



## Justice & Public Safety

### *The Court System and the Departments of Correction, Crime Control & Public Safety, Justice, and Juvenile Justice & Delinquency Prevention*

The 2007-08 General Assembly made some significant investments in criminal justice agencies, but left major, controversial legislation unfinished. Over the biennium, the Legislature increased the justice & public safety budget by 15 percent to just under \$2.1 billion, including nearly 350 net new positions.

#### Crimes Against Children: What They Did

- Passed tougher penalties for some child sex offenders, increasing the minimum prison sentence for child rape from 16 to 25 years with lifetime satellite monitoring and increasing the sentences for child exploitation.
- Restricted child sex offenders from visiting public places geared toward children and social networking web sites known to be used by minors.
- Increased the penalties for child abuse by a parent or caretaker.

#### Crimes Against Children: What They Didn't Do

- Require that convicted child molesters serve prison time or increase the punishment for child molesters. The maximum sentence for a first-time offender remains 2 years in prison or a probation-based punishment.
- Pass a fetal homicide bill, which would require that the murder of a pregnant woman be charged as two crimes – one against the woman and one against the unborn child.

#### Other Crimes: What They Did

- Provided \$5 million in grants to community organizations and local governments to reduce gang activity.
- Passed legislation to punish gang-related crimes more harshly, if those crimes are committed by gang members at least 16 years old (or 15 in select circumstances). Allowed former gang members who were not gang leaders to have their criminal records expunged.

#### Other Crimes: What They Didn't Do

- Impose harsher penalties on juvenile (under age 15 or 16) gang members.
- Resolve the effective state moratorium on the death penalty, which is due to conflicts between court rulings, Council of State rules, and N.C. Medical Board rules.

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#### Ask the Voters: Civitas DecisionMaker Polls

Do you support a mandatory 25-year sentence for a person convicted of molesting a child?  
 Yes: 83%  
 (April 2008)

The maximum sentence for a person convicted of molesting a child is 2 years in prison. Is this sentence too long, too short, or just about right?  
 Too Short: 93%  
 (August 2008)

If a woman is carrying a viable fetus and she is murdered, should there be one or two murder charges?  
 Two Charges: 82%  
 (April 2008)



### Prison Space: What They Did

- Authorized \$123 million in special indebtedness (COPs) for prison expansion - \$45 million for women's health and mental health care and \$78 million for new additions at men's prisons. Changes will add an estimated 2,268 beds to men's prisons. Including new criminal legislation, a prison shortage of 3,200 is estimated by 2012.
- Permitted early release from prison for terminally ill, nonviolent offenders and illegal alien nonviolent offenders (the latter will be deported).

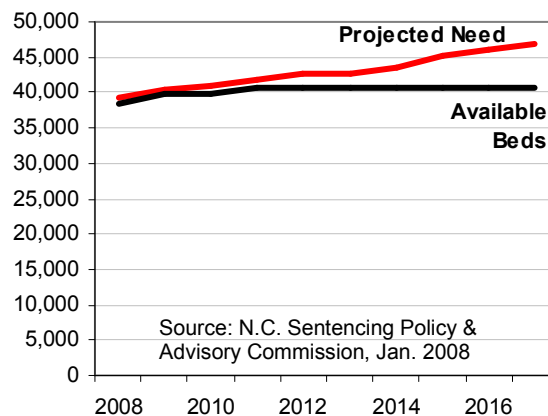
### General Operations: What They Did

- Directed a performance review of the probation system and established a link between probation/prison and court databases.
- Established a new State Bureau of Investigations (SBI) crime lab in the Triad area. (The main SBI crime lab in Raleigh was recently expanded and there is a smaller western lab.)
- Added 686 new positions in the court system, including judges, prosecutors, magistrates, and support personnel.
- Added 31 new positions in the Department of Justice – mostly in the SBI – 57 new positions in the Department of Correction, and 16 new positions in Crime Control & Public Safety. Cut 95 positions in Juvenile Justice.
- Required reviews of Juvenile Crime Prevention Councils, the Criminal Justice Partnership Program, the Conference of Clerks, the Conference of District Attorneys, and Tarheel Challenge.
- Authorized an additional \$16 million of Highway Fund money to be spent towards a statewide 800 MHz system for emergency responders.
- Provided more than \$80 million to fund nonprofit organizations.

### General Operations: What They Didn't Do

- Fund Department of Justice requests for a case management system, internal audit staff, a special litigation reserve, and more SBI agents to investigate public corruption violations.
- Substantially increase judicial salaries (annual cost of \$26 million), which are among the lowest in the southeast according to a 2005 study by the State Judicial Council.

### Prison Beds: Projections & Capacity



#### Ask the Voters: Civitas DecisionMaker Polls

On the issue of crime and punishment for crimes, do you generally think we need longer prison sentences or more intervention and rehabilitation for criminals?

Longer prison: 37%  
More interven.: 48%  
(July 2008)

Do you support the death penalty?

Yes: 64%  
(August 2008)

Do you support or oppose the death penalty for raping a child?

Support: 65%  
(July 2008)