

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE DRS85206-LH-114 (03/09)

Short Title: Prison Escape/Juvenile Detention Facility. (Public)

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Sponsors: Senator Clodfelter.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE IT A CRIMINAL OFFENSE TO BREAK OUT OF A JUVENILE  
3 DETENTION FACILITY OR YOUTH DEVELOPMENT CENTER.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 14-256 reads as rewritten:

6 "§ 14-256. **Prison breach and escape from county or municipal confinement**  
7 **facilities or ~~officers~~ officers; breach and escape from juvenile detention**  
8 **facility or youth development center.**

9 (a) If any person shall break any prison, jail or lockup maintained by any county  
10 or municipality in North Carolina, being lawfully confined therein, or shall escape from  
11 the lawful custody of any superintendent, guard or officer of such prison, jail or lockup,  
12 he shall be guilty of a ~~Class 1~~Class A1 misdemeanor, except that the person is guilty of  
13 a Class H felony if:

14 (1) He has been convicted of a felony and has been committed to the  
15 facility pending transfer to the State prison system; or

16 (2) He is serving a sentence imposed upon conviction of a felony.

17 (b) If any person shall break any juvenile detention facility or youth development  
18 center maintained by any county or municipality in North Carolina or by the  
19 Department of Juvenile Justice and Delinquency Prevention, or shall escape from the  
20 lawful custody of any superintendent, guard, officer, or employee of the facility or  
21 center, the person is guilty of a Class A1 misdemeanor."

22 SECTION 2. This act becomes effective December 1, 2005, and applies to  
23 offenses committed on or after that date.