

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**SENATE BILL 496\***

Short Title: Ex-Offender Reentry Study. (Public)

Sponsors: Senators Jones; Allran and Berger of Franklin.

Referred to: Rules and Operations of the Senate.

March 11, 2009

A BILL TO BE ENTITLED  
AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMITTEE ON  
EX-OFFENDER REENTRY.

Whereas, North Carolinians depend on their government to maintain their safety and security and expect it to be reliable and fair in addition to being effective at deterring crime and punishing offenders; and

Whereas, nearly 1,000,000 individuals in North Carolina have a criminal record; and

Whereas, approximately 40,000 individuals are currently in North Carolina prisons; and

Whereas, 98% of incarcerated individuals will eventually leave prison and return to their communities; and

Whereas, North Carolina's prison population has more than doubled over the past 25 years; and

Whereas, approximately 28,000 individuals entered and 27,000 individuals were released from North Carolina prisons in 2008; and

Whereas, approximately 50% of those leaving prison will be rearrested within three years; and

Whereas, the Department of Correction has an annual budget of \$1,300,000,000, which includes the cost of \$23,000 to incarcerate an individual per year of confinement; and

Whereas, the cost of prison construction is approximately \$80,000 per bed; and

Whereas, the North Carolina Department of Correction projects a shortage of 6,000 beds within the next 10 years if incarceration continues at its current rate; and

Whereas, the current system of incarceration and reincarceration is failing too many, including victims of crime, costing too much, and helping too few; Now, therefore, The General Assembly of North Carolina enacts:

**SECTION 1.(a)** The General Assembly finds that each year tens of thousands of individuals are arrested, convicted of crimes, placed on probation, sent to prison, or released from prison. The safety of our communities depends on the successful reintegration of these individuals into society. Most of these individuals need assistance finding jobs, increasing their education, or accessing other essential services in order to successfully reintegrate into society and improve their lives. However, most ex-offenders will encounter an array of barriers that hinder their ability to become productive members of society. Ex-offenders who are barred from housing, jobs, occupational licenses, needed services, education, and training are far more likely to commit new crimes than they would be if they had the options and responsibilities that most citizens take for granted. Further, the General Assembly finds that reducing recidivism saves much needed resources by reducing the need for prison construction and makes our



1 communities a safer place to live. To that end, there is created the Joint Legislative Study  
2 Committee on Ex-offender Reentry.

3 **SECTION 1.(b)** The Committee shall consist of 26 voting members appointed as  
4 follows:

- 5 (1) Thirteen members appointed by the Speaker of the House of  
6 Representatives, to include:  
7 a. Five members of the House of Representatives.  
8 b. A crime victim's advocate.  
9 c. Two members who are ex-criminal offenders.  
10 d. A public defender.  
11 e. A member from an agency that provides reentry services to  
12 ex-offenders.  
13 f. A local law enforcement officer.  
14 g. A district court judge.  
15 h. A small business owner.
- 16 (2) Thirteen members appointed by the President Pro Tempore of the Senate, to  
17 include:  
18 a. Five members of the Senate.  
19 b. A superior court judge.  
20 c. A member from the State Chamber of Commerce.  
21 d. A probation officer.  
22 e. A local law enforcement officer.  
23 f. A district attorney.  
24 g. Two members who are ex-criminal offenders.  
25 h. A member who is a volunteer providing services to inmates.
- 26 (3) The Committee shall consist of the following nonvoting ex officio members:  
27 a. The Attorney General, or designee.  
28 b. The Secretary of Crime Control and Public Safety, or designee.  
29 c. The Secretary of Commerce, or designee.  
30 d. The Director of Indigent Defense Services, or designee.  
31 e. The Secretary of Correction, or designee.  
32 f. The Director of Legal Aid of North Carolina, or designee.  
33 g. The Commissioner of Labor, or designee.  
34 h. The Secretary of Juvenile Justice and Delinquency, or designee.  
35 i. The Chair of the Employment Security Commission, or designee.  
36 j. The Director of the North Carolina Sentencing and Policy Advisory  
37 Commission, or designee.  
38 k. One representative who works in the area of criminal justice or  
39 ex-offender reentry from each of the following institutions of higher  
40 education: North Carolina Central University, Winston-Salem State  
41 University, Duke University, University of North Carolina at Chapel  
42 Hill.

43 **SECTION 1.(c)** The Speaker of the House of Representatives shall appoint a  
44 cochair, and the President Pro Tempore of the Senate shall appoint a cochair for the  
45 Committee. The Committee may meet at any time upon the joint call of the cochairs. Vacancies  
46 on the Committee shall be filled by the same appointing authority as made the initial  
47 appointment.

48 The Committee, while in the discharge of its official duties, may exercise all powers  
49 provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Committee may  
50 contract for professional, clerical, or consultant services as provided by G.S. 120-32.02.

1 Subject to the approval of the Legislative Services Commission, the Committee may meet  
2 in the Legislative Building or the Legislative Office Building. The Legislative Services  
3 Commission, through the Legislative Services Officer, shall assign professional staff to assist  
4 the Committee in its work. The House of Representatives' and the Senate's Supervisors of  
5 Clerks shall assign clerical support staff to the Committee, and the expenses relating to the  
6 clerical employees shall be borne by the Committee. Members of the Committee shall receive  
7 subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as  
8 appropriate.

9 **SECTION 1.(d)** The Committee shall study issues related to reentry for people  
10 with criminal records. Specifically, the Committee shall study how North Carolina and other  
11 states address barriers facing ex-offenders in accessing jobs, housing, education, training, and  
12 services and determine best practices that reduce recidivism. In connection with this study, the  
13 Committee may consider and report on:

- 14 (1) How prisoners are prepared in prison for release;
- 15 (2) The process by which prisoners exit prisons so that key supports and  
16 services are in place during the initial transition;
- 17 (3) Reentry initiatives that build on key social relationships – such as family,  
18 friends, and the faith community – and improve access to other  
19 community-based support and services;
- 20 (4) Risk factors of returning offenders including history of substance of abuse,  
21 mental illness, chronic disease, lack of education, high unemployment, and  
22 homelessness;
- 23 (5) Accuracy and regulation of criminal record checks;
- 24 (6) Systemic and legal barriers to employment, housing, education, training, and  
25 services; and
- 26 (7) Systems for measuring the effectiveness of reforms to reduce recidivism,  
27 such as increased attachment to the workforce and earnings, increased  
28 family attachment, and savings to the State from incarceration cost  
29 avoidance.

30 **SECTION 1.(e)** The Committee shall submit a report of its findings and  
31 recommendations, including any legislative recommendations, to the 2010 Regular Session of  
32 the 2009 General Assembly or to the 2011 General Assembly upon its convening. The  
33 Committee shall terminate on the convening of the 2011 General Assembly.

34 **SECTION 1.(f)** Of the funds appropriated to the General Assembly for the  
35 2009-2010 fiscal year and the for the 2010-2011 fiscal year, the Legislative Services  
36 Commission shall allocate funds for the expenses of the Committee established by this section.

37 **SECTION 2.** This act is effective when it becomes law.