

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 135

Short Title: DOC Rehabilitation Pilot.

(Public)

Sponsors: Representatives Hall; Mitchell and Church.

Referred to: Appropriations.

February 14, 1994

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A PILOT PROGRAM FOR THE REHABILITATION OF
CERTAIN NONVIOLENT OFFENDERS.

The General Assembly of North Carolina enacts:

Section 1. The Division of Prisons of the Department of Correction, in cooperation with the Department of Community Colleges, shall undertake a pilot program for the rehabilitation of persons under 20 years of age who are in the custody of the Department of Correction and who have not been convicted of a violent felony. The Division of Prisons shall select an available site for segregating the persons who are to participate in this program, and the Department of Community Colleges shall develop and provide them with educational opportunities through the use of videotapes or other suitable instructional media to ensure that they have acquired a marketable skill by the time of their release from custody. To the extent allowed by law, and so long as the person possesses the mental capacity to do so, any person participating in the pilot program who has not obtained a high school diploma or a General Education Development (GED) diploma shall obtain a GED diploma before being eligible for parole or release from custody.

Notwithstanding any other provision of law, upon successful completion of the program established under this act a person is eligible for parole under supervision. Upon parole or other release and after the completion of two years of gainful employment, a person successfully completing the program established under this act may apply to the court where the conviction was entered for an order to expunge from all official records any entries relating to his conviction. The court shall hold a hearing on the application and, upon finding that the person has successfully completed the

1 program established in this act and has been gainfully employed for two years, shall
2 order the expunction.

3 Sec. 2. The Division of Prisons and the Department of Community Colleges
4 shall undertake their respective responsibilities under this act within funds available,
5 and shall report on the implementation of the pilot program to the Joint Legislative
6 Commission on Governmental Operations and to the Fiscal Research Division no later
7 than January 31, 1995.

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