

§ 143B-1454. Division of Prisons – functions with respect to adults.

(a) The functions of the Division of Prisons shall include all functions of the executive branch of the State in relation to corrections and the rehabilitation of adult offenders, including detention and further including those prescribed powers, duties, and functions enumerated in the laws of this State. All such functions, powers, duties, and obligations heretofore vested in the State Department of Correction and Commission of Correction are hereby transferred to and vested in the Division of Prisons of the Department of Adult Correction except as otherwise provided by the Executive Organization Act of 1973.

(b) Repealed by Session Laws 2021-180, s. 19C.9(m), effective January 1, 2023.

(c) Repealed by Session Laws 2012-83, s. 9, effective June 26, 2012.

(d) The Division shall establish the Alcoholism and Chemical Dependency Treatment Program. The Program shall consist of a continuum of treatment and intervention services for male and female inmates, established in medium and minimum custody prison facilities.

(e) The Department, in consultation with the Domestic Violence Commission, and in accordance with established best practices, shall establish a domestic violence treatment program for offenders sentenced to a term of imprisonment in the custody of the Department and whose official record includes a finding by the court that the offender committed acts of domestic violence.

The Department shall ensure that inmates, whose record includes a finding by the court that the offender committed acts of domestic violence, complete a domestic violence treatment program prior to the completion of the period of incarceration, unless other requirements, deemed critical by the Department, prevent program completion. In the event an inmate does not complete the program during the period of incarceration, the Department shall document, in the inmate's official record, specific reasons why that particular inmate did not or was not able to complete the program. (1973, c. 1262, s. 4; 1983, c. 682, s. 1; 1987, c. 479; c. 738, s. 111(a); 1989 (Reg. Sess., 1990), c. 994; 1997-57, s. 1; 1999-423, s. 8; 2001-487, s. 47(f); 2004-186, s. 1.2; 2009-372, s. 6; 2011-145, s. 19.1(h), (k), (s); 2012-83, s. 9; 2017-186, s. 1(g); recodified from N.C. Gen. Stat. § 143B-704 by 2021-180, s. 19C.9(h), (m).)