



HOUSE BILL 570: Facilitate Successful Reentry

2015-2016 General Assembly

Committee:	Senate Judiciary I	Date:	May 21, 2015
Introduced by:	Reps. C. Graham, Pierce, Baskerville, Glazier	Prepared by:	Susan Sitze
Analysis of:	Second Edition		Kristen Harris Committee Counsel

SUMMARY: *House Bill 570 would require law enforcement, upon the taking into custody of an individual, and the courts, prior to the entry of a criminal order against an individual, to attempt to identify any outstanding warrants against an individual and to notify the appropriate law enforcement agencies of the individual's location. Further, the Division of Adult Correction must work with law enforcement, district attorneys' offices, and the courts to develop a process to identify an inmate's outstanding warrants and seek to resolve the warrants while the inmate is in custody.*

CURRENT LAW AND BACKGROUND: G.S. 15A-301.1 provides for a statewide electronic repository (commonly referred to as NCAWARE) to maintain and track criminal processes such as warrants, magistrate orders, and summons. The system was launched in Johnston County in 2008. With its implementation in Buncombe County in February 2014, it became operational in all 100 North Carolina counties.¹ All authorized judicial officials and employees and authorized law enforcement officers and agencies may access the system. The Division of Adult Correction does not have access to the system.

BILL ANALYSIS:

Section 1 would require that when an individual is taken into custody by law enforcement an attempt be made to identify all outstanding warrants against the individual and to notify the appropriate law enforcement agencies of the location of the individual. Additionally, prior to the entry of a criminal court order, the court must attempt to identify all outstanding warrants against the individual and to notify the appropriate law enforcement agencies of the location of the individual.

Section 2 would direct the Division of Adult Correction to work with law enforcement, district attorneys' offices, and the courts to develop a process to identify, both at intake and before release, an inmate's outstanding warrants. The plan should seek to resolve the inmate's outstanding warrants while in custody, whenever feasible. The inmate must be notified of any outstanding warrant and his or her right to counsel, if such a right exists.

EFFECTIVE DATE: This act becomes effective October 1, 2015.

¹ http://www.nccourts.org/Citizens/JData/Documents/Technology_NCAWARE_Facts.pdf

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