

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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HOUSE BILL 1220

Short Title: Fund DV Prevention Pilot Program. (Public)

Sponsors: Representative P. Jones.

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

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

May 27, 2020

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO CREATE DOMESTIC VIOLENCE PREVENTION
PILOT PROGRAMS IN DISTRICT COURT JUDICIAL DISTRICT 3A.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The General Assembly finds that the COVID-19 pandemic has exacerbated isolation, uncertainty, and economic instability, which has led to an increase in domestic violence, and due to the stay-at-home orders in effect, victims are more at risk and vulnerable than ever before. It further finds that in order to combat the rising rate of domestic violence due to the COVID-19 pandemic, victims need access to technology that provides instantaneous notification if the offender is within close proximity.

SECTION 1.(b) The State Controller shall transfer the sum of one hundred thousand dollars (\$100,000) from the Coronavirus Relief Reserve established in Section 2.1 of S.L. 2020-4 to the Coronavirus Relief Fund established in Section 2.2 of that same act.

SECTION 1.(c) There is appropriated from the Coronavirus Relief Fund to the Administrative Office of the Courts the sum of one hundred thousand dollars (\$100,000) in nonrecurring funds for the 2020-2021 fiscal year to be used as a grant for Caitlyn's Courage, Inc., a nonprofit organization serving victims of domestic violence, to conduct a pilot program in District Court Judicial District 3A.

SECTION 1.(d) The requirements set forth in Part I of S.L. 2020-4 shall apply to the funds appropriated by this section.

SECTION 1.(e) The pilot program created by this section shall do each of the following:

- (1) Provide judges in the participating judicial districts the option to use global positioning system (GPS) tracking devices as a condition of pretrial release for defendants of crimes related to stalking, sexual assault, domestic abuse, and violations of a domestic violence protective order.
- (2) Establish a local implementation team that shall, at a minimum, consider for inclusion (i) district court judges, (ii) superior court judges, (iii) assistant and elected district attorneys, (iv) assistant and appointed public defenders, (v) deputy, assistant, and elected clerks of superior court, (vi) law enforcement officers, (vii) domestic violence victims advocates, (viii) court support staff, and (ix) representatives of the Department of Adult Correction and Juvenile Justice.



1 (3) Operate a 24-hour monitoring center that contacts victims if an offender
2 violates a relevant condition of pretrial release or a domestic violence
3 protective order.

4 (4) Train all pilot program participants, including, but not limited to, victims and
5 offenders, regarding the GPS tracking devices utilized by the pilot program.

6 **SECTION 1.(f)** The funds appropriated in this section shall only be used for project
7 expenses and shall not be used to pay for lobbying the North Carolina General Assembly,
8 salaries, travel, or other administrative costs.

9 **SECTION 2.** The electronic monitoring devices funded by this act shall have each
10 of the following specifications:

11 (1) The ability to automatically switch cellular networks, ensuring that the device
12 is not dependent upon one particular cellular network provider.

13 (2) The ability to detect, record, and report the deliberate shielding from receipt
14 of GPS signals.

15 (3) A disposable strap.

16 (4) A minimum single charge, 48-hour battery life via an inaccessible battery with
17 the option of a fixed charger, mobile charger, or both.

18 (5) The ability to detect and store the time and date of any physical impact to the
19 device at a level high enough to cause malfunction.

20 (6) The ability to record the offender's immediate location at all times.

21 (7) The ability to automatically notify the victim if an offender is within a
22 restricted proximity to the victim pursuant to a court order.

23 **SECTION 3.(a)** In consultation with District Court Judicial District 3A and the East
24 Carolina University Department of Criminal Justice, Caitlyn's Courage, Inc., shall report on the
25 effectiveness of the pilot programs created by this act to the Joint Legislative Oversight
26 Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health
27 and Human Services, and the Fiscal Research Division of the North Carolina General Assembly
28 by April 1, 2022.

29 **SECTION 3.(b)** The report required by this section shall include, at a minimum,
30 each of the following:

31 (1) Any recommendations regarding the continuation, expansion, or elimination
32 of the pilot programs.

33 (2) Current and future estimated costs associated with implementing the pilot
34 programs.

35 (3) Any recommended legislation related to the pilot programs.

36 **SECTION 4.** This act becomes effective July 1, 2020.