

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 259

Short Title: Prisoners Work for Counties.

(Public)

Sponsors: Representatives Bowman; Bowie, Brubaker, N. J. Crawford, Culp, Dickson, Fletcher, Foster, Gamble, Howard, Isenhower, James, Justus, Kahl, Lewis, Ligon, McLawhorn, Rogers, Russell, Smith, Wilson, and Woodard.

Referred to: Judiciary I.

March 18, 1991

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW COUNTIES TO REQUIRE PRISONERS TO WORK ON THE
2 PUBLIC STREETS, PUBLIC HIGHWAYS, OR PUBLIC WORKS.
3

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 4 of Chapter 162 of the General Statutes is amended by
6 adding three new sections to read:

7 **"§ 162-58. Counties may require prisoners to work.**

8 The board of commissioners of the several counties may enact by resolution all
9 necessary rules and regulations for work on the public streets, public highways, and
10 public works by persons convicted of crimes and imprisoned in the local confinement
11 facilities or satellite jail/work release units of their respective counties. Prisoners
12 required to work under this section shall be supervised by county employees or by the
13 sheriff. The rules enacted by the board of county commissioners shall specify a
14 procedure for ensuring that county employees supervising prisoners pursuant to this
15 section be provided with notice that the persons placed under their supervision are
16 inmates from a local confinement facility or a satellite jail/work release unit.

17 **"§ 162-59. Person having custody to approve prisoners for work.**

18 No prisoner shall be required to work pursuant to G.S. 162-58 unless the prisoner
19 has been approved for the work by the person having custody of the prisoner. For
20 purposes of this section, the person having custody of the prisoner is the sheriff, except
21 that when the prisoner is confined in a district confinement facility the person having
22 custody of the prisoner is the jail administrator. The person having custody of the

1 prisoner may use his discretion to revoke his approval at any time and to return the
2 prisoner to the local confinement facility or satellite jail/work release unit. Neither the
3 person having custody of the prisoner nor any jailer may be held liable for the actions of
4 any prisoner, including those actions committed during and after the escape of a
5 prisoner, while the prisoner is outside their supervision pursuant to this section.

6 **"§ 162-60. Reduction in sentence allowed for work.**

7 In addition to any gain time credit to which he is otherwise entitled, a prisoner who
8 has faithfully performed the duties assigned to him pursuant to G.S. 162-58 is entitled to
9 a reduction in his sentence of four days for each 30 days of work performed. The
10 person having custody of the prisoner, as defined in G.S. 162-59, shall be the sole judge
11 as to whether the prisoner has faithfully performed his duties. A prisoner who escapes
12 or attempts to escape while performing work pursuant to G.S. 162-58 shall forfeit any
13 reduction in sentence that he would have been entitled to under this section."

14 Sec. 2. G.S. 14-255 reads as rewritten:

15 **"§ 14-255. Escape of ~~hired~~ working prisoners from custody.**

16 ~~If any prisoner, who shall be removed from the prison of the respective counties,~~
17 ~~cities and towns under the law providing for the hiring out of prisoners by counties and~~
18 ~~towns, prisoner removed from the local confinement facility or satellite jail/work release~~
19 ~~unit of a county pursuant to G.S. 162-58 shall escape from the person or company~~
20 ~~having him in eustody, custody or the person supervising him, he shall be guilty of a~~
21 ~~misdemeanor, misdemeanor and shall be imprisoned at hard labor not more than 30~~
22 ~~days, or fined not more than fifty dollars (\$50.00)."~~

23 Sec. 3. This act is effective upon ratification.