

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 24
Committee Substitute Favorable 2/11/13

Short Title: DV Abuser Treatment Program/Notifications.

(Public)

Sponsors:

Referred to:

January 31, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE DISTRICT ATTORNEY IS TO BE NOTIFIED IF A
3 PERSON ON SUPERVISED OR UNSUPERVISED PROBATION IS DISCHARGED
4 FROM A DOMESTIC VIOLENCE ABUSER TREATMENT PROGRAM FOR FAILURE
5 TO COMPLY WITH THE PROGRAM OR ITS RULES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 15A-1343(b) reads as rewritten:

8 "(b) Regular Conditions. – As regular conditions of probation, a defendant must:

9 ...

10 (12) Attend and complete an abuser treatment program if (i) the court finds the
11 defendant is responsible for acts of domestic violence and (ii) there is a
12 program, approved by the Domestic Violence Commission, reasonably
13 available to the defendant, unless the court finds that such would not be in
14 the best interests of justice. A defendant attending an abuser treatment
15 program shall abide by all of the rules of the program. ~~If the defendant is
16 discharged from the program for failure to comply with the program or its
17 rules, such noncompliance shall be reported to the court.~~

18 a. ~~If the defendant is placed on supervised probation, probation and is
19 discharged from the program for failure to comply with the program
20 or its rules, such noncompliance shall be reported to the court. The
21 the probation officer shall forward a copy of the judgment, including
22 all conditions of probation, to the abuser treatment
23 program. program, and the abuser treatment. The program shall notify
24 the probation officer of any violations of program rules by the
25 defendant. If the defendant is discharged from the program for failure
26 to comply with the program or its rules, the probation officer shall
27 notify the district attorney of such noncompliance.~~

28 b. If the defendant is placed on unsupervised probation, the district
29 attorney shall forward a copy of the judgment, including all
30 conditions of probation, to the abuser treatment program. If the
31 defendant is discharged from the program for failure to comply with
32 the program or its rules, the program shall notify the district attorney
33 of such noncompliance.

34 ...

35 Defendants placed on unsupervised probation are subject to the provisions of this
36 subsection, except that defendants placed on unsupervised probation are not subject to the



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1 regular conditions contained in subdivisions (2), (3), (6), (8), (13), (14), and (15) of this
2 subsection.~~If a defendant placed on unsupervised probation is subject to the condition~~
3 ~~contained in subdivision (12) of this subsection, the court shall schedule a compliance review~~
4 ~~hearing within 60 days of judgment and every 60 days thereafter until the defendant completes~~
5 ~~the abuser treatment program."~~

6 **SECTION 2.** This act is effective when it becomes law and applies to all
7 defendants placed on supervised or unsupervised probation prior to, on, or after the effective
8 date of this act.