

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 745
HOUSE BILL 642

AN ACT TO CLARIFY STATE RESPONSIBILITY FOR JAILER TRAINING AND CERTIFICATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 17E-2(c) as the same is found in Chapter 558 of the 1983 Session Laws is amended at the end of the first sentence of that subsection following the word "sheriff" by adding the words "or jailers." thereto.

Sec. 2. G.S. 17C-2 is amended by rewriting subsections "(b)" and "(c)" of that section as follows:

"(b) 'Criminal justice agencies' means the State and local law enforcement agencies, the State correctional agencies, other correctional agencies maintained by local governments, and the juvenile justice agencies, but shall not include deputy sheriffs, special deputy sheriffs, jailers, or other sheriffs' department personnel governed by the provisions of Chapter 17E of these General Statutes;

(c) 'Criminal justice officer(s)' means and incorporates the administrative and subordinate personnel of all the departments, agencies, units or entities comprising the 'criminal justice agencies,' as defined in subsection (a), who are sworn law enforcement officers, both State and local, with the power of arrest; State correctional officers; State probation and parole officers; officers, supervisory and administrative personnel of local confinement facilities; or youth correctional officers."

Sec. 3. G.S. 17C-10(a) is amended by inserting in the first sentence between the word "appointment" and the phrase "prior to March 15, 1973" the phrase "prior to September 1, 1983, and is an officer, supervisor or administrator of a local confinement facility;".

Sec. 4. G.S. 153A-216(4) is rewritten to read:

"(4) Adequate qualifications and training of the personnel of local confinement facilities are essential to improving the quality of these facilities. The State shall establish entry level employment standards for jailers and supervisory and administrative personnel of local confinement facilities to include training as a condition of employment in a local confinement facility pursuant to the provisions of Chapter 17C and Chapter 17E and the rules promulgated thereunder."

Sec. 5. G.S. 153A-220(5) is repealed.

Sec. 6. G.S. 153A-221(b) is amended by rewriting the second sentence to read:

"The Secretary shall also consult with interested State departments and agencies, including the Department of Correction, the Department of Human Resources, the

Department of Insurance, and the North Carolina Criminal Justice Education and Training Standards Commission, and the North Carolina Sheriffs' Education and Training Standards Commission."

Sec. 7. G.S. 153A-222 is amended by rewriting the second sentence to read:

"The purpose of the inspections is to investigate the conditions of confinement, the treatment of prisoners, the maintenance of entry level employment standards for jailers and supervisory and administrative personnel of local confinement facilities as provided for in G.S. 153A-216(4), and to determine whether the facilities meet the minimum standards published pursuant to G.S. 153A-221."

Sec. 8. G.S. 153A-223 is amended by inserting in the first sentence between the phrase "discloses that" and the phrase "a local" the phrase "the jailers and supervisory and administrative personnel of a local confinement facility do not meet the entry level employment standards established pursuant to Chapter 17C or Chapter 17E or that".

Sec. 9. G.S. 153A-227 is repealed.

Sec. 10. This act shall become effective September 1, 1983.

In the General Assembly read three times and ratified, this the 14th day of July, 1983.