



HOUSE BILL 570: Facilitate Successful Reentry

2015-2016 General Assembly

| | | | |
|-----------------------|---|---------------------|--|
| Committee: | House Judiciary I, if favorable, Judiciary II | Date: | April 26, 2015 |
| Introduced by: | Reps. C. Graham, Pierce, Baskerville, Glazier | Prepared by: | R. Erika Churchill and Jennifer Bedford, Committee Counsel |
| Analysis of: | PCS to First Edition H570-CSST-37 | | |

SUMMARY: *The proposed committee substitute for House Bill 570 require law enforcement, upon confinement, and the courts, prior to entry of an order, to determine if there are any outstanding warrants against the defendant; and direct the Department of Public Safety's Division of Adult Correction (DOC) to develop a policy for identifying any outstanding criminal warrants at intake and before release to resolve an inmate's outstanding warrants while in custody.*

CURRENT LAW: G.S. 15A-301.1 provides for a statewide warrant repository to maintain and track criminal processes. Launched in 2008, NCAWARE is a web-based, automated system which provides detailed information about criminal processes such as warrants, criminal summons, orders for arrest, and appearance bonds. Authorized judicial officials and employees and all authorized law enforcement officers and agencies are given remote electronic access. The Department of Adult Correction (DOC) does not currently have access.

BILL ANALYSIS:

Section 1. The pcs would require law enforcement, at the time an individual is taken into custody, to attempt to identify all outstanding warrants against that individual and notify the appropriate law enforcement agencies of the location of the individual. Additionally, prior to the entry of any order of the court in a criminal case, the court is to attempt to identify all outstanding warrants against that individual and notify the appropriate law enforcement agencies of the location of the individual

Section 2. The pcs would directs the Division of Adult Correction to work with law enforcement, the district attorneys' offices, and the courts to develop a process by which, both at intake and before release, effort is made, for each inmate in custody, to identify all outstanding warrants on the inmate. The plan should seek to resolve inmates' outstanding warrants while in custody, whenever feasible.

The pcs would require that the inmate be notified of any outstanding warrant against the inmate and his or her right to counsel, if such a right exists.

EFFECTIVE DATE: October 1, 2015.

O. Walker Reagan
Director



Research Division
(919) 733-2578

* H 5 7 0 - S M S T - 6 8 C S S T - 3 7 - V 3 *