

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 41

Short Title: Allison's Law/GPS Tracking Pilot/DV/Funds. (Public)

Sponsors: Representatives Lambeth and Conrad (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary, if favorable, Appropriations, Justice and Public Safety, if favorable,
Appropriations, if favorable, Rules, Calendar, and Operations of the House

February 11, 2019

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A PILOT PROGRAM ALLOWING THE USE OF A GLOBAL POSITIONING SYSTEM TRACKING DEVICE ON A PERSON WHO HAS COMMITTED ACTS OF DOMESTIC VIOLENCE AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

SECTION 1. The North Carolina Department of Public Safety, in consultation with local law enforcement agencies, the courts, and other appropriate local entities, shall conduct a pilot program for the use of global positioning system (GPS) tracking devices on domestic violence offenders. The pilot program shall be conducted in Forsyth County. The offender subject to the GPS monitoring may be responsible for paying the costs associated with use of the device. In developing and implementing the pilot program, the Department and all entities involved shall consider the following:

- (1) The type of offender who will be subject to GPS monitoring, such as all offenders who violate a domestic violence protective order or only violent offenders, and what constitutes a violent offender.
- (2) How offender monitoring will be staffed and whether a local law enforcement agency will staff the monitoring of the offender's location or whether it will be outsourced to an independent agency.
- (3) The costs associated with monitoring the offender's location.
- (4) The type of GPS tracking device to be used.
- (5) The type of GPS monitoring that will be used, such as active tracking, which provides real-time location of the offender 24 hours a day, versus passive tracking, in which the offender wears a device but the monitoring official may only receive information once a day when it is uploaded.
- (6) Whether the victim's location will be monitored or tracked as well as the offender's and what privacy or safety concerns such monitoring or tracking raises.
- (7) Any other systems for monitoring offenders currently in place in this State that may assist in implementing the GPS monitoring program established under this act.
- (8) Whether other states have implemented similar systems and the means by which those systems were implemented and costs associated with implementation.
- (9) Any other legal issues, information, or practices deemed relevant.



1 **SECTION 2.** The Department of Public Safety shall report to the Joint Legislative
2 Oversight Committee on Justice and Public Safety on the effectiveness of the pilot program by
3 April 1, 2022. The report shall include any recommendations regarding the continuation,
4 expansion, or elimination of the pilot program, as well as costs associated with implementing the
5 program or any recommended legislation.

6 **SECTION 3.** There is appropriated from the General Fund to the Department of
7 Public Safety the sum of twenty-five thousand dollars (\$25,000) for the 2019-2020 fiscal year to
8 be used to implement the pilot program provided in Section 1 of this act.

9 **SECTION 4.** This act becomes effective July 1, 2019.