

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Weekly Legislative Report

May 18, 2018

This year's session of the General Assembly convened on Wednesday. The 2018 Session is a continuation of the 2017 Session and is commonly referred to as the "short session." This reference distinguishes those sessions that begin in even-numbered years from those that begin in odd-numbered years.

In odd-numbered years the session is referred to as the "long session." The difference is that the long session usually begins in late January and the short session usually begins in May. It is always a goal that both the long session and the short session will adjourn around July 1st. Sometimes that goal is met and sometimes adjournment is much later in the year.

This year, all indications are that the session will end before the Independence Day holiday on July 4th. The House and Senate budget leaders have been meeting and working closely together for several weeks. The "word on the street" is that the final budget bill is nearing completion and will be getting public review early in the session.

This week was typical for the first week of session with minimal official activity. However, a number of new bills were introduced upon the recommendation of various committees of the legislature that have been meeting since the legislature adjourned last year. Most notable among those are the bills related to enhancing safety for our students, teachers and other school personnel in our schools across North Carolina.

The House and Senate both adjourned on Thursday and are scheduled to reconvene on Monday.

BILLS OF INTEREST

[House Bill 932](#), [Anonymous Safety Tip Line Application](#), would require each public secondary school to develop and operate an anonymous tip line, in coordination with local law enforcement and social services agencies, to receive anonymous information on school safety risks. Currently the creation of a tip line is only "encouraged." **Introduced by Representatives White, Dobson, Lewis and Torbett, and assigned to the House Committee on Education – K-12.**

[House Bill 934](#), [Threat Assessment Teams/Peer to Peer Counsels](#), would specify in the law the duties of the North Carolina Center for Safer Schools within the Department of Public Instruction which is a resource for public schools regarding school safety concerns and that provides training for public school personnel on school safety. The Center collaborates with several government agencies, including local law enforcement, to carry out its duties.

This bill would also require local boards of education to establish threat assessment teams, which would include law enforcement, to assess and intervene with students who may pose a threat to the safety of the school. If a threat is identified, the threat would have to be immediately reported to the superintendent. The threat assessment team would be able to obtain criminal history record information and health records of students who pose a threat of violence to themselves or others. **Introduced by Representatives Torbett, Dobson and Lewis, and assigned to the House Committee on Education – K-12.**

[House Bill 937](#), [SROs Defined/Training Standards](#), would define a “school safety resource officer” as a law enforcement officer who is assigned to public schools at least 20 hours per week to assist with school security, safety, emergency preparedness, emergency response, or any other responsibility assigned by the school or law enforcement agency. School safety resource officers would also be required to comply with specialized training standards.

The North Carolina Sheriffs' Education and Training Standards Commission and the North Carolina Criminal Justice Education and Training Standards Commission, in collaboration with the Center for Safer Schools, would be required by January 15, 2019 to establish the initial training and continuing education standards for school safety resource officers. These standards would include, at a minimum, information on diversity and equity, tactical, and mental health training.

This new law would apply to school safety resource officers employed beginning with the 2019 – 2020 school year. Any law enforcement officer that would serve as a school safety resource officer, but did not serve in this capacity during the 2018 – 2019 school year, would be required to complete the initial training. Currently, school safety resource officers are not defined in North Carolina law and do not have mandatory specialized training. **Introduced by Representatives J. Bell, Lewis and Torbett, and assigned to the House Committee on Education – K-12. The North Carolina Sheriffs' Association SUPPORTS this bill.**

[House Bill 938](#), [Expand Use/School Risk Management Plans](#), would require charter schools, regional schools, and University of North Carolina laboratory schools to adopt a School Risk Management Plan (SRMP). These schools would be required to provide items such as school diagrams and keys to the main entrance of all school buildings to local law enforcement agencies. At least once a year, these schools would also be required to hold tabletop exercises and drills based on procedures set out in the SRMP. A tabletop exercise would be an exercise involving key personnel designed to simulate responses to emergency situations. Currently, these schools are "encouraged" to provide these materials and hold these exercises but are not required to do so.

This bill would also encourage, but not require, private schools to adopt a SRMP and to hold school safety exercises. **Introduced by Representatives J. Bell, Lewis and Torbett, and assigned to the House Committee on Education – K-12.**

[House Bill 940](#), [SRO Rpt by LBEs to Center for Safer Schools](#), would require each local board of education to report annually to the Center for Safer Schools the number of school safety

resource officers and the placement of each school safety resource officer in the local school administrative unit. The Center for Safer Schools would in turn report this information to the Joint Legislative Education Oversight Committee. **Introduced by Representatives J. Bell, Lewis and Torbett, and assigned to the House Committee on Education – K-12.**

[House Bill 941](#), Increase Funding for SRO Grant, would appropriate \$1.8 million in recurring funds for the 2018 – 2019 fiscal year to the Department of Public Instruction to be used for grants for school resource officers in elementary and middle schools. **Introduced by Representatives J. Bell, Lewis and Torbett, and assigned to the House Committee on Education – K-12.**

[House Bill 944](#), ABC Regulation and Reform, is identical to Senate Bill 714, which is listed below in this Weekly Legislative Report. This bill would make numerous changes to the Alcoholic Beverage Control (ABC) Commission's permitting process on issues such as qualifications for an ABC permit and the amount of fines the ABC Commission could assess for violations.

This bill would also allow local law enforcement agencies to work with the ABC Commission legal division staff in certain undercover operations which could result in the suspension of ABC permits if certain criminal charges occur. Currently only Alcohol Law Enforcement (ALE) agents or local ABC board officers have this ability. **Introduced by Representative Boles and Davis, and assigned to the House Committee on Alcoholic Beverage Control.**

[House Bill 945](#), Rape Evidence Collection Kit Tracking Act, would establish the Statewide Sexual Assault Evidence Collection Kit Tracking System (System) within the North Carolina State Crime Laboratory. The System would require all law enforcement agencies having custody or use of any sexual assault evidence collection kits to participate in the System and would track both new and previously untested kits. The Director of the State Crime Laboratory would create protocols for agencies to follow under this System. **Introduced by Representatives Boles and Davis, and assigned to the House Judiciary II Committee.**

[House Bill 960](#), Local Law Enforcement/Citizens Academies, is identical to Senate Bill 722, which is listed below in this Weekly Legislative Report. This bill would allow sheriffs and chiefs of police to establish a citizens academy to educate members of the public on operations of their agencies and prepare them to provide volunteer services. Participants would be required to undergo background checks before being able to participate and would be excluded from participating based upon certain prior criminal convictions and pending charges.

This bill would allow an agency to use graduates of the citizens academy to provide volunteer services to increase safety and security within the community. No volunteer would be able to be armed while providing volunteer services unless they have successfully completed Basic Law Enforcement Training (BLET) and are authorized, in writing, to be armed by the sheriff or chief of police. **Introduced by Representatives Faircloth, Boles and Speciale.**

[House Bill 961](#), Required Training Police Telecommunicators, is identical to Senate Bill 721, which is listed below in this Weekly Legislative Report. This bill would require anyone

employed by a municipal police department as a telecommunicator to be certified as a telecommunicator by the North Carolina Sheriffs' Education and Training Standards Commission. **Introduced by Representatives Faircloth, Brenden Jones, Boles and Speciale. The North Carolina Sheriffs' Association SUPPORTS this bill.**

[House Bill 962](#), Expand Use/School Risk Management Plans, is identical to [Senate Bill 720](#), which is listed to below in this Weekly Legislative Report. This bill is also identical to [House Bill 938](#) summarized above, with the exception that it also requires nonpublic schools accepting students receiving Opportunity Scholarship Grants to adopt School Risk Management Plans, provide school diagrams and emergency access keys to local law enforcement, and to conduct school safety exercises. **Introduced by Representatives Faircloth, Brenden Jones, Boles and Speciale.**

[House Bill 966](#), Increase & Expand Public Safety Death Benefit, would increase the amount of the death benefit for law enforcement officers, firefighters, rescue squad workers, and civil air patrol members killed in the line of duty from \$50,000 to \$100,000.

Additionally, this death benefit would be available to “noncustodial employees” of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety who are killed in the performance of their duties by an inmate. A noncustodial employee would be an employee of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety who does not have direct care and control over inmates. **Introduced by Representatives Steinburg and K. Hall.**

[House Bill 969](#), Enhance Prison Security, would modify the class H felony offense of “malicious conduct by a prisoner.” This bill would more specifically define what conduct would constitute malicious conduct by a prisoner.

This bill would provide that an inmate would be guilty of this crime if an inmate exposes their genitalia, masturbates, or throws or emits bodily fluids, excrement or an unknown substance at an employee of the State or a local government. Currently the crime only covers an inmate’s act of throwing or emitting “bodily fluids or excrement” at a State or local government employee. **Introduced by Representatives Davis and Boles.**

[Senate Bill 714](#), ABC Regulation and Reform, is identical to [House Bill 944](#), which is summarized above in this Weekly Legislative Report. **Introduced by Senators Wells, Randleman and Sanderson.**

[Senate Bill 720](#), Expand Use/School Risk Management Plans, is identical to [House Bill 962](#), which is summarized above in this Weekly Legislative Report. **Introduced by Senators Rabin, Alexander and Sanderson.**

[Senate Bill 721](#), Required Training Police Telecommunicators, is identical to [House Bill 961](#), which is summarized above in this Weekly Legislative Report. **Introduced by Senators Rabin, Alexander and Sanderson. The North Carolina Sheriffs' Association SUPPORTS this bill.**

[Senate Bill 722](#), [Local Law Enforcement/Citizens Academies](#), is identical to [House Bill 960](#), which is summarized above in this Weekly Legislative Report. **Introduced by Senators Rabin, Alexander and Sanderson.**

The **Weekly Legislative Report** is provided at no charge as a service to the sheriffs, criminal justice community and citizens of North Carolina.

North Carolina Sheriffs' Association, Inc.

Proudly Serving the Sheriffs and Citizens of North Carolina Since 1922

www.ncsheriffs.org
