

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 249
Committee Substitute Favorable 3/30/89

Short Title: Clarify Secure Custody Order.

(Public)

Sponsors:

Referred to:

February 16, 1989

A BILL TO BE ENTITLED

AN ACT TO CLARIFY DETENTION PROCEDURE WHEN A PIN MESSAGE INDICATES THERE IS A PETITION AND SECURE CUSTODY ORDER ON A JUVENILE IN ANOTHER COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-575 reads as rewritten:

"§ 7A-575. Order for secure or nonsecure custody.

The custody order shall be in writing and shall direct a law-enforcement officer or other authorized person to assume custody of the juvenile and to make due return on the order. A copy of the order shall be given to the juvenile's parent, guardian, or custodian by the official executing the order. If the order is for secure custody, copies of the petition and custody order shall accompany the juvenile to the detention facility or holdover facility of the jail. A DCI message, which is a message of the Division of Criminal Information, State Bureau of Investigation, stating that a juvenile petition and secure custody order relating to a specified juvenile is on file in a particular county shall be authority to detain the juvenile in secure custody until a copy of the juvenile petition and secure custody order can be forwarded to the juvenile detention facility. In such case, however, the copies of the juvenile petition and secure custody order shall be transmitted to the juvenile detention facility no later than 72 hours after the initial detention of the juvenile.

1 An officer receiving an order for custody which is complete and regular on its face
2 may execute it in accordance with its terms and need not inquire into its regularity or
3 continued validity, nor does he incur criminal or civil liability for its due service."

4 Sec. 2. This act shall become effective October 1, 1989.