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SENATE BILL DRS45526-NDa-180

Short Title: Inmate and Youth Offender Tracking Technology. (Public)

Sponsors: Senator Steinburg (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO UTILIZE
3 STANDARDIZED DIGITAL TECHNOLOGIES FOR TRACKING INMATES AND
4 YOUTH OFFENDERS AND TO APPROPRIATE FUNDS.

5 The General Assembly of North Carolina enacts:

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7 **PREAMBLE: DISCOVERY**

8 **SECTION 1.(a)** The initial inmate documentation process on a daily basis of
9 tracking the Prison Inmate and Youth Offender movements in North Carolina Adult and Juvenile
10 Justice Correctional Facilities is a series of paper processes. Once this required documentation
11 of movement is transcribed on paper, it is then transcribed onto the State Prison Information
12 Management System called OPUS.

13 **SECTION 1.(b)** After the tragedies that occurred in Bertie Correctional Institution
14 and Pasquotank Correctional Institution in 2017, the Senate Select Committee on Prison Safety
15 uncovered that the initial and daily documentation by North Carolina Correctional Officers is
16 initially transcribed by paper and pencil.

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18 **SAFETY AND INFORMATION DOCUMENTATION INTEGRITY REQUIREMENTS**

19 **SECTION 2.(a)** No later than January 1, 2028, the Department of Public Safety,
20 Division of Adult Correction and Juvenile Justice, must digitally standardize the logging of daily
21 movements and activities of Prison Inmates and Youth Offenders.

22 **SECTION 2.(b)** The Department of Public Safety, Division of Adult Correction and
23 Juvenile Justice, shall implement the transition required by subsection (a) of this section for all
24 State facilities housing Prison Inmates and Youth Offenders according to the following schedule:

- 25 (1) Four facilities by no later than January 1, 2024.
26 (2) At least one-quarter of the facilities by no later than January 1, 2025.
27 (3) At least one-half of the facilities by no later than January 1, 2026.
28 (4) Full implementation for all facilities by no later than January 1, 2028.

29 **SECTION 2.(c)** In implementing the transition required by subsection (a) of this
30 section, the Department of Public Safety, Division of Adult Corrections and Juvenile Justice,
31 must do each of the following:

- 32 (1) Utilize radio-frequency identification (RFID) technology and support
33 real-time business and artificial intelligence.
34 (2) Embed digital video evidence gathering tools while integrating the current
35 OPUS System technologies.
36 (3) Operate by running natively on AWS GovCloud.



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- 1 (4) Utilize information integrity and security with real-time digital documentation
2 of Prison Inmates and Youth Offenders that meets each of the following
3 requirements:
4 a. Monitoring inmate movement with RFID technology.
5 b. Automating offender documentation with RFID technology.
6 c. Integrating systems and methods for Behavior Monitoring and
7 Identification.
8 d. Integrating systems and methods for monitoring a headcount.
9 e. Monitoring inmate movement with facial recognition.

11 **REPORTING REQUIREMENTS AND TECHNICAL CLARIFICATION**

12 **SECTION 3.(a)** The Department of Public Safety, Division of Adult Correction and
13 Juvenile Justice, is the active Governing Body to manage the implementation of this section upon
14 it becoming law.

15 **SECTION 3.(b)** The Department of Information Technology must directly report to
16 the Department of Public Safety, Division of Adult Correction and Juvenile Justice, in the
17 supportive role in providing any and all information that the Department of Public Safety,
18 Division of Adult Correction and Juvenile Justice, needs to develop the implementation roadmap
19 of this section on time. This support includes, but is not limited to, the ability to conduct
20 walkthrough assessments in all Department of Public Safety Correctional Facilities in order to
21 develop the implementation road map.

22 **SECTION 3.(c)** The North Carolina Criminal Justice Information Network must
23 directly work with the technology provider to identify the total cost of implementing the required
24 technologies by 2027.

25 **SECTION 3.(d)** The North Carolina Criminal Justice Information Network must
26 report back to the Senate Select Committee on Prison Safety and the Joint Legislative Oversight
27 Committee on Justice and Public Safety with the roadmap of digitizing documentation
28 standardization required technologies no later than nine months after this section becomes law.
29 The report shall, at a minimum, include each of the following:

- 30 (1) The total cost it will take to become fully compliant by 2027.
31 (2) The outline of the implementation.
32 (3) The needs to be tracked in addition to Prison Inmates and Youth Offenders to
33 ensure the safety of Prison Inmates, Youth Offenders, and North Carolina
34 Correctional Officers alike, such as tools, inventory, and equipment.

35 **SECTION 3.(e)** All nonrecurring funds appropriated in Part III of S.L. 2020-90 that
36 are unexpended and unencumbered shall immediately be transferred to the North Carolina
37 Criminal Justice Information Network after this section becomes law. The North Carolina
38 Criminal Justice Information Network must only use these nonrecurring funds strictly to develop
39 the roadmap of digitizing documentation standardization using the outlined required
40 technologies. Notwithstanding any law to the contrary, the North Carolina Criminal Justice
41 Information Network shall direct the use of the funds transferred under this subsection.

42 **SECTION 3.(f)** The Department of Information Technology must work with the
43 technology provider of the required technologies to properly align American Institute of Certified
44 Public Accountants (AICPA) Service Organizational Control 2 (SOC 2) prerequisites and federal
45 FedRAMP prerequisites. SOC 2 and FedRAMP prerequisites shall not interfere with the
46 implementation of the required technologies. The North Carolina Criminal Justice Information
47 Network must facilitate and manage this alignment in security prerequisites.

48 **SECTION 3.(g)** Part 9 of Article 15 of Chapter 143B of the General Statutes is
49 amended by adding a new section to read:

50 **"§ 143B-1395. Exemption from certain contract and purchasing requirements.**

1 The Criminal Justice Information Network is exempt from the requirements of Article 3 and
2 Article 8 of Chapter 143 of the General Statutes."

3 **SECTION 3.(h)** Subsection (g) of this section is effective when it becomes law and
4 applies to the requirements surrounding funds spent on or after that date. The remainder of this
5 section is effective when it becomes law.

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7 **APPROPRIATION**

8 **SECTION 4.(a)** There is appropriated from the General Fund to the North Carolina
9 Criminal Justice Information Network the sum of fifteen million dollars (\$15,000,000) in
10 nonrecurring funds for the 2022-2023 fiscal year to be used to effectuate the transition required
11 by subsection (a) of Section 2 of this act. Notwithstanding any law to the contrary, the North
12 Carolina Criminal Justice Information Network shall direct the use of the funds appropriated
13 under this subsection.

14 **SECTION 4.(b)** This section becomes effective July 1, 2022.

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16 **EFFECTIVE DATE**

17 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
18 law.