

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 2492
Committee Substitute Favorable 6/17/08

Short Title: Amend Release of Juvenile Escape Info.

(Public)

Sponsors:

Referred to:

May 26, 2008

A BILL TO BE ENTITLED

AN ACT TO AMEND THE REQUIREMENTS FOR RELEASE OF JUVENILE IDENTIFICATION UPON ESCAPE FROM CUSTODY AS RECOMMENDED BY THE JOINT LEGISLATIVE CORRECTIONS, CRIME CONTROL, AND JUVENILE JUSTICE OVERSIGHT COMMITTEE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7B-3102 reads as rewritten:

"§ 7B-3102. Disclosure of information about juveniles who escape.

(a) Notwithstanding G.S. 7B-2102(d) or any other law to the contrary, within 24 hours of the time a juvenile escapes from custody the Department shall release to the public the juvenile's first name, last initial, and photograph; the name and location of the institution from which the juvenile ~~escaped;~~escaped, or if the juvenile's escape was not from an institution, the circumstances and location of the escape; and a statement, based on the juvenile's record, of the level of concern of the Department as to the juvenile's threat to self or to others, if:

(1) The juvenile escapes from a detention facility, or secure custody, and the juvenile ~~is alleged to have committed an offense that would be a Class A, B1, B2, C, D, or E felony if committed by an adult.~~has been adjudicated delinquent or is alleged to be delinquent.

(2) The juvenile escapes ~~from a youth development center, and the juvenile has been adjudicated delinquent for an offense that would be a felony or a Class A1 misdemeanor if committed by an adult.~~and the juvenile has been committed to the Department for placement in a youth development center in accordance with G.S. 7B-2513.

(b) When a juvenile escapes from a detention facility or secure custody, and the juvenile has been adjudicated ~~for an offense that would be a Class 1, 2, or 3 misdemeanor if committed by an adult,~~undisciplined, the Department may release to the public within 24 hours the juvenile's first name, last initial, and photograph; the name and location of the institution from which the juvenile escaped, or if the juvenile's

1 escape was not from an institution, the circumstances and location of the escape; and a
2 statement, based on the juvenile's record, of the level of concern of the Department as to
3 the juvenile's threat to self or to others. The provisions of this subsection shall also
4 apply if the juvenile's parents or guardians request that the information be released or
5 the Department determines that the escape presents a danger to the juvenile or to the
6 public. The Department shall make a reasonable effort to notify the parents or guardians
7 of the juvenile prior to release of the information to the public.

8 (c) If a juvenile subject to subsection (a) or (b) of this section is returned to
9 custody before the disclosure required or permitted is made, the Department shall not
10 make the disclosure.

11 (d) The Department shall maintain a photograph of every juvenile in its custody."

12 **SECTION 2.** This act becomes effective October 1, 2008.