housing, jobs, occupational licenses, needed services, education, and training are far more likely to commit new crimes than they would be if they had the options and responsibilities that



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1 most citizens take for granted. Further, the General Assembly finds that reducing recidivism
2 saves much needed resources by reducing the need for prison construction and makes our
3 communities a safer place to live. To that end, there is created the Joint Legislative Study
4 Committee on Ex-offender Reentry.

5 **SECTION 1.(b)** The Committee shall consist of 26 voting members appointed as
6 follows:

- 7 (1) Thirteen members appointed by the Speaker of the House of
8 Representatives, to include:
- 9 a. Five members of the House of Representatives.
 - 10 b. A crime victim's advocate.
 - 11 c. Two members who are ex-criminal offenders.
 - 12 d. A public defender.
 - 13 e. A member from an agency that provides reentry services to
14 ex-offenders.
 - 15 f. A local law enforcement officer.
 - 16 g. A district court judge.
 - 17 h. A small business owner.
- 18 (2) Thirteen members appointed by the President Pro Tempore of the Senate, to
19 include:
- 20 a. Five members of the Senate.
 - 21 b. A superior court judge.
 - 22 c. A member from the State Chamber of Commerce.
 - 23 d. A probation officer.
 - 24 e. A local law enforcement officer.
 - 25 f. A district attorney.
 - 26 g. Two members who are ex-criminal offenders.
 - 27 h. A member who is a volunteer providing services to inmates.
- 28 (3) The Committee shall consist of the following nonvoting ex officio members:
- 29 a. The Attorney General, or designee.
 - 30 b. The Secretary of Crime Control and Public Safety, or designee.
 - 31 c. The Secretary of Commerce, or designee.
 - 32 d. The Director of Indigent Defense Services, or designee.
 - 33 e. The Secretary of Correction, or designee.
 - 34 f. The Director of Legal Aid of North Carolina, or designee.
 - 35 g. The Commissioner of Labor, or designee.
 - 36 h. The Secretary of Juvenile Justice and Delinquency, or designee.
 - 37 i. The Chair of the Employment Security Commission, or designee.
 - 38 j. The Director of the North Carolina Sentencing and Policy Advisory
39 Commission, or designee.
 - 40 k. One representative who works in the area of criminal justice or
41 ex-offender reentry from each of the following institutions of higher
42 education: North Carolina Central University, Winston-Salem State
43 University, Duke University, University of North Carolina at Chapel
44 Hill.

45 **SECTION 1.(c)** The Speaker of the House of Representatives shall appoint a
46 cochair, and the President Pro Tempore of the Senate shall appoint a cochair for the
47 Committee. The Committee may meet at any time upon the joint call of the cochairs. Vacancies
48 on the Committee shall be filled by the same appointing authority as made the initial
49 appointment.

1 The Committee, while in the discharge of its official duties, may exercise all powers
2 provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Committee may
3 contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

4 Subject to the approval of the Legislative Services Commission, the Committee may meet
5 in the Legislative Building or the Legislative Office Building. The Legislative Services
6 Commission, through the Legislative Services Officer, shall assign professional staff to assist
7 the Committee in its work. The House of Representatives' and the Senate's Supervisors of
8 Clerks shall assign clerical support staff to the Committee, and the expenses relating to the
9 clerical employees shall be borne by the Committee. Members of the Committee shall receive
10 subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as
11 appropriate.

12 **SECTION 1.(d)** The Committee shall study issues related to reentry for people
13 with criminal records. Specifically, the Committee shall study how North Carolina and other
14 states address barriers facing ex-offenders in accessing jobs, housing, education, training, and
15 services and determine best practices that reduce recidivism. In connection with this study, the
16 Committee may consider and report on:

- 17 (1) How prisoners are prepared in prison for release;
- 18 (2) The process by which prisoners exit prisons so that key supports and
19 services are in place during the initial transition;
- 20 (3) Reentry initiatives that build on key social relationships – such as family,
21 friends, and the faith community – and improve access to other
22 community-based support and services;
- 23 (4) Risk factors of returning offenders including history of substance of abuse,
24 mental illness, chronic disease, lack of education, high unemployment, and
25 homelessness;
- 26 (5) Accuracy and regulation of criminal record checks;
- 27 (6) Systemic and legal barriers to employment, housing, education, training, and
28 services; and
- 29 (7) Systems for measuring the effectiveness of reforms to reduce recidivism,
30 such as increased attachment to the workforce and earnings, increased
31 family attachment, and savings to the State from incarceration cost
32 avoidance.

33 **SECTION 1.(e)** The Committee shall submit a report of its findings and
34 recommendations, including any legislative recommendations, to the 2010 Regular Session of
35 the 2009 General Assembly or to the 2011 General Assembly upon its convening. The
36 Committee shall terminate on the convening of the 2011 General Assembly.

37 **SECTION 1.(f)** Of the funds appropriated to the General Assembly for the
38 2009-2010 fiscal year and the for the 2010-2011 fiscal year, the Legislative Services
39 Commission shall allocate funds for the expenses of the Committee established by this section.

40 **SECTION 2.** This act is effective when it becomes law.