

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

H

1

HOUSE BILL 32*

Short Title: Commitment Info. to List Victim.

(Public)

Sponsors: Representatives G. Miller; Alphin, Baddour, Barbee, Black, Bowman, Burton, Church, Cole, Colton, Crawford, Creech, Cromer, Culp, Cummings, Cunningham, Decker, Diamont, Dickson, Gardner, Gottovi, Hall, Hayes, Hill, Holt, Hunt, R. Hunter, Ives, Jarrell, Jeffus, Jenkins, Joye, Kuczmarski, Lemmond, Mavretic, McAllister, McCombs, McCrary, McLawhorn, Mercer, Moore, Nichols, C. Preston, J. Preston, Ramsey, Redwine, Robinson, Russell, Sexton, Smith, Stewart, Sutton, Warner, Wilkins, Wilmoth, Wilson, Wright, and Yongue.

Referred to: Judiciary II.

February 8, 1994

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE CLERK OF SUPERIOR COURT TO INCLUDE THE NAMES OF ANY VICTIMS IN THE INFORMATION ATTACHED TO A PRISONER'S COMMITMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 148-59 reads as rewritten:

"§ 148-59. Duties of clerks of superior courts as to commitments; statements filed with Department of Correction.

The several clerks of the superior courts shall attach to the commitment of each prisoner sentenced in such courts a statement furnishing such information as the Parole Commission shall by regulations prescribe, which information shall contain, among other things, the following:

- (1) The court in which the prisoner was tried;
(2) The name of the prisoner and of all codefendants;
(3) The date or session when the prisoner was tried;
(4) The offense with which the prisoner was charged and the offense for which convicted;

- 1 (5) The judgment of the court and the date of the beginning of the
2 sentence;
- 3 (6) The name and address of the presiding judge;
- 4 (7) The name and address of the prosecuting solicitor;
- 5 (8) The name and address of private prosecuting attorney, if any;
- 6 (9) The name and address of the arresting officer; ~~and~~
- 7 (10) All available information of the previous criminal record of the
8 ~~prisoner-prisoner~~; and
- 9 (11) The names and addresses of any victims of the offense for which the
10 prisoner was convicted.

11 The prison authorities receiving the prisoner for the beginning of the service of
12 sentence shall detach from the commitment the statement furnishing such information
13 and forward it to the Department of Correction, together with any additional
14 information in the possession of such prison authorities relating to the previous criminal
15 record of such prisoner, and the information thus furnished shall constitute the
16 foundation and file of the prisoner's case. Forms for furnishing the information required
17 by this section shall, upon request, be furnished to the said clerks by the State
18 Department of Correction without charge."

19 Sec. 2. This act is effective upon ratification.