

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 874
SENATE BILL 495

AN ACT TO MAKE INTERSTATE TRANSFERS OF PRISONERS MORE OPEN
TO PUBLIC SCRUTINY.

The General Assembly of North Carolina enacts:

Section 1. A new section is added to Article 12 of General Statutes Chapter 148 to read:

"§ 148-121. Proceedings to be open; all documents public records.—(a) Except as provided in subsection (c) of this section, at least 30 days before a transfer of a North Carolina inmate to another state system pursuant to this Article is approved, the Secretary of Correction shall give notice that the transfer is being considered. The Secretary shall give notice of the proposed transfer by:

- (1) notifying the district attorney of the district where the prisoner was convicted, the judge who presided at the prisoner's trial, the law enforcement agency that arrested the prisoner, and the victim of the prisoner's crime;
- (2) posting notice at the courthouse in the county in which the prisoner was convicted; and
- (3) notifying any other person who has made a written request to receive notice of a transfer of the prisoner.

(b) Except as provided in subsection (c) of this section, all written comments regarding a transfer are public records under General Statutes Chapter 132.

(c) If, in the discretion of the Secretary, such notice or disclosure requirements provided for in this section would jeopardize the safety of persons or property, the provisions of this section do not apply."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 20th day of July, 1983.