

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1995

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SENATE BILL 1060

Short Title: AOC Substance Abuse Pilot Program.

(Public)

Sponsors: Senators Martin of Guilford, Hartsell, Jordan, Ballance, Lucas, McDaniel, Odom, and Cooper.

Referred to: Appropriations

May 4, 1995

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH A PILOT PROGRAM FOR DEFERRED PROSECUTION
OF ALCOHOL AND SUBSTANCE ABUSERS.

The General Assembly of North Carolina enacts:

Section 1. The Administrative Office of the Courts and the Department of Human Resources shall jointly develop and implement a deferred prosecution pilot program for first and second time alcohol and substance abusers. The program shall be available to persons arrested for the first or second time for an impaired driving offense or for possession of a controlled substance pursuant to G.S. 90-95(a)(3). The program shall provide for the deferral of prosecution for up to 18 months conditioned upon the successful completion of the program, avoidance of any further alcohol or substance abuse, and the payment of a fee to cover the cost of participation in the program.

The program as developed shall be designed to promote early intervention, at or as soon as practicable after arrest, and shall focus on involving family or friends in the defendant's therapy. The program shall allow for local flexibility based upon resources available within the community, and may provide for the specialized training of court personnel in the assessment and treatment of alcohol and substance abusers. The fees charged for participation in the program should be designed to vary with the defendant's ability to pay but shall be sufficient cumulatively to reimburse the service providers.

1 The Administrative Office of the Courts and the Department of Human
2 Resources shall report on the development and implementation of this pilot program to
3 the Joint Legislative Commission on Governmental Operations, the Chairs of the Senate
4 and House Appropriations Committees, the Chairs of the Senate and House
5 Appropriations Subcommittees on Justice and Public Safety, and the Chairs of the Senate
6 and House Appropriations Subcommittees on Human Resources by May 1, 1996.

7 Sec. 2. This act is effective upon ratification.