

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

S

2

SENATE BILL 210

State Government, Local Government, and Personnel Committee Substitute Adopted
4/21/97

Short Title: Inmates Pay for Misconduct.

(Public)

Sponsors:

Referred to:

February 20, 1997

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE DEPARTMENT OF CORRECTION MAY
DEDUCT FUNDS FROM AN INMATE'S ACCOUNT TO REPAY COSTS
RESULTING FROM INMATE MISCONDUCT.

The General Assembly of North Carolina enacts:

Section 1. Chapter 148 of the General Statutes is amended by adding a new
section to read:

"§ 148-18.2. Deductions from inmate trust fund accounts.

(a) If an inmate is found culpable of misconduct, the Department may make
reasonable deductions from funds credited to an inmate's trust fund account in order to
repay the costs of damages and injuries and other expenses resulting from that
misconduct including:

- (1) Replacing public property willfully damaged or destroyed by the inmate
during the inmate's incarceration;
- (2) Providing medical treatment for injuries inflicted by the inmate upon the
inmate or others;

- 1 (3) Searching for and apprehending the inmate when the inmate escapes or
2 attempts to escape, or searching for and apprehending another inmate
3 whom the inmate assisted in escaping or attempting to escape; or
4 (4) Suppressing a riot or other disturbance in which the inmate was an
5 active participant.
- 6 (b) The Department may place a lien on the inmate's trust fund account in the
7 amount of the damages assessed under subsection (a) of this section. To satisfy the lien,
8 monthly deductions may be made by the Department from the inmate's trust fund account
9 in an amount not to exceed twenty percent (20%) of the average monthly balance in the
10 account for the preceding six months. In no event shall a deduction be made that would
11 result in a balance in the inmate's trust fund account below the indigent level."
- 12 Section 2. This act is effective when it becomes law and applies to inmate
13 conduct on or after that date.