

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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SENATE BILL 566

Short Title: Investing in Law Enforcement. (Public)

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

Referred to: Rules and Operations of the Senate

April 7, 2021

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



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

3 **SECTION 3.2.** This Part becomes effective July 1, 2021.
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5 **PART IV. EXPAND CRIMINAL JUSTICE FELLOWS PROGRAM**

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

7 "Article 2.

8 "North Carolina Criminal Justice Fellows Program.

9 **"§ 17C-20. Definitions.**

10 As used in this Article, the following definitions apply:

11 ...

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

15 ...

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

18 ...

19 **"§ 17C-22. North Carolina Criminal Justice Fellows Program established; administration.**

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

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

27 (2) A Bachelor's Degree.

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

30 ...

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

39 ...

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

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

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

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

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

24 ...

25 **"§ 17C-23. Terms of forgivable loans; receipt and disbursement of funds; default.**

26 (a) Forgivable Loans. – All forgivable loans shall be evidenced by notes made payable
27 to the Program that bear interest at a rate not to exceed ten percent (10%) per year as set by the
28 Committee and beginning on the first day of September after the completion of the Program or
29 60 days after termination of the forgivable loan, whichever is earlier. The forgivable loan may
30 be terminated upon the recipient's withdrawal from ~~school, a school or training program~~ by the
31 recipient's failure to meet the standards set by the Committee, or by the recipient's default based
32 on conditions set by the Committee. The Committee may only disburse funds to the community
33 ~~college~~ college, college, university, or Basic Law Enforcement Training Program where the
34 recipient is enrolled and may not disburse funds directly to a recipient.

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

46 ...

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

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

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

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

22 23 **PART V. ESTABLISH CRISIS INTERVENTION TEAMS**

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

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

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

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

37 (1) Coronavirus State Fiscal Recovery Fund. – Funds received by the State of
38 North Carolina during the 2021-2022 fiscal year from the Coronavirus State
39 Fiscal Recovery Fund created by the American Rescue Plan Act of 2021, P.L.
40 117-2.

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

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

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

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

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PART VI. SEVERABILITY CLAUSE AND EFFECTIVE DATE

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

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