

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS15234-NDa-89

Short Title: Investing in Law Enforcement.

(Public)

Sponsors: Senators Batch, Garrett, and deViere (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT TO STRENGTHEN POLICIES AND STANDARDS SURROUNDING LAW
ENFORCEMENT OFFICERS AND TO APPROPRIATE FUNDS.
The General Assembly of North Carolina enacts:

PART I. FUNDS FOR NORTH CAROLINA JUSTICE ACADEMY

SECTION 1.1. There is appropriated from the General Fund to the North Carolina Justice Academy the sum of two hundred fifty thousand dollars (\$250,000) in recurring funds for each year of the 2021-2023 fiscal biennium to be used to expand its ability to serve law enforcement agencies of the State by providing more opportunities to attend courses and trainings.

SECTION 1.2. There is appropriated from the General Fund to the North Carolina Justice Academy the sum of two hundred fifty thousand dollars (\$250,000) in nonrecurring funds for each year of the 2021-2023 fiscal biennium to be used to expand the Academy's ability to offer online courses for law enforcement agencies to allow for greater statewide participation in Academy courses and training.

SECTION 1.3. This Part becomes effective July 1, 2021.

PART II. CREATE A PARTNERSHIP BETWEEN THE NORTH CAROLINA JUSTICE ACADEMY AND NORTH CAROLINA COMMUNITY COLLEGES

SECTION 2.1. The North Carolina Justice Academy and the North Carolina Community College System shall develop a memorandum of understanding to allow community colleges throughout the State to provide training and education to those individuals trained and educated by the North Carolina Justice Academy in order to alleviate travel time and related costs incurred by law enforcement agencies due to the limited availability of North Carolina Justice Academy training locations.

SECTION 2.2. The memorandum of understanding required by Section 2.1 of this Part shall be submitted to the Joint Legislative Oversight Committee on Justice and Public Safety no later than October 1, 2021.

SECTION 2.3. This Part is effective when it becomes law.

PART III. FUNDS FOR THE NORTH CAROLINA LAW ENFORCEMENT ACCREDITATION PROGRAM

SECTION 3.1. There is appropriated from the General Fund to the Department of Justice the sum of two hundred fifty thousand dollars (\$250,000) in recurring funds for each year



of the 2021-2023 fiscal biennium to be used to further develop, maintain, and staff the North Carolina Law Enforcement Accreditation Program.

SECTION 3.2. This Part becomes effective July 1, 2021.

PART IV. EXPAND CRIMINAL JUSTICE FELLOWS PROGRAM

SECTION 4.1. Article 2 of Chapter 17C of the General Statutes reads as rewritten:

"Article 2.

"North Carolina Criminal Justice Fellows Program.

"§ 17C-20. Definitions.

As used in this Article, the following definitions apply:

...

(5) Eligible county. – ~~A Any county with a population of less than 125,000 according to the latest federal decennial census or a county designated as a development tier one area pursuant to G.S. 143B-437.08, or both of this State.~~

...

(8) Recipient. – An individual selected by the Committee to receive a forgivable loan under the Program.

...

"§ 17C-22. North Carolina Criminal Justice Fellows Program established; administration.

(a) Program. – There is established the North Carolina Criminal Justice Fellows Program to be administered by the Committee with the assistance of the Division. The purpose of the Program is to increase the number of criminal justice professionals by providing forgivable loans to exceptional individuals to obtain any of the following:

(1) An Applied Associate Degrees in Criminal Justice or other Committee-approved related fields of study as preparation to enter a criminal justice profession.

(2) A Bachelor's Degree.

(3) A North Carolina Basic Law Enforcement Training Program certificate of completion.

...

(c) Awards of Forgivable Loans. – The Program shall provide forgivable loans of up to three thousand one hundred fifty-two dollars (\$3,152.00) per year for up to ~~two~~ four years to selected individuals. The funds from the forgivable loans may be used for tuition, fees, and the cost of books. The Committee may determine the maximum amount of loan proceeds that may be applied to community college ~~fees-fees, college or university fees, Basic Law Enforcement Training Program fees,~~ and course textbooks. The number of forgivable loans awarded annually shall not exceed 100 and the total number of recipients in the Program each year shall not exceed 200. The Committee shall select recipients no later than June 1 of each year.

...

(g) Administration of Forgivable Loan Awards. – Upon the naming of recipients by the Committee, the Division shall perform all administrative functions necessary to implement this Article, which functions shall include dissemination of information, disbursement, receipt, liaison with participating community colleges, colleges, universities, and Basic Law Enforcement Training Programs, determination of the acceptability of service repayment agreements, and all other functions necessary for the execution, payment, and enforcement of promissory notes required under this Article.

(h) Applied Associate Degree Recipient Obligations. – A recipient must become and remain a full-time student at a North Carolina community college in an Applied Associate Degree in Criminal Justice or in a Committee-approved related field of study at all times during each of the recipient's two academic years of community college study and pursue continuously studies that will qualify the recipient to be employed in an eligible criminal justice profession upon

graduation. The recipient must maintain a minimum cumulative 2.0 GPA throughout the course of study and also maintain appropriate credit hours for each semester to obtain an Applied Associate Degree in Criminal Justice or Committee-approved field of study within two years. The recipient must also accept employment in an eligible county as a criminal justice professional for at least four out of five years following graduation. The Committee may adopt additional recipient obligations it deems appropriate.

(h1) Bachelor's Degree Recipient Obligations. – A recipient must become and remain a full-time student at a North Carolina college or university in a Bachelor's Degree and pursue continuous studies that will qualify the recipient to be employed in an eligible criminal justice profession upon graduation. The recipient must maintain a minimum cumulative 2.0 GPA throughout the course of study and also maintain appropriate credit hours for each semester to obtain a Bachelor's Degree within four years. The recipient must also accept employment in an eligible county as a criminal justice professional for at least four out of five years following graduation. The Committee may adopt additional recipient obligations it deems appropriate.

(h2) Basic Law Enforcement Training Program Certificate of Completion Recipient Obligations. – A recipient must become and remain a trainee in a North Carolina Basic Law Enforcement Training Program and pursue continuous studies that will qualify the recipient to be employed in an eligible criminal justice profession upon completion of the Basic Law Enforcement Training Program. The recipient must maintain appropriate participation and test results required to obtain a Basic Law Enforcement Training Program certificate of completion within one year. The recipient must also accept employment in an eligible county as a criminal justice professional for at least four out of five years following graduation. The Committee may adopt additional recipient obligations it deems appropriate.

...

"§ 17C-23. Terms of forgivable loans; receipt and disbursement of funds; default.

(a) Forgivable Loans. – All forgivable loans shall be evidenced by notes made payable to the Program that bear interest at a rate not to exceed ten percent (10%) per year as set by the Committee and beginning on the first day of September after the completion of the Program or 60 days after termination of the forgivable loan, whichever is earlier. The forgivable loan may be terminated upon the recipient's withdrawal from ~~school~~, a school or training program by the recipient's failure to meet the standards set by the Committee, or by the recipient's default based on conditions set by the Committee. The Committee may only disburse funds to the community ~~college~~ college, college, university, or Basic Law Enforcement Training Program where the recipient is enrolled and may not disburse funds directly to a recipient.

(b) Forgiveness. – The Committee shall forgive the loan and any interest accrued on the loan if, within five years after obtaining (i) an Applied Associate Degree in Criminal Justice or Committee-approved field of study, (ii) a Bachelor's Degree, or (iii) a Basic Law Enforcement Training Program certificate of completion, the recipient is employed on a full-time basis for a period of at least four years in an eligible county in an eligible criminal justice profession. The recipient shall provide the Committee within 60 days of completion of the Program verification of the recipient's intent to seek employment as a criminal justice professional in an eligible county. The recipient shall provide verification of employment to the Committee each year until the obligation is satisfied. The Committee shall also forgive the loan if it finds that it is impossible for the recipient to meet the terms of the loan, after or before graduation, due to death or permanent disability of the recipient.

...

(d) Repayment. – If the recipient notifies the Committee that the recipient intends to forego forgiveness of the loan after completion of the Program, the Committee shall provide the recipient with the conditions of repayment and the recipient will have 60 days to begin repayment of all funds distributed, including interest. The recipient will have up to 60 months to repay all funds distributed, including ~~interest~~, interest, received in pursuit of an Applied Associate Degree

or a Basic Law Enforcement Training Program certificate of completion. The recipient will have up to 120 months to repay all funds distributed, including interest, received in pursuit of a Bachelor's Degree.

(e) Default. – The Committee shall determine the events that constitute a default during the Program, including, but not limited to, failure by the recipient to comply with the obligations set out in ~~G.S. 17C-22(h)~~, G.S. 17C-22(h), (h1), or (h2). In the event of default during the Program, the Committee may declare the entire unpaid amount of indebtedness evidenced by the note, including interest, immediately due and payable. A default shall preclude further participation by the recipient in the Program. Upon default, the Committee shall notify the recipient, in writing, by certified mail, return receipt requested, addressed to the recipient at the last address on file with the Committee. Refusal or nondelivery at that address will be deemed delivered after seven days. The Committee may allow a recipient who is in default to repay all funds distributed, including interest. If the Committee approves repayment, the recipient will receive the conditions of repayment and will have 60 days to begin repayment of all funds distributed, including interest. The recipient will have up to 60 months to repay all funds distributed, including ~~interest~~, interest, received in pursuit of an Applied Associate Degree or Basic Law Enforcement Training Program certificate of completion. The recipient will have up to 120 months to repay all funds distributed, including interest, received in pursuit of a Bachelor's Degree."

SECTION 4.2. This Part is effective when it becomes law and applies to North Carolina Criminal Justice Fellows Program participants selected on or after that date.

PART V. ESTABLISH CRISIS INTERVENTION TEAMS

SECTION 5.1. G.S. 15A-401 is amended by adding a new subsection to read:

"(h) Crisis Intervention Team Requirement. – In order to assist law enforcement officers in the safe and efficient execution of the provisions of this section, all law enforcement agencies in the State shall designate specially trained law enforcement officers to be a part of an agency Crisis Intervention Team. Each Crisis Intervention Team member shall be trained in how to determine whether a person is experiencing a mental or behavioral health crisis and what methods are available to de-escalate or otherwise safely engage in interactions with a person experiencing a mental or behavioral health crisis.

In order to remain eligible for Governor's Crime Commission grants, all law enforcement agencies in the State shall have established a Crisis Intervention Team pursuant to this subsection no later than December 1, 2023."

SECTION 5.2.(a) Definitions. – For the purposes of this section, the following definitions apply:

(1) Coronavirus State Fiscal Recovery Fund. – Funds received by the State of North Carolina during the 2021-2022 fiscal year from the Coronavirus State Fiscal Recovery Fund created by the American Rescue Plan Act of 2021, P.L. 117-2.

(2) COVID-19. – Coronavirus disease 2019.

SECTION 5.2.(b) Funds for Crisis Intervention Team Training. – The sum of two hundred fifty million dollars (\$250,000,000) is appropriated from the Coronavirus State Fiscal Recovery Fund to the Department of Justice to provide grant funds to law enforcement agencies for Crisis Intervention Team training required by Section 5.1 of this Part.

SECTION 5.2.(c) Use of Funds. – Of the funds appropriated from the Coronavirus State Fiscal Recovery Fund by this Part, funds shall only be used for necessary eligible expenditures in accordance with federal law and guidance. These funds shall be available for expenditure until the deadlines set by applicable federal law and guidance.

SECTION 5.3. Section 5.2 of this Part becomes effective July 1, 2021. The remainder of this Part is effective when it becomes law.

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2 **PART VI. SEVERABILITY CLAUSE AND EFFECTIVE DATE**

3 **SECTION 6.1.** If any Part, section, or provision of this act is declared
4 unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or
5 any portion other than the portion declared to be unconstitutional or invalid.

6 **SECTION 6.2.** Except as otherwise provided, this act is effective when it becomes
7 law.