

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 173
Committee Substitute Favorable 3/24/21

Short Title: Separate Divs-Juv Justice and Adult Corr.-AB (Public)

Sponsors:

Referred to:

March 1, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE JUVENILE JUSTICE AND ADULT CORRECTION SEPARATE
3 DIVISIONS WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND TO
4 APPROPRIATE FUNDS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 13 of Chapter 143B reads as rewritten:

7 "Article 13.

8 "Department of Public Safety.

9 "Part 1. General Provisions.

10 ...

11 "§ 143B-604. State Reentry Council Collaborative.

12 (a) The Secretary shall establish the State Reentry Council Collaborative (SRCC). The
13 SRCC shall include up to two representatives from each of the following:

14 (1) The Division of Motor Vehicles.

15 (2) The Department of Health and Human Services.

16 (3) The Administrative Office of the Courts.

17 (4) The North Carolina Community College System.

18 (5) The Division of Adult Correction and Juvenile Justice of the Department of
19 Public Safety.

20 (6) A nonprofit entity that provides reentry services or reentry programs.

21 (7) Any other agency that the Secretary deems relevant.

22 ...

23 ~~"Part 1A. Division of Adult Correction and Juvenile Justice.~~

24 ~~"§ 143B-630. Creation of Division of Adult Correction and Juvenile Justice; powers.~~

25 ~~There is hereby created and established a division to be known as the Division of Adult~~
26 ~~Correction and Juvenile Justice of the Department of Public Safety. The Division shall have the~~
27 ~~power and duty to implement Parts 2 and 3 of this Article and shall have such other powers and~~
28 ~~duties as are set forth in this Chapter and are prescribed by the Secretary of the Department of~~
29 ~~Public Safety.~~

30 "Part 2. Adult Correction.

31 "Subpart A. General Provisions.

32 ...

33 "§ 143B-701. Division of Adult Correction and Juvenile Justice of the Department of Public
34 Safety – powers, duties.

35 (a) There is hereby established a division to be known as the Division of Adult Correction
36 of the Department of Public Safety. The Division shall have the power and duty to implement



1 Part 2 of this Article and shall have such other powers and duties as are set forth in this Article
2 and prescribed by the Secretary of the Department of Public Safety.

3 (b) It shall be the duty of the Division to provide the necessary custody, supervision, and
4 treatment to control and rehabilitate criminal offenders and thereby to reduce the rate and cost of
5 crime and delinquency.

6 **"§ 143B-702. Division of Adult Correction and Juvenile Justice of the Department of Public**
7 **Safety – rules and regulations.**

8 The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety
9 shall adopt rules and regulations related to the conduct, supervision, rights and privileges of
10 persons in its custody or under its supervision. Such rules and regulations shall be filed with and
11 published by the office of the Attorney General and shall be made available by the Division for
12 public inspection. The rules and regulations shall include a description of the organization of the
13 Division. A description or copy of all forms and instructions used by the Division, except those
14 relating solely to matters of internal management, shall also be filed with the office of the
15 Attorney General.

16 **"§ 143B-703. Repair or replacement of personal property.**

17 (a) The Secretary of Public Safety may adopt rules governing repair or replacement of
18 personal property items excluding private passenger vehicles that belong to employees of State
19 facilities within the Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
20 Safety and that are damaged or stolen by inmates of the State facilities provided that the item is
21 determined by the Secretary to be damaged or stolen on or off facility grounds during the
22 performance of employment and necessary for the employee to have in his possession to perform
23 his assigned duty.

24 ...

25 **"§ 143B-704. Division of Adult Correction and Juvenile Justice of the Department of Public**
26 **Safety – functions with respect to adults.**

27 (a) The functions of the Division of Adult Correction ~~and Juvenile Justice~~ of the
28 Department of Public Safety shall include all functions of the executive branch of the State in
29 relation to corrections and the rehabilitation of adult offenders, including detention, parole, and
30 aftercare supervision, and further including those prescribed powers, duties, and functions
31 enumerated in the laws of this State.

32 (b) All such functions, powers, duties, and obligations heretofore vested in the
33 Department of Social Rehabilitation and Control and any agency enumerated in Article 14 of
34 Chapter 143A of the General Statutes and laws of this State are hereby transferred to and vested
35 in the Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety
36 except as otherwise provided by the Executive Organization Act of 1973. They shall include, by
37 way of extension and not of limitation, the functions of:

38 ...

39 **"§ 143B-705. Division of Adult Correction and Juvenile Justice of the Department of Public**
40 **Safety – Alcoholism and Chemical Dependency Treatment Program.**

41 ...

42 (b) A Section Chief for the Alcoholism and Chemical Dependency Treatment Program
43 shall be employed and shall report directly to a deputy director for the Division of Adult
44 Correction ~~and Juvenile Justice~~ as designated by the Deputy Commissioner for the Division of
45 Adult Correction ~~and Juvenile Justice~~. Correction. The duties of the Section Chief and staff shall
46 include the following:

- 47 (1) Administer and coordinate all substance abuse programs, grants, contracts,
48 and related functions in the Division of Adult Correction ~~and Juvenile Justice~~
49 of the Department of Public Safety.
- 50 (2) Develop and maintain working relationships and agreements with agencies
51 and organizations that will assist in developing and operating alcoholism and

1 chemical dependency treatment and recovery programs in the Division of
 2 Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety.

3 ...

4 (7) Supervise directly the facility and district program managers, other
 5 specialized personnel, and programs that exist or may be developed in the
 6 Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
 7 Safety.

8 ...

9 (c) In each prison that houses an alcoholism and chemical dependency program, there
 10 shall be a unit superintendent under the Section of Prisons of the Division of Adult Correction
 11 ~~and Juvenile Justice~~ and other custodial, administrative, and support staff as required to maintain
 12 the proper custody level at the facility. The unit superintendent shall be responsible for all matters
 13 pertaining to custody and administration of the unit. The Section Chief of the Alcoholism and
 14 Chemical Dependency Treatment Program shall designate and direct employees to manage
 15 treatment programs at each location. Duties of unit treatment program managers shall include
 16 program development and implementation, supervision of personnel assigned to treatment
 17 programs, adherence to all pertinent policy and procedural requirements of the Department, and
 18 other duties as assigned.

19 ...

20 **"§ 143B-707. Reports to the General Assembly.**

21 The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety
 22 shall report by March 1 of each year to the Chairs of the Senate and House Appropriations
 23 Committees and the Chairs of the Senate and House Appropriations Subcommittees in Justice
 24 and Public Safety on their efforts to provide effective treatment to offenders with substance abuse
 25 problems. The report shall include:

26 ...

27 (7) Evaluation of each substance abuse treatment program funded by the Division
 28 of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety.
 29 Evaluation measures shall include reduction in alcohol and drug dependency,
 30 improvements in disciplinary and infraction rates, recidivism (defined as
 31 return-to-prison rates), and other measures of the programs' success.

32 ...

33 **"§ 143B-708. Community service program.**

34 (a) The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
 35 Safety may conduct a community service program. The program shall provide oversight of
 36 offenders placed under the supervision of the Section of Community Corrections of the Division
 37 of Adult Correction ~~and Juvenile Justice~~ and ordered to perform community service hours for
 38 criminal violations, including driving while impaired violations under G.S. 20-138.1. This
 39 program shall assign offenders, either on supervised or on unsupervised probation, to perform
 40 service to the local community in an effort to promote the offender's rehabilitation and to provide
 41 services that help restore or improve the community. The program shall provide appropriate work
 42 site placement for offenders ordered to perform community service hours. The Division may
 43 adopt rules to conduct the program. Each offender shall be required to comply with the rules
 44 adopted for the program.

45 ...

46 (e) The community service staff shall report to the court in which the community service
 47 was ordered, a significant violation of the terms of the probation, deferred prosecution, or
 48 conditional discharge related to community service, including a willful failure to pay any moneys
 49 due the State under any court order or payment schedule adopted by the Section of Community
 50 Corrections of the Division of Adult ~~Correction and Juvenile Justice~~. Correction. The community
 51 service staff shall give notice of the hearing to determine if there is a willful failure to comply to

1 the person who was ordered to perform the community service. This notice shall be given by
2 either personal delivery to the person to be notified or by depositing the notice in the United
3 States mail in an envelope with postage prepaid, addressed to the person at the last known address
4 available to the preparer of the notice and reasonably believed to provide actual notice to the
5 person. The notice shall be mailed at least 10 days prior to any hearing and shall state the basis
6 of the alleged willful failure to comply. The court shall then conduct a hearing, even if the person
7 ordered to perform the community service fails to appear, to determine if there is a willful failure
8 to complete the work as ordered by the community service staff within the applicable time limits.
9 The hearing may be held in the county in which the order requiring the performance of
10 community service was imposed, the county in which the violation occurred, or the county of
11 residence of the person. If the court determines there is a willful failure to comply, it shall revoke
12 any drivers license issued to the person and notify the Division of Motor Vehicles to revoke any
13 drivers license issued to the person until the community service requirement has been met. In
14 addition, if the person is present, the court may take any further action authorized by Article 82
15 of Chapter 15A of the General Statutes for violation of a condition of probation.

16 **"§ 143B-709. Security Staffing.**

17 (a) The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
18 Safety shall conduct:

19 ...

20 (b) The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
21 Safety shall update the security staffing relief formula at least every three years. Each update
22 shall include a review of all annual training requirements for security staff to determine which of
23 these requirements should be mandatory and the appropriate frequency of the training. The
24 Division shall survey other states to determine which states use a vacancy factor in their staffing
25 relief formulas.

26 ...

27 **"§ 143B-711. Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
28 Safety – organization.**

29 The Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety
30 shall be organized initially to include the Post-Release Supervision and Parole Commission, the
31 Section of Prisons of the Division of Adult Correction, the Section of Community Corrections,
32 the Section of Alcoholism and Chemical Dependency Treatment Programs, and such other
33 divisions as may be established under Part 3 of this Article and under the other provisions of the
34 Executive Organization Act of 1973.

35 ...

36 "Subpart C. Parole Commission.

37 **"§ 143B-720. Post-Release Supervision and Parole Commission – creation, powers and
38 duties.**

39 (a) There is hereby created a Post-Release Supervision and Parole Commission of the
40 Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety with the
41 authority to grant paroles, including both regular and temporary paroles, to persons held by virtue
42 of any final order or judgment of any court of this State as provided in Chapter 148 of the General
43 Statutes and laws of the State of North Carolina, except that persons sentenced under Article 81B
44 of Chapter 15A of the General Statutes are not eligible for parole but may be conditionally
45 released into the custody and control of United States Immigration and Customs Enforcement
46 pursuant to G.S. 148-64.1. The Commission shall also have authority to revoke, terminate, and
47 suspend paroles of such persons (including persons placed on parole on or before the effective
48 date of the Executive Organization Act of 1973) and to assist the Governor in exercising his
49 authority in granting reprieves, commutations, and pardons, and shall perform such other services
50 as may be required by the Governor in exercising his powers of executive clemency. The
51 Commission shall also have authority to revoke and terminate persons on post-release

1 supervision, as provided in Article 84A of Chapter 15A of the General Statutes. The Commission
2 shall also have the authority to punish for criminal contempt for willful refusal to accept
3 post-release supervision or to comply with the terms of post-release supervision by a prisoner
4 whose offense requiring post-release supervision is a reportable conviction subject to the
5 registration requirement of Article 27A of Chapter 14 of the General Statutes. Any contempt
6 proceeding conducted by the Commission shall be in accordance with G.S. 5A-15 as if the
7 Commission were a judicial official.

8 ...

9 (c) The Commission is authorized and empowered to adopt such rules and regulations,
10 not inconsistent with the laws of this State, in accordance with which prisoners eligible for parole
11 consideration may have their cases reviewed and investigated and by which such proceedings
12 may be initiated and considered. All rules and regulations heretofore adopted by the Board of
13 Paroles shall remain in full force and effect unless and until repealed or superseded by action of
14 the Post-Release Supervision and Parole Commission. All rules and regulations adopted by the
15 Commission shall be enforced by the Division of Adult Correction ~~and Juvenile Justice~~ of the
16 Department of Public Safety.

17 ...

18 "Part 3. Juvenile Justice ~~Section~~Division.

19 "Subpart A. Creation of Division.

20 "**§ 143B-800. Creation of Juvenile Justice ~~Section of the Division of Adult Correction and~~**
21 **~~Juvenile Justice of the Department of Public Safety.~~**

22 There is hereby created and constituted a ~~section~~division to be known as the " Juvenile Justice
23 ~~Section of the Division of Adult Correction and Juvenile Justice of the Department of Public~~
24 ~~Safety", with the organization, powers, and duties as set forth in this Article or as prescribed by~~
25 ~~the Director of the Division of Adult Correction and Juvenile Justice.~~Secretary of the Department
26 of Public Safety.

27 "**§ 143B-801. Transfer of Office of Juvenile Justice authority to the Juvenile Justice ~~Section~~**
28 **~~of the Division of Adult Correction and Juvenile Justice of the Department of~~**
29 **~~Public Safety.~~**

30 (a) All (i) statutory authority, powers, duties, and functions, including directives of S.L.
31 1998-202, rule making, budgeting, and purchasing, (ii) records, (iii) personnel, personnel
32 positions, and salaries, (iv) property, and (v) unexpended balances of appropriations, allocations,
33 reserves, support costs, and other funds of the Office of Juvenile Justice under the Office of the
34 Governor are transferred to and vested in ~~the Juvenile Justice Section of the Division of Adult~~
35 ~~Correction and Juvenile Justice of the Department of Public Safety.~~ This transfer has all of the
36 elements of a Type I transfer as defined in G.S. 143A-6.

37 (b) The ~~Section~~Division shall be considered a continuation of the Office of Juvenile
38 Justice for the purpose of succession to all rights, powers, duties, and obligations of the Office
39 and of those rights, powers, duties, and obligations exercised by the Office of the Governor on
40 behalf of the Office of Juvenile Justice. Where the Office of Juvenile Justice or the Division of
41 Adult Correction and Juvenile Justice of the Department of Public Safety is referred to by law,
42 contract, or other document, that reference shall apply to ~~the Juvenile Justice Section of the~~
43 ~~Division of Adult Correction and Juvenile Justice.~~ Where the Office of the Governor is referred
44 to by contract or other document, where the Office of the Governor is acting on behalf of the
45 Office of Juvenile Justice, that reference shall apply to the ~~Section~~Division.

46 (c) All institutions previously operated by the Office of Juvenile Justice and the present
47 central office of the Office of Juvenile Justice, including land, buildings, equipment, supplies,
48 personnel, or other properties rented or controlled by the Office or by the Office of the Governor
49 for the Office of Juvenile Justice, shall be administered by the Juvenile Justice ~~Section of the~~
50 ~~Division of Adult Correction and Juvenile Justice of the Department of Public Safety.~~

51 ...

"Subpart B. General Provisions.

"§ 143B-805. Definitions.

In this Part, unless the context clearly requires otherwise, the following words have the listed meanings:

(1) Chief court counselor. – The person responsible for administration and supervision of juvenile intake, probation, and post-release supervision in each judicial district, operating under the supervision of the Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety.

...

(10a) Division. – The Division of Juvenile Justice of the Department of Public Safety.

...

(19a) ~~Section.~~—The Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety.

...

"§ 143B-806. Duties and powers of the Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety.

...

(b) In addition to its other duties, the Division of Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile Justice~~ shall have the following powers and duties:

...

"§ 143B-807. Authority to contract with other entities.

(a) The ~~Section~~ Division may contract with any governmental agency, person, or association for the accomplishment of its duties and responsibilities. The expenditure of funds under these contracts shall be for the purposes for which the funds were appropriated and not otherwise prohibited by law.

(b) The ~~Section~~ Division may enter into contracts with, and act as intermediary between, any federal government agency and any county of this State for the purpose of assisting the county to recover monies expended by a county-funded financial assistance program. As a condition of assistance, the county shall agree to hold and save harmless the ~~Section~~ Division against any claims, loss, or expense which the ~~Section~~ Division might incur under the contracts by reason of any erroneous, unlawful, or tortious act or omission of the county or its officials, agents, or employees.

(c) The ~~Section~~ Division and any other appropriate State or local agency may purchase services from public or private agencies providing delinquency prevention programs or juvenile court services, including parenting responsibility classes. The programs shall meet State standards. As institutional populations are reduced, the ~~Section~~ Division may divert State funds appropriated for institutional programs to purchase the services under the State Budget Act.

(d) Each programmatic, residential, and service contract or agreement entered into by the ~~Section~~ Division shall include a cooperation clause to ensure compliance with the ~~Section's~~ Division's quality assurance requirements and cost-accounting requirements.

"§ 143B-808. Authority to assist private nonprofit foundations.

The ~~Section~~ Division may provide appropriate services or allow employees of the ~~Section~~ Division to assist any private nonprofit foundation that works directly with the ~~Section's~~ Division's services or programs and whose sole purpose is to support these services and programs. A ~~Section~~ Division employee shall be allowed to work with a foundation no more than 20 hours in any one month. These services are not subject to Chapter 150B of the General Statutes.

The board of directors of each private, nonprofit foundation shall secure and pay for the services of the Department of State Auditor or employ a certified public accountant to conduct

1 an annual audit of the financial accounts of the foundation. The board of directors shall transmit
2 to the ~~Section-Division~~ a copy of the annual financial audit report of the private nonprofit
3 foundation.

4 **"§ 143B-809. Teen court programs.**

5 (a) All teen court programs administered by the ~~Juvenile Justice Section of the Division~~
6 ~~of Adult Correction and Juvenile Justice of the Department of Public Safety~~ shall operate as
7 community resources for the diversion of juveniles pursuant to G.S. 7B-1706(c). A juvenile
8 diverted to a teen court program shall be tried by a jury of other juveniles, and, if the jury finds
9 the juvenile has committed the delinquent act, the jury may assign the juvenile to a rehabilitative
10 measure or sanction, including counseling, restitution, curfews, and community service.

11 Teen court programs may also operate as resources to the local school administrative units to
12 handle problems that develop at school but that have not been turned over to the juvenile
13 authorities.

14 (b) Every teen court program that receives funds from Juvenile Crime Prevention
15 Councils shall comply with rules and reporting requirements of the ~~Juvenile Justice Section of~~
16 ~~the Division of Adult Correction and Juvenile Justice of the Department of Public~~
17 ~~Safety-Division.~~

18 ...

19 "Subpart C. Juvenile Facilities.

20 **"§ 143B-815. Juvenile facilities.**

21 In order to provide any juvenile in a juvenile facility with appropriate treatment according to
22 that juvenile's need, the ~~Section-Division~~ shall be responsible for the administration of statewide
23 educational, clinical, psychological, psychiatric, social, medical, vocational, and recreational
24 services or programs.

25 **"§ 143B-816. Authority to provide necessary medical or surgical care.**

26 The ~~Section-Division~~ may provide any medical and surgical treatment necessary to preserve
27 the life and health of juveniles committed to the custody of the ~~Section-Division~~; however, no
28 surgical operation may be performed except as authorized in G.S. 148-22.2.

29 **"§ 143B-817. Compensation to juveniles in care.**

30 A juvenile who has been committed to the ~~Section-Division~~ may be compensated for work
31 or participation in training programs at rates approved by the Secretary within available funds.
32 The Secretary may provide for a reasonable allowance to the juvenile for incidental personal
33 expenses, and any balance of the juvenile's earnings remaining at the time the juvenile is released
34 shall be paid to the juvenile or the juvenile's parent or guardian. The ~~Section-Division~~ may accept
35 grants or funds from any source to compensate juveniles under this section.

36 **"§ 143B-818. Visits and community activities.**

37 (a) The ~~Section-Division~~ shall encourage visits by parents or guardians and responsible
38 relatives of juveniles committed to the custody of the ~~Section-Division~~.

39 (b) The ~~Section-Division~~ shall develop a program of home visits for juveniles in the
40 custody of the ~~Section-Division~~. The visits shall begin after the juvenile has been in the custody
41 of the for a period of at least six months. In developing the program, the ~~Section-Division~~ shall
42 adopt criteria that promote the protection of the public and the best interests of the juvenile.

43 **"§ 143B-819. Regional detention services.**

44 The ~~Section-Division~~ is responsible for juvenile detention services, including the
45 development of a statewide plan for regional juvenile detention services that offer juvenile
46 detention care of sufficient quality to meet State standards to any juvenile requiring juvenile
47 detention care within the State in a detention facility as follows:

- 48 (1) The ~~Section-Division~~ shall plan with the counties operating a county detention
49 facility to provide regional juvenile detention services to surrounding
50 counties. The ~~Section-Division~~ has discretion in defining the geographical
51 boundaries of the regions based on negotiations with affected counties,

1 distances, availability of juvenile detention care that meets State standards,
2 and other appropriate factors.

3 (2) The ~~Section-Division~~ may plan with any county that has space within its
4 county jail system to use the existing space for a county detention facility
5 when needed, if the space meets the State standards for a detention facility and
6 meets all of the requirements of G.S. 153A-221. The use of space within the
7 county jail system shall be constructed to ensure that juveniles are not able to
8 converse with, see, or be seen by the adult population, and juveniles housed
9 in a space within a county jail shall be supervised closely.

10 (3) The ~~Section-Division~~ shall plan for and administer regional detention
11 facilities. The ~~Section-Division~~ shall carefully plan the location, architectural
12 design, construction, and administration of a program to meet the needs of
13 juveniles in juvenile detention care. The physical facility of a regional
14 detention facility shall comply with all applicable State and federal standards.
15 The programs of a regional detention facility shall comply with the standards
16 established by the ~~Section-Division~~.

17 **"§ 143B-820. State subsidy to county detention facilities.**

18 The ~~Section-Division~~ shall administer a State subsidy program to pay a county that provides
19 juvenile detention services and meets State standards a certain per diem per juvenile. In general,
20 this per diem should be fifty percent (50%) of the total cost of caring for a juvenile from within
21 the county and one hundred percent (100%) of the total cost of caring for a juvenile from another
22 county. Any county placing a juvenile in a detention facility in another county shall pay fifty
23 percent (50%) of the total cost of caring for the juvenile to the ~~Section-Division~~. The ~~Section~~
24 ~~Division~~ may vary the exact funding formulas to operate within existing State appropriations or
25 other funds that may be available to pay for juvenile detention care.

26 **"§ 143B-821. Authority for implementation.**

27 In order to allow for effective implementation of a statewide regional approach to juvenile
28 detention, the ~~Section-Division~~ may:

29 ...

30 "Subpart D. Juvenile Court Services.

31 **"§ 143B-830. Duties and powers of chief court counselors.**

32 The chief court counselor in each district appointed under G.S. 143B-806(b)(15) may:

33 (1) Appoint juvenile court counselors, secretaries, and other personnel authorized
34 by the ~~Section-Division~~ in accordance with the personnel policies adopted by
35 the ~~Section-Division~~.

36 ...

37 (3) Provide in-service training for staff as required by the ~~Section-Division~~.

38 ...

39 **"§ 143B-831. Duties and powers of juvenile court counselors.**

40 As the court or the chief court counselor may direct or require, all juvenile court counselors
41 shall have the following powers and duties:

42 ...

43 (14) Provide supervision for a juvenile transferred to the counselor's supervision
44 from another court or another state, and provide supervision for any juvenile
45 released from an institution operated by the ~~Section-Division~~ when requested
46 by the ~~Section-Division~~ to do so.

47 ...

48 (19) Have any other duties as the ~~Section-Division~~ may direct.

49 ...

50 "Subpart E. Comprehensive Juvenile Delinquency and Substance Abuse Prevention Plan.

51 **"§ 143B-840. Comprehensive Juvenile Delinquency and Substance Abuse Prevention Plan.**

1 (a) The ~~Section~~Division shall develop and implement a comprehensive juvenile
2 delinquency and substance abuse prevention plan and shall coordinate with County Councils for
3 implementation of a continuum of services and programs at the community level.

4 The ~~Section~~Division shall ensure that localities are informed about best practices in juvenile
5 delinquency and substance abuse prevention.

6 ...
7 (c) The ~~Section~~Division shall cooperate with all other affected State agencies and
8 entities in implementing this section.

9 ...

10 "Subpart F. Juvenile Crime Prevention Councils.

11 ...

12 **"§ 143B-851. Powers and duties.**

13 (a) Each County Council shall review annually the needs of juveniles in the county who
14 are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the
15 resources available to address those needs. In particular, each County Council shall assess the
16 needs of juveniles in the county who are at risk or who have been associated with gangs or gang
17 activity, and the local resources that are established to address those needs. The Council shall
18 develop and advertise a request for proposal process and submit a written plan of action for the
19 expenditure of juvenile sanction and prevention funds to the board of county commissioners for
20 its approval. Upon the county's authorization, the plan shall be submitted to the ~~Section~~Division
21 for final approval and subsequent implementation.

22 (b) Each County Council shall ensure that appropriate intermediate dispositional options
23 are available and shall prioritize funding for dispositions of intermediate and community-level
24 sanctions for court-adjudicated juveniles under minimum standards adopted by the
25 ~~Section~~Division.

26 ...

27 **"§ 143B-853. Funding for programs.**

28 (a) Annually, the Division of ~~Adult Correction and~~ Juvenile Justice shall develop and
29 implement a funding mechanism for programs that meet the standards developed under this
30 Subpart. The Division shall ensure that the guidelines for the State and local partnership's funding
31 process include the following requirements:

32 ...

33 (c) The ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile Justice
34 of the Department of Public Safety shall report to the Senate and House of Representatives
35 Appropriations Subcommittees on Justice and Public Safety no later than March 1, 2006, and
36 annually thereafter, on the results of intensive intervention services. Intensive intervention
37 services are evidence-based or research-supported community-based or residential services that
38 are necessary for a juvenile in order to (i) prevent the juvenile's commitment to a youth
39 development center or detention facility or (ii) facilitate the juvenile's successful return to the
40 community following commitment. Specifically, the report shall provide a detailed description
41 of each intensive intervention service, including the numbers of juveniles served, their
42 adjudication status at the time of service, the services and treatments provided, the length of
43 service, the total cost per juvenile, and the six- and 12-month recidivism rates for the juveniles
44 after the termination of program services.

45 ...

46 **"§ 143B-935. Criminal history record checks of employees of and applicants for
47 employment with the Department of Health and Human Services, and the
48 ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile Justice
49 of the Department of Public Safety.**

50 (a) Definitions. – As used in this section, the term:

51 (1) "Covered person" means any of the following:

- 1 a. An applicant for employment or a current employee in a position in
2 the ~~Juvenile Justice Section of the~~ Division of Adult Correction and
3 Juvenile Justice of the Department of Public Safety who provides
4 direct care for a client, patient, student, resident or ward of the
5 Division.
- 6 b. A person who supervises positions in the ~~Juvenile Justice Section of~~
7 ~~the~~ Division of Adult Correction and Juvenile Justice of the
8 Department of Public Safety providing direct care for a client, patient,
9 student, resident or ward of the Division.
- 10 ...
- 11 f. An independent contractor or an employee of an independent
12 contractor who has contracted with the ~~Juvenile Justice Section of the~~
13 Division of ~~Adult Correction and~~ Juvenile Justice of the Department
14 of Public Safety to provide direct care for a client, patient, student,
15 resident, or ward of the Division.
- 16 g. A person who has been approved to perform volunteer services in or
17 for the ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction~~
18 ~~and~~ Juvenile Justice of the Department of Public Safety to provide
19 direct care for a client, patient, student, resident, or ward of the
20 Division.
- 21 (2) "Criminal history" means a State or federal history of conviction of a crime,
22 whether a misdemeanor or felony, that bears upon a covered person's fitness
23 for employment in the Department of Health and Human Services or the
24 ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile
25 Justice of the Department of Public Safety. The crimes include, but are not
26 limited to, criminal offenses as set forth in any of the following Articles of
27 Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing
28 Monetary Substitutes; Article 5A, Endangering Executive and Legislative
29 Officers; Article 6, Homicide; Article 7B, Rape and Other Sex Offenses;
30 Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13,
31 Malicious Injury or Damage by Use of Explosive or Incendiary Device or
32 Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson
33 and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18,
34 Embezzlement; Article 19, False Pretenses and Cheats; Article 19A,
35 Obtaining Property or Services by False or Fraudulent Use of Credit Device
36 or Other Means; Article 19B, Financial Transaction Card Crime Act; Article
37 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality
38 and Decency; Article 26A, Adult Establishments; Article 27, Prostitution;
39 Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public
40 Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots,
41 Civil Disorders, and Emergencies; Article 39, Protection of Minors; Article
42 40, Protection of the Family; Article 59, Public Intoxication; and Article 60,
43 Computer-Related Crime. The crimes also include possession or sale of drugs
44 in violation of the North Carolina Controlled Substances Act, Article 5 of
45 Chapter 90 of the General Statutes, and alcohol-related offenses such as sale
46 to underage persons in violation of G.S. 18B-302, or driving while impaired
47 in violation of G.S. 20-138.1 through G.S. 20-138.5.
- 48 (b) When requested by the Department of Health and Human Services or the ~~Juvenile~~
49 ~~Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile Justice of the Department of
50 Public Safety, the North Carolina Department of Public Safety may provide to the requesting
51 department or division a covered person's criminal history from the State Repository of Criminal

1 Histories. Such requests shall not be due to a person's age, sex, race, color, national origin,
2 religion, creed, political affiliation, or handicapping condition as defined by G.S. 168A-3. For
3 requests for a State criminal history record check only, the requesting department or division
4 shall provide to the Department of Public Safety a form consenting to the check signed by the
5 covered person to be checked and any additional information required by the Department of
6 Public Safety. National criminal record checks are authorized for covered applicants who have
7 not resided in the State of North Carolina during the past five years. For national checks the
8 Department of Health and Human Services or the ~~Juvenile Justice Section of the Division of~~
9 ~~Adult Correction and Juvenile Justice~~ of the Department of Public Safety shall provide to the
10 North Carolina Department of Public Safety the fingerprints of the covered person to be checked,
11 any additional information required by the Department of Public Safety, and a form signed by
12 the covered person to be checked consenting to the check of the criminal record and to the use of
13 fingerprints and other identifying information required by the State or National Repositories. The
14 fingerprints of the individual shall be forwarded to the State Bureau of Investigation for a search
15 of the State criminal history record file and the State Bureau of Investigation shall forward a set
16 of fingerprints to the Federal Bureau of Investigation for a national criminal history record check.
17 The Department of Health and Human Services and the ~~Juvenile Justice Section of the Division~~
18 of ~~Adult Correction and Juvenile Justice~~ of the Department of Public Safety shall keep all
19 information pursuant to this section confidential. The Department of Public Safety shall charge
20 a reasonable fee for conducting the checks of the criminal history records authorized by this
21 section.

22 (c) All releases of criminal history information to the Department of Health and Human
23 Services or the ~~Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice~~
24 of the Department of Public Safety shall be subject to, and in compliance with, rules governing
25 the dissemination of criminal history record checks as adopted by the North Carolina Department
26 of Public Safety. All of the information either department receives through the checking of the
27 criminal history is privileged information and for the exclusive use of that department.

28 (d) If the covered person's verified criminal history record check reveals one or more
29 convictions covered under subsection (a) of this section, then the conviction shall constitute just
30 cause for not selecting the person for employment, or for dismissing the person from current
31 employment with the Department of Health and Human Services or the ~~Juvenile Justice Section~~
32 ~~of the Division of Adult Correction and Juvenile Justice~~ of the Department of Public Safety. The
33 conviction shall not automatically prohibit employment; however, the following factors shall be
34 considered by the Department of Health and Human Services or the ~~Juvenile Justice Section of~~
35 the Division of ~~Adult Correction and Juvenile Justice~~ of the Department of Public Safety in
36 determining whether employment shall be denied:

37 ...

38 (e) The Department of Health and Human Services and the ~~Juvenile Justice Section of~~
39 the Division of ~~Adult Correction and Juvenile Justice~~ of the Department of Public Safety may
40 deny employment to or dismiss a covered person who refuses to consent to a criminal history
41 record check or use of fingerprints or other identifying information required by the State or
42 National Repositories of Criminal Histories. Any such refusal shall constitute just cause for the
43 employment denial or the dismissal from employment.

44 (f) The Department of Health and Human Services and the ~~Juvenile Justice Section of~~
45 the Division of ~~Adult Correction and Juvenile Justice~~ of the Department of Public Safety may
46 extend a conditional offer of employment pending the results of a criminal history record check
47 authorized by this section.

48 ...

49 "Part 6. Division of Administration.

50 "Subpart A. Governor's Crime Commission.

1 **"§ 143B-1100. Governor's Crime Commission – creation; composition; terms; meetings,**
 2 **etc.**

3 (a) There is hereby created the Governor's Crime Commission of the Department of
 4 Public Safety. The Commission shall consist of 37 voting members and five nonvoting members.
 5 The composition of the Commission shall be as follows:

- 6 ...
 7 (2) The nonvoting members shall be the Director of the State Bureau of
 8 Investigation, the Deputy Chief of the ~~Juvenile Justice Section of the~~ Division
 9 of ~~Adult Correction and~~ Juvenile Justice of the Department of Public Safety
 10 who is responsible for Intervention/Prevention programs, the Deputy Chief of
 11 the ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile
 12 Justice of the Department of Public Safety who is responsible for Youth
 13 Development programs, the Section Chief of the Section of Prisons of the
 14 Division of Adult Correction and ~~Juvenile Justice~~ and the Section Chief of the
 15 Section of Community Corrections of the Division of Adult ~~Correction and~~
 16 ~~Juvenile Justice~~. Correction.

17 (b) The membership of the Commission shall be selected as follows:

- 18 (1) The following members shall serve by virtue of their office: the Governor, the
 19 Chief Justice of the Supreme Court, the Attorney General, the Director of the
 20 Administrative Office of the Courts, the Secretary of the Department of Health
 21 and Human Services, the Secretary of Public Safety, the Director of the State
 22 Bureau of Investigation, the Section Chief of the Section of Prisons of the
 23 Division of Adult ~~Correction and Juvenile Justice~~, Correction, the Section
 24 Chief of the Section of Community Corrections of the Division of Adult
 25 ~~Correction and Juvenile Justice~~, Correction, the Deputy Chief who is
 26 responsible for Intervention/Prevention of the ~~Juvenile Justice Section of the~~
 27 Division of ~~Adult Correction and~~ Juvenile Justice of the Department of Public
 28 Safety, the Deputy Chief who is responsible for Youth Development of the
 29 ~~Juvenile Justice Section of the~~ Division of ~~Adult Correction and~~ Juvenile
 30 Justice of the Department of Public Safety, and the Superintendent of Public
 31 Instruction. Should the Chief Justice of the Supreme Court choose not to
 32 serve, his alternate shall be selected by the Governor from a list submitted by
 33 the Chief Justice which list must contain no less than three nominees from the
 34 membership of the Supreme Court.

35 ...
 36 "Subpart B. Treatment for Effective Community Supervision Program.

37 ...
 38 **"§ 143B-1152. Definitions.**

39 The following definitions apply in this Subpart:

- 40 ...
 41 (2) Division. – The Division of Adult ~~Correction and Juvenile Justice~~. Correction.
 42 ...
 43 (6a) Section. – The Section of Community Corrections of the Division of Adult
 44 ~~Correction and Juvenile Justice~~. Correction.

45 ...
 46 **"§ 143B-1154. Eligible population.**

47 ...
 48 (b) The priority populations for programs funded under this Subpart shall be as follows:

49 ...

- 1 (2) Offenders identified by the Division of Adult Correction and Juvenile Justice
 2 using a validated risk assessment instrument to have a high likelihood of
 3 reoffending and a moderate to high need for substance abuse treatment.

4 **"§ 143B-1155. Duties of Division of Adult Correction and Juvenile Justice, Correction.**

5 (a) In addition to those otherwise provided by law, the Division of Adult Correction and
 6 Juvenile Justice shall have the following duties:

7 ...

8 (b) The Section of Community Corrections of the Division of Adult Correction and
 9 Juvenile Justice shall develop and publish a recidivism reduction plan for the State that
 10 accomplishes the following:

11 ...

12 **"§ 143B-1156. Contract for services.**

13 (a) The Division of Adult Correction and Juvenile Justice shall contract with service
 14 providers through a competitive procurement process to provide community-based services to
 15 offenders on probation, parole, or post-release supervision.

16 ...

17 (c) The Division of Adult Correction and Juvenile Justice, Correction, in partnership with
 18 the Department of Health and Human Services, shall develop standard service definitions and
 19 performance measures for substance abuse and aftercare support services for inclusion in the
 20 contracts.

21 ...

22 (e) The Division of Adult Correction and Juvenile Justice shall pay service providers the
 23 contract base award upon the initiation of services with the remaining payments made as
 24 milestones are reached as stated in the contract for services. If the service provider cancels or
 25 terminates the contract prior to its conclusion, the service provider shall reimburse the Division
 26 for the unearned pro rata portion of the base award.

27 ...

28 **"§ 143B-1161. Justice Reinvestment Council.**

29 (a) The Justice Reinvestment Council is established to act as an advisory body to the
 30 ~~Commissioner of Adult Correction~~ Secretary of the Department of Public Safety with regard to
 31 this Subpart. The Council shall consist of 13 members as follows, to be appointed as provided in
 32 subsection (b) of this section:

33 ...

34 (d) The purpose of the Justice Reinvestment Council in conjunction with the Department
 35 of Public Safety, Division of Adult Correction and Juvenile Justice, Correction, is to:

36"

37 **SECTION 2.(a)** The following statutes are amended by deleting the language
 38 "Division of Adult Correction and Juvenile Justice" wherever it appears and substituting
 39 "Division of Adult Correction": G.S. 1-110, 7A-109.3, 7A-313, 7A-451, 7A-474.18, 7A-498.3,
 40 7B-2055, 7B-2517, 14-202, 14-208.20, 14-208.22, 14-208.40, 14-208.40A, 14-208.40B,
 41 14-208.40C, 14-208.41, 14-208.42, 14-208.43, 14-208.44, 14-208.45, 14-254.5, 14-258.1,
 42 14-258.3, 14-269, 14-415.10, 15-6.1, 15-10.1, 15-194, 15-196.3, 15-206, 15-209, 15A-145,
 43 15A-145.1, 15A-145.2, 15A-145.7, 15A-145.8A, 15A-146, 15A-147, 15A-149, 15A-534,
 44 15A-534.1, 15A-544.3, 15A-544.5, 15A-615, 15A-821, 15A-830, 15A-832, 15A-837,
 45 15A-1332, 15A-1340.13, 15A-1340.16, 15A-1340.18, 15A-1340.20, 15A-1342, 14-258.2,
 46 15A-1343.3, 15A-1351, 15A-1352, 15A-1353, 15A-1354, 15A-1355, 15A-1368.4, 15A-1368,
 47 15A-1368.2, 15A-1368.3, 15A-1368.6, 15A-1369, 15A-1369.4, 15A-1371, 15A-1374,
 48 15A-1376, 15A-2000, 15B-21, 15B-31, 15B-32, 20-19, 20-28, 20-79.4, 20-81.12, 20-179,
 49 20-179.3, 50-13.2, 65-4, 66-25, 66-58, 97-13, 105-259, 106-915, 108A-14, 115C-46.2, 115D-5,
 50 122C-22, 122C-55, 122C-62, 122C-311, 122C-312, 122C-313, 122C-402, 126-23, 127A-54,
 51 130A-25, 131E-98, 131E-184, 131E-214.1, 135-1, 143-63.1, 143-138, 143-300.7, 143-599,

1 143-166.2, 143-166.7, 143-166.13, 143B-179, 146-33, 147-12, 148-2, 148-3, 148-4, 148-4.1,
2 148-6, 148-10, 148-10.1, 148-10.2, 148-10.3, 148-10.4, 148-10.5, 148-11, 148-12, 148-18,
3 148-18.1, 148-19, 148-19.1, 148-19.2, 148-22, 148-22.1, 148-23, 148-23.1, 148-23.2, 148-24,
4 148-26, 148-26.5, 148-28, 148-29, 148-32.1, 148-32.2, 148-33, 148-33.1, 148-36, 148-37,
5 148-37.3, 148-40, 148-41, 148-45, 148-46.1, 148-53, 148-54, 148-59, 148-64, 148-64.1,
6 148-65.6, 148-65.7, 148-66, 148-67, 148-70, 148-74, 148-78, 148-118.1, 148-118.2, 148-118.4,
7 148-118.5, 148-118.6, 148-130, 148-131, 148-132, 148-134, 150B-1, 153A-221, 153A-230.1,
8 153A-230.2, 153A-230.3, 153A-230.5, 160A-287, 162-39, 163-82.20A, 164-42, 164-47, and
9 164-50.

10 **SECTION 2.(b)** The following statutes are amended by deleting the language
11 "Division of Adult Correction and Juvenile Justice" wherever it appears and substituting
12 "Division of Juvenile Justice": G.S. 7B-1501, 7B-2204, 115C-106.3, 115C-107.6, 115C-108.1,
13 115C-296.2, 115C-325.10, and 153A-218.

14 **SECTION 2.(c)** The following statutes are amended by deleting the language
15 "Section of Community Corrections of the Division of Adult Correction and Juvenile Justice"
16 wherever it appears and substituting "Section of Community Corrections of the Division of Adult
17 Correction": G.S. 7B-3000, 7B-3001, 7B-3100, 14-208.40C, 14-208.41, 15A-837, 15A-1342,
18 15A-1368.4, 15A-1369.4, 15A-1371, 20-179.3, 105-259, 115C-46.2, and 148-65.6.

19 **SECTION 2.(d)** The following statutes are amended by deleting the language
20 "Section of Prisons of the Division of Adult Correction and Juvenile Justice" wherever it appears
21 and substituting "Section of Prisons of the Division of Adult Correction": G.S. 14-208.6,
22 14-208.40C, 14-258.2, 66-58, 130A-25, 148-11, 148-18, 148-29, and 148-130.

23 **SECTION 2.(e)** The following statutes are amended by deleting the language
24 "Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice" wherever it
25 appears and substituting "Division of Juvenile Justice": G.S. 7A-109.3, 7A-302, 7B-3100,
26 14-239, 14-258.1, 14-316.1, 15-6, 15A-521, 15A-1301, 15A-1351, 15A-1352, 17C-3, 66-58,
27 114-12.1, 115D-1, 122C-113, 122C-115.4, 122C-117, 143-166.2, 143-166.13, 143B-152.14,
28 143B-153, 143B-935, 143B-1391, 148-32.1, 162-60, 153A-221.1, and 164-43.

29 **SECTION 2.(f)** G.S. 7B-1402(b) reads as rewritten:

30 "(b) The Task Force shall be composed of 36 members, 12 of whom shall be ex officio
31 members, four of whom shall be appointed by the Governor, 10 of whom shall be appointed by
32 the Speaker of the House of Representatives, and 10 of whom shall be appointed by the President
33 Pro Tempore of the Senate. The ex officio members other than the Chief Medical Examiner may
34 designate representatives from their particular departments, divisions, or offices to represent
35 them on the Task Force. In making appointments or designating representatives, appointing
36 authorities and ex officio members shall use best efforts to select members or representatives
37 with sufficient knowledge and experience to effectively contribute to the issues examined by the
38 Task Force and, to the extent possible, to reflect the geographical, political, gender, and racial
39 diversity of this State. The members shall be as follows:

40 ...

41 (11a) The Director of the ~~Juvenile Justice Section, Division of Adult Correction and~~
42 Juvenile Justice, Department of Public Safety.

43"

44 **SECTION 2.(f1)** G.S. 15A-521 reads as rewritten:

45 **"§ 15A-521. Commitment to detention facility pending trial.**

46 (a) Commitment. – Every person charged with a crime and held in custody who has not
47 been released pursuant to Article 26 of this Chapter, Bail, must be committed by a written order
48 of the judicial official who conducted the initial appearance as provided in Article 24 to an
49 appropriate detention facility as provided in this section. If the person being committed by written
50 order is under the age of 18, that person must be committed to a detention facility approved by
51 the ~~Division of Juvenile Justice Section of the Division of Adult Correction and Juvenile Justice~~

1 to provide secure confinement and care for juveniles, or to a holdover facility as defined in
 2 G.S. 7B-1501(11). If the person being committed reaches the age of 18 years while held in
 3 custody, the person shall be transported by personnel of the Division of Juvenile Justice Section
 4 ~~of the Division, Justice~~ or personnel approved by the ~~Juvenile Justice Section, Division of~~
 5 Juvenile Justice to the custody of the sheriff of the county where the charges arose.

6 ...

7 (c) Copies and Use of Order, Receipt of Prisoner. –

8 ...

9 (2) The jailer or personnel of the Division of Juvenile Justice Section must receive
 10 the prisoner and the order of commitment, and note on the order of
 11 commitment the time and date of receipt. As used in this subdivision, "jailer"
 12 includes any person having control of a detention facility and "personnel of
 13 the ~~Juvenile Justice Section~~" Division of Juvenile Justice includes personnel
 14 approved by the ~~Juvenile Justice Section~~ Division of Juvenile Justice.

15 (3) Upon releasing the prisoner pursuant to the terms of the order, or upon
 16 delivering the prisoner to the court, the jailer or personnel of the Division of
 17 Juvenile Justice Section must note the time and date on the order and return it
 18 to the clerk. Personnel of the ~~Juvenile Justice Section, Division of Juvenile~~
 19 Justice, or personnel approved by the ~~Juvenile Justice Section, Division of~~
 20 Juvenile Justice, shall transport the person under the age of 18 from the
 21 juvenile detention facility or holdover facility to court and shall transfer the
 22 person back to the juvenile detention facility or holdover facility.

23"

24 **SECTION 2.(f2)** G.S. 15A-1301 reads as rewritten:

25 **"§ 15A-1301. Order of commitment to imprisonment when not otherwise specified.**

26 When a judicial official orders that a defendant be imprisoned he must issue an appropriate
 27 written commitment order. When the commitment is to a sentence of imprisonment, the
 28 commitment must include the identification and class of the offense or offenses for which the
 29 defendant was convicted and, if the sentences are consecutive, the maximum sentence allowed
 30 by law upon conviction of each offense for the punishment range used to impose the sentence for
 31 the class of offense and prior record or conviction level, and, if the sentences are concurrent or
 32 consolidated, the longest of the maximum sentences allowed by law for the classes of offense
 33 and prior record or conviction levels upon conviction of any of the offenses. If the person
 34 sentenced to imprisonment is under the age of 18, the person must be committed to a detention
 35 facility approved by the Division of Juvenile Justice Section ~~of the Division of Adult Correction~~
 36 ~~and Juvenile Justice~~ to provide secure confinement and care for juveniles. If the person is under
 37 the age of 18, the person may be temporarily confined in a holdover facility as defined in
 38 G.S. 7B-1501(11) until the person can be transferred to a juvenile detention facility. Personnel
 39 of the Division of Juvenile Justice Section or personnel approved by the Division of Juvenile
 40 Justice Section shall transport the person to the juvenile detention facility or the holdover
 41 facility."

42 **SECTION 2.(f3)** G.S. 15A-1343 reads as rewritten:

43 **"§ 15A-1343. Conditions of probation.**

44 ...

45 (a1) Community and Intermediate Probation Conditions. – In addition to any conditions a
 46 court may be authorized to impose pursuant to G.S. 15A-1343(b1), the court may include any
 47 one or more of the following conditions as part of a community or intermediate punishment:

48 ...

49 (3) Submission to a period or periods of confinement in a local confinement
 50 facility for a total of no more than six days per month during any three separate
 51 months during the period of probation. The six days per month confinement

1 provided for in this subdivision may only be imposed as two-day or three-day
2 consecutive periods. When a defendant is on probation for multiple
3 judgments, confinement periods imposed under this subdivision shall run
4 concurrently and may total no more than six days per month. If the person
5 being ordered to a period or periods of confinement is under the age of 18,
6 that person must be confined in a detention facility approved by the Division
7 of Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile~~
8 ~~Justice~~ to provide secure confinement and care for juveniles or to a holdover
9 facility as defined in G.S. 7B-1501(11). If the person being ordered to a period
10 or periods of confinement reaches the age of 18 years while in confinement,
11 the person may be transported by personnel of the Division of Juvenile Justice
12 ~~Section of the Division, Justice,~~ or personnel approved by the Division of
13 ~~Juvenile Justice Section, Justice,~~ to the custody of the sheriff of the applicable
14 local confinement facility.

15 ...

16 (b) Regular Conditions. – As regular conditions of probation, a defendant must:

17 ...

18 (16) Supply a breath, urine, or blood specimen for analysis of the possible presence
19 of prohibited drugs or alcohol when instructed by the defendant's probation
20 officer for purposes directly related to the probation supervision. If the results
21 of the analysis are positive, the probationer may be required to reimburse the
22 Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
23 Safety for the actual costs of drug or alcohol screening and testing.

24 ...

25 In addition to these regular conditions of probation, a defendant required to serve an active
26 term of imprisonment as a condition of special probation pursuant to G.S. 15A-1344(e) or
27 G.S. 15A-1351(a) shall, as additional regular conditions of probation, obey the rules and
28 regulations of the Division of Adult Correction ~~and Juvenile Justice~~ of the Department of Public
29 Safety governing the conduct of inmates while imprisoned and report to a probation officer in
30 the State of North Carolina within 72 hours of his discharge from the active term of
31 imprisonment.

32 ...

33 (b1) Special Conditions. – In addition to the regular conditions of probation specified in
34 subsection (b), the court may, as a condition of probation, require that during the probation the
35 defendant comply with one or more of the following special conditions:

36 ...

37 (6) Perform community or reparation service under the supervision of the Section
38 of Community Corrections of the Division of Adult Correction ~~and Juvenile~~
39 ~~Justice~~ and pay the fee required by G.S. 143B-708.

40 ...

41 (b2) Special Conditions of Probation for Sex Offenders and Persons Convicted of Offenses
42 Involving Physical, Mental, or Sexual Abuse of a Minor. – As special conditions of probation, a
43 defendant who has been convicted of an offense which is a reportable conviction as defined in
44 G.S. 14-208.6(4), or which involves the physical, mental, or sexual abuse of a minor, must:

45 ...

46 (8) Submit to satellite-based monitoring pursuant to Part 5 of Article 27A of
47 Chapter 14 of the General Statutes, if the defendant is in the category
48 described by G.S. 14-208.40(a)(2), and the Division of Adult Correction ~~and~~
49 ~~Juvenile Justice~~ of the Department of Public Safety, based on the Division's
50 risk assessment program, recommends that the defendant submit to the highest
51 possible level of supervision and monitoring.

1 (9) Submit at reasonable times to warrantless searches by a probation officer of
2 the probationer's person and of the probationer's vehicle and premises while
3 the probationer is present, for purposes specified by the court and reasonably
4 related to the probation supervision, but the probationer may not be required
5 to submit to any other search that would otherwise be unlawful. For purposes
6 of this subdivision, warrantless searches of the probationer's computer or other
7 electronic mechanism which may contain electronic data shall be considered
8 reasonably related to the probation supervision. Whenever the warrantless
9 search consists of testing for the presence of illegal drugs, the probationer may
10 also be required to reimburse the Division of Adult Correction ~~and Juvenile~~
11 ~~Justice~~ of the Department of Public Safety for the actual cost of drug screening
12 and drug testing, if the results are positive.

13 Defendants subject to the provisions of this subsection shall not be placed on unsupervised
14 probation.

15 (b3) Screening and Assessing for Chemical Dependency. – A defendant ordered to submit
16 to a period of residential treatment in the Drug Alcohol Recovery Treatment program (DART)
17 or the Black Mountain Substance Abuse Treatment Center for Women operated by the Division
18 of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety must undergo a
19 screening to determine chemical dependency. If the screening indicates the defendant is
20 chemically dependent, the court shall order an assessment to determine the appropriate level of
21 treatment. The assessment may be conducted either before or after the court imposes the
22 condition, but participation in the program shall be based on the results of the assessment.

23 (b4) Intermediate Conditions. – The following conditions of probation apply to each
24 defendant subject to intermediate punishment:

25 (1) If required in the discretion of the defendant's probation officer, perform
26 community service under the supervision of the Section of Community
27 Corrections of the Division of Adult Correction ~~and Juvenile Justice~~ and pay
28 the fee required by G.S. 143B-708.

29 ...

30 (c) Statement of Conditions. – A defendant released on supervised probation must be
31 given a written statement explicitly setting forth the conditions on which the defendant is being
32 released. If any modification of the terms of that probation is subsequently made, the defendant
33 must be given a written statement setting forth the modifications.

34 Upon entry of an order of supervised probation by the court, a defendant shall submit to the
35 Division of Adult Correction ~~and Juvenile Justice~~ for filing with the clerk of superior court a
36 signed document stating that:

37"

38 **SECTION 2.(f4)** G.S. 15A-1343.2 reads as rewritten:

39 **"§ 15A-1343.2. Special probation rules for persons sentenced under Article 81B.**

40 ...

41 (b) Purposes of Probation for Community and Intermediate Punishments. – The Division
42 of Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety shall develop a plan
43 to handle offenders sentenced to community and intermediate punishments. The probation
44 program designed to handle these offenders shall have the following principal purposes: to hold
45 offenders accountable for making restitution, to ensure compliance with the court's judgment, to
46 effectively rehabilitate offenders by directing them to specialized treatment or education
47 programs, and to protect the public safety.

48 (b1) Departmental Risk Assessment by Validated Instrument Required. – As part of the
49 probation program developed by the Division of Adult Correction ~~and Juvenile Justice~~ of the
50 Department of Public Safety pursuant to subsection (b) of this section, the Division of Adult
51 Correction ~~and Juvenile Justice~~ of the Department of Public Safety shall use a validated

1 instrument to assess each probationer for risk of reoffending and shall place a probationer in a
2 supervision level based on the probationer's risk of reoffending and criminogenic needs.

3 ...

4 (e) Delegation to Probation Officer in Community Punishment. – Unless the presiding
5 judge specifically finds in the judgment of the court that delegation is not appropriate, the Section
6 of Community Corrections of the Division of Adult Correction ~~and Juvenile Justice~~ of the
7 Department of Public Safety may require an offender sentenced to community punishment to do
8 any of the following:

9 ...

10 (5) Submit to a period or periods of confinement in a local confinement facility
11 for a total of no more than six days per month during any three separate
12 months during the period of probation. The six days per month confinement
13 provided for in this subdivision may only be imposed as two-day or three-day
14 consecutive periods. When a defendant is on probation for multiple
15 judgments, confinement periods imposed under this subdivision shall run
16 concurrently and may total no more than six days per month. If the person
17 being ordered to a period or periods of confinement is under the age of 18,
18 that person must be confined in a detention facility approved by the Division
19 of Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile~~
20 ~~Justice~~ to provide secure confinement and care for juveniles or to a holdover
21 facility as defined in G.S. 7B-1501(11). If the person being ordered to a period
22 or periods of confinement reaches the age of 18 years while in confinement,
23 the person may be transported by personnel of the Division of Juvenile Justice
24 ~~Section of the Division, Justice, or~~ Justice, or personnel approved by the Division of
25 Juvenile Justice Section, Justice, to the custody of the sheriff of the applicable
26 local confinement facility.

27 ...

28 (f) Delegation to Probation Officer in Intermediate Punishments. – Unless the presiding
29 judge specifically finds in the judgment of the court that delegation is not appropriate, the Section
30 of Community Corrections of the Division of Adult Correction ~~and Juvenile Justice~~ of the
31 Department of Public Safety may require an offender sentenced to intermediate punishment to
32 do any of the following:

33 ...

34 (6) Submit to a period or periods of confinement in a local confinement facility
35 for a total of no more than six days per month during any three separate
36 months during the period of probation. The six days per month confinement
37 provided for in this subdivision may only be imposed as two-day or three-day
38 consecutive periods. When a defendant is on probation for multiple
39 judgments, confinement periods imposed under this subdivision shall run
40 concurrently and may total no more than six days per month. If the person
41 being ordered to a period or periods of confinement is under the age of 18,
42 that person must be confined in a detention facility approved by the Division
43 of Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile~~
44 ~~Justice~~ to provide secure confinement and care for juveniles or to a holdover
45 facility as defined in G.S. 7B-1501(11). If the person being ordered to a period
46 or periods of confinement reaches the age of 18 years while in confinement,
47 the person may be transported by personnel of the Division of Juvenile Justice
48 ~~Section of the Division, Justice, or~~ Justice, or personnel approved by the Division of
49 Juvenile Justice Section, Justice, to the custody of the sheriff of the applicable
50 local confinement facility.

51"

1 **SECTION 2.(f5)** G.S. 15A-1344 reads as rewritten:

2 "**§ 15A-1344. Response to violations; alteration and revocation.**

3 ...

4 (c) Procedure on Altering or Revoking Probation; Returning Probationer to District
5 Where Sentenced. – When a judge reduces, terminates, extends, modifies, or revokes probation
6 outside the county where the judgment was entered, the clerk must send a copy of the order and
7 any other records to the court where probation was originally imposed. A court on its own motion
8 may return the probationer to the district court district as defined in G.S. 7A-133 or superior court
9 district or set of districts as defined in G.S. 7A-41.1, as the case may be, where probation was
10 imposed or where the probationer resides for reduction, termination, continuation, extension,
11 modification, or revocation of probation. In cases where the probation is revoked in a county
12 other than the county of original conviction the clerk in that county must issue a commitment
13 order and must file the order revoking probation and the commitment order, which will constitute
14 sufficient permanent record of the proceeding in that court, and must send a certified copy of the
15 order revoking probation, the commitment order, and all other records pertaining thereto to the
16 county of original conviction to be filed with the original records. The clerk in the county other
17 than the county of original conviction must issue the formal commitment to the Division of Adult
18 Correction ~~and Juvenile Justice~~ of the Department of Public Safety.

19 ...

20 (d2) Confinement in Response to Violation. – When a defendant under supervision for a
21 felony conviction has violated a condition of probation other than G.S. 15A-1343(b)(1) or
22 G.S. 15A-1343(b)(3a), the court may impose a period of confinement of 90 consecutive days to
23 be served in the custody of the Division of Adult Correction ~~and Juvenile Justice~~ of the
24 Department of Public Safety. The court may not revoke probation unless the defendant has
25 previously received a total of two periods of confinement under this subsection. A defendant may
26 receive only two periods of confinement under this subsection. The 90-day term of confinement
27 ordered under this subsection for a felony shall not be reduced by credit for time already served
28 in the case. Any such credit shall instead be applied to the suspended sentence. However, if the
29 time remaining on the maximum imposed sentence on a defendant under supervision for a felony
30 conviction is 90 days or less, then the term of confinement is for the remaining period of the
31 sentence. Confinement under this section shall be credited pursuant to G.S. 15-196.1.

32 When a defendant under supervision for a misdemeanor conviction sentenced pursuant to
33 Article 81B of Chapter 15A of the General Statutes has violated a condition of probation other
34 than G.S. 15A-1343(b)(1) or G.S. 15A-1343(b)(3a), the court may impose a period of
35 confinement pursuant to G.S. 15A-1343(a1)(3). If the person being ordered to a period of
36 confinement is under the age of 18, that person must be confined in a detention facility approved
37 by the Division of Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile~~
38 ~~Justice~~ to provide secure confinement and care for juveniles or to a holdover facility as defined
39 in G.S. 7B-1501(11). If the person being ordered to a period of confinement reaches the age of
40 18 years while in confinement, the person may be transported by personnel of the Division of
41 Juvenile Justice ~~Section of the Division, Justice,~~ or personnel approved by the Division of
42 Juvenile Justice ~~Section, Justice,~~ to the custody of the sheriff of the applicable local confinement
43 facility. The court may not revoke probation unless the defendant has previously received at least
44 two periods of confinement for violating a condition of probation other than G.S. 15A-1343(b)(1)
45 or G.S. 15A-1343(b)(3a). Those periods of confinement may have been imposed pursuant to
46 G.S. 15A-1343(a1)(3), 15A-1343.2(e)(5), or 15A-1343.2(f)(6). The second period of
47 confinement must have been imposed for a violation that occurred after the defendant served the
48 first period of confinement. Confinement under this section shall be credited pursuant to
49 G.S. 15-196.1.

50 When a defendant under supervision for a misdemeanor conviction not sentenced pursuant
51 to Article 81B of Chapter 15A of the General Statutes has violated a condition of probation other

1 than G.S. 15A-1343(b)(1) or G.S. 15A-1343(b)(3a), the court may impose a period of
2 confinement of up to 90 consecutive days to be served where the defendant would have served
3 an active sentence. The court may not revoke probation unless the defendant has previously
4 received a total of two periods of confinement under this subsection. A defendant may receive
5 only two periods of confinement under this subsection. Confinement under this section shall be
6 credited pursuant to G.S. 15-196.1.

7 The period of confinement imposed under this subsection on a defendant who is on probation
8 for multiple offenses shall run concurrently on all cases related to the violation. Confinement
9 shall be immediate unless otherwise specified by the court.

10 (e) Special Probation in Response to Violation. – When a defendant has violated a
11 condition of probation, the court may modify the probation to place the defendant on special
12 probation as provided in this subsection. In placing the defendant on special probation, the court
13 may continue or modify the conditions of probation and in addition require that the defendant
14 submit to a period or periods of imprisonment, either continuous or noncontinuous, at whatever
15 time or intervals within the period of probation the court determines. In addition to any other
16 conditions of probation which the court may impose, the court shall impose, when imposing a
17 period or periods of imprisonment as a condition of special probation, the condition that the
18 defendant obey the rules and regulations of the Division of Adult Correction and Juvenile Justice
19 of the Department of Public Safety governing conduct of inmates, and this condition shall apply
20 to the defendant whether or not the court imposes it as a part of the written order. If imprisonment
21 is for continuous periods, the confinement may be in either the custody of the Division of Adult
22 Correction and Juvenile Justice of the Department of Public Safety or a local confinement
23 facility. Noncontinuous periods of imprisonment under special probation may only be served in
24 a designated local confinement or treatment facility. If the person being ordered to a period or
25 periods of imprisonment, either continuous or noncontinuous, is under the age of 18, that person
26 must be imprisoned in a detention facility approved by the Division of Juvenile Justice ~~Section~~
27 ~~of the Division of Adult Correction and Juvenile Justice~~ to provide secure confinement and care
28 for juveniles or to a holdover facility as defined in G.S. 7B-1501(11). If the person being ordered
29 to a period or periods of imprisonment reaches the age of 18 years while imprisoned, the person
30 may be transported by personnel of the Division of Juvenile Justice ~~Section of the Division,~~
31 Justice, or personnel approved by the Division of Juvenile Justice ~~Section, Justice,~~ to the custody
32 of the sheriff of the applicable local confinement facility.

33 Except for probationary sentences for impaired driving under G.S. 20-138.1, the total of all
34 periods of confinement imposed as an incident of special probation, but not including an activated
35 suspended sentence, may not exceed one-fourth the maximum sentence of imprisonment
36 imposed for the offense. For probationary sentences for impaired driving under G.S. 20-138.1,
37 the total of all periods of confinement imposed as an incident of special probation, but not
38 including an activated suspended sentence, shall not exceed one-fourth the maximum penalty
39 allowed by law. No confinement other than an activated suspended sentence may be required
40 beyond the period of probation or beyond two years of the time the special probation is imposed,
41 whichever comes first.

42 (e1) Criminal Contempt in Response to Violation. – If a defendant willfully violates a
43 condition of probation, the court may hold the defendant in criminal contempt as provided in
44 Article 1 of Chapter 5A of the General Statutes. A finding of criminal contempt by the court shall
45 not revoke the probation. If the offender serves a sentence for contempt in a local confinement
46 facility, the Division of Adult Correction and Juvenile Justice of the Department of Public Safety
47 shall pay for the confinement at the standard rate set by the General Assembly pursuant to
48 G.S. 148-32.1(a) regardless of whether the offender would be eligible under the terms of that
49 subsection.

50"

51 **SECTION 2.(f6)** G.S. 17C-3(a)(6) reads as rewritten:

1 "(a) There is established the North Carolina Criminal Justice Education and Training
2 Standards Commission, hereinafter called "the Commission." The Commission shall be
3 composed of 34 members as follows:

4 ...

5 (6) Adult Correction and Juvenile Justice. – Four correctional officers in
6 management positions employed by the Division of Adult Correction ~~and~~
7 ~~Juvenile Justice~~ of the Department of Public Safety shall be appointed, two
8 from the Section of Community Corrections upon the recommendation of the
9 Speaker of the House of Representatives and two from the Section of Prisons
10 upon the recommendation of the President Pro Tempore of the Senate.
11 Appointments by the General Assembly shall be made in accordance with
12 G.S. 120-122. Appointments by the General Assembly shall serve two-year
13 terms to conclude on June 30th in odd-numbered years or until the appointee
14 no longer serves in a management position with the Division of Adult
15 ~~Correction and Juvenile Justice~~, Correction, whichever occurs first. The
16 Governor shall appoint one correctional officer employed by the Division of
17 Adult Correction ~~and Juvenile Justice~~ of the Department of Public Safety and
18 assigned to the Office of Staff Development and Training, and one juvenile
19 justice officer employed by the Division of Juvenile Justice ~~Section of the~~
20 ~~Division of Adult Correction and Juvenile Justice~~. The Governor's
21 appointments shall serve three-year terms or until the appointee is no longer
22 assigned to the Office of Staff Development and Training or is no longer a
23 juvenile justice officer, whichever occurs first."

24 **SECTION 2.(g)** G.S. 120-70.94(a) reads as rewritten:

25 "(a) The Joint Legislative Oversight Committee on Justice and Public Safety shall
26 examine, on a continuing basis, the correctional, law enforcement, and juvenile justice systems
27 in North Carolina, in order to make ongoing recommendations to the General Assembly on ways
28 to improve those systems and to assist those systems in realizing their objectives of protecting
29 the public and of punishing and rehabilitating offenders. In this examination, the Committee
30 shall:

31 ...

32 (2) Examine the effectiveness of the Division of Adult Correction ~~and Juvenile~~
33 ~~Justice~~ of the Department of Public Safety in implementing the public policy
34 stated in G.S. 148-26 of providing work assignments and employment for
35 inmates as a means of reducing the cost of maintaining the inmate population
36 while enabling inmates to acquire or retain skills and work habits needed to
37 secure honest employment after their release.

38 ...

39 (2b) Examine the effectiveness of the Division of ~~Adult Correction and~~ Juvenile
40 Justice of the Department of Public Safety in implementing the duties and
41 responsibilities charged to the Division in Part 3 of Article 13 of Chapter 143B
42 of the General Statutes and the overall effectiveness and efficiency of the
43 juvenile justice system in the State.

44 ...

45 (10) Study the needs of juveniles. This study may include, but is not limited to:
46 a. Determining the adequacy and appropriateness of services:
47 1. To children and youth receiving child welfare
48 ~~services;services.~~
49 2. To children and youth in the juvenile court ~~system;system.~~
50 3. Provided by the Division of Social Services of the Department
51 of Health and Human Services and the Division of ~~Adult~~

1 ~~Correction and~~ Juvenile Justice of the Department of Public
2 ~~Safety;~~ Safety.

- 3 4. To children and youth served by the Mental Health,
4 Developmental Disabilities, and Substance Abuse Services
5 system.

6"

7 **SECTION 2.(g1)** G.S. 126-5(c3) reads as rewritten:

8 "(c3) Except as to the policies, rules, and plans established by the Commission pursuant to
9 G.S. 126-4(5) and the provisions of Article 6 of this Chapter, the provisions of this Chapter shall
10 not apply to: Teaching and related educational classes of employees of the Division of ~~Adult~~
11 ~~Correction and~~ Juvenile Justice of the Department of Public Safety, the Department of Health
12 and Human Services, and any other State department, agency or institution, whose salaries shall
13 be set in the same manner as set for corresponding public school employees in accordance with
14 Chapter 115C of the General Statutes."

15 **SECTION 2.(h)** G.S. 143-166.1 reads as rewritten:

16 "**§ 143-166.1. Purpose.**

17 In consideration of hazardous public service rendered to the people of this State, there is
18 hereby provided a system of benefits for dependents of law-enforcement officers, firefighters,
19 rescue squad workers, and senior Civil Air Patrol members killed in the discharge of their official
20 duties, and for dependents of noncustodial employees of the Division of Adult Correction and
21 the Division of Juvenile Justice of the Department of Public Safety killed by an individual or
22 individuals in the custody of the Division of Adult Correction ~~and~~ or the Division Juvenile Justice
23 of the Department of Public Safety."

24 **SECTION 2.(h1)** G.S. 148-13 reads as rewritten:

25 "**§ 148-13. Regulations as to custody grades, privileges, gain time credit, etc.**

26 ...

27 (a1) The Secretary of Public Safety shall adopt rules to specify the rates at, and
28 circumstances under, which earned time authorized by G.S. 15A-1340.13(d) and
29 G.S. 15A-1340.20(d) may be earned or forfeited by persons serving activated sentences of
30 imprisonment for felony or misdemeanor convictions. Such rules shall include any person
31 serving an activated sentence of imprisonment who is confined in a detention facility approved
32 by the Division of Juvenile Justice ~~Section of the Division of Adult Correction and Juvenile~~
33 ~~Justice.~~

34 ...

35 (e) The Secretary's regulations concerning earned time and good time credits authorized
36 by this section shall be distributed to and followed by local jail administrators and by personnel
37 of the Division of Juvenile Justice ~~Section~~ or personnel approved by the Division of Juvenile
38 ~~Justice~~ ~~Section~~ with regard to sentenced jail prisoners, including prisoners housed in a detention
39 facility approved by the Division of Juvenile Justice ~~Section of the Division of Adult Correction~~
40 ~~and Juvenile Justice.~~

41"

42 **SECTION 2.(i)** G.S. 148-128 reads as rewritten:

43 "**§ 148-128. Authorization for Correction Enterprises.**

44 The Section of Correction Enterprises of the Division of Adult Correction ~~and Juvenile~~
45 ~~Justice~~ is established as a ~~division~~ section of the Division of Adult Correction ~~and Juvenile Justice~~
46 of the Department of Public Safety. The Section of Correction Enterprises of the Division of
47 Adult Correction ~~and Juvenile Justice~~ may develop and operate industrial, agricultural, and
48 service enterprises that employ incarcerated offenders in an effort to provide them with
49 meaningful work experiences and rehabilitative opportunities that will increase their
50 employability upon release from prison. Enterprises operated under this Article shall be known
51 as "Correction Enterprises.""

1 **SECTION 2.(j)** G.S. 164-40 reads as rewritten:
2 "**§ 164-40. Correction population simulation model; Juvenile Justice ~~Section of the Division~~**
3 **~~of Adult Correction and Juvenile Justice of the Department of Public Safety~~**
4 **facilities population simulation model.**

5 ...
6 (b) The Commission shall develop a Juvenile Justice ~~Section of the Division of Adult~~
7 ~~Correction and Juvenile Justice of the Department of Public Safety~~ facilities population
8 simulation model, and shall have first priority to apply the model to a given fact situation, or
9 theoretical change in the dispositional laws set forth in Chapter 7B of the General Statutes, when
10 requested to do so by the Chairman, the Executive Director, or the Commission as a whole.

11 The Executive Director or the Chairman shall make the model available to respond to
12 inquiries by any State legislator, or by the Division of Juvenile Justice ~~Section of the Division of~~
13 ~~Adult Correction and Juvenile Justice~~ of the Department of Public Safety, in second priority to
14 the work of the Commission."

15 **SECTION 3.** There is appropriated from the General Fund to the Department of
16 Public Safety, Division of Juvenile Justice, the sum of nine hundred ninety thousand dollars
17 (\$990,000) in recurring funds for the 2021-2023 fiscal biennium to provide annualized recurring
18 funding for seven full-time equivalent (FTE) positions in the Division of Juvenile Justice.

19 **SECTION 4.** This act becomes effective July 1, 2021.