

MINUTES
NORTH CAROLINA SENTENCING AND POLICY ADVISORY
COMMISSION MEETING
RALEIGH, NC
June 3, 2011

The North Carolina Sentencing and Policy Advisory Commission met on Friday, June 3, 2011, in the Board Room at the North Carolina Judicial Center in Raleigh, North Carolina.

Members Present: Chairman W. Erwin Spainhour, Tom Bennett, Honorable Alice Bordsen, Honorable Charlie Brown, Louise Davis, Honorable Richard Elmore, Honorable Robert Ervin, William Fowler (representing Tony Rand), Garry Frank, Paul Gibson, Honorable David Guice, Bill Hart, Secretary Alvin Keller, Jr., Honorable Eleanor Kinnaird, Honorable Floyd McKissick, Jr., Moe McKnight, Dr. Harvey McMurray, Honorable Fred Morrison, Luther Moore, Rhonda Raney, June Ray, and Honorable Tim Spear.

Guests: Susan Brooks (Sentencing Services), Andrew Cagle (N.C. Sheriffs' Association), Eddie Caldwell (N.C. Sheriffs' Association), Jamie Markham (UNC School of Government), Lao Rubert (Justice Policy Center), Susan Taylor (N.C. Association Against Domestic Violence), Elizabeth Turgeon (Extern, N.C. Office of Administrative Hearings).

Staff: Susan Katzenelson, Ginny Hevener, John Madler, Amy Craddock, Vicky Etheridge, Tamara Flinchum, Ashleigh Gallagher, Michelle Hall, David Lagos, and Sara Perdue.

INTRODUCTION

Judge Spainhour called the meeting to order at 10:00 a.m. Police Chief Scott Cunningham was out sick and, therefore, could not be introduced as the newest Commission member. Judge Spainhour asked that those present introduce themselves. Luther Moore moved to adopt the minutes from the March 18, 2011 Sentencing Commission meeting; the motion was seconded by Bill Hart, and the motion carried. Judge Spainhour then reviewed the agenda.

LEGISLATIVE SUBCOMMITTEE REPORT

John Madler explained to the Commission that Judge Spainhour had received a letter from Senators Hartsell and McKissick asking the Commission to study House Bill 642, Justice Reinvestment Act. The Senators asked for a response advising them of any issues and recommendations by June 15th. The Legislative Review Subcommittee discussed the bill during their May 6 meeting and staff prepared a draft of the discussions and options identified during that meeting. The bill had been revised since the study was done on May 6 and Mr. Madler said he would update the Commission on any changes that had occurred to the bill since the meeting. Ginny Hevener explained that staff prepared an impact projection for the bill which was emailed to Commissioners before the meeting. In the interest of time, Ms. Hevener prepared a handout which summarized the potential impact of House Bill 642. Usually, empirical data on convictions and sentences imposed are used to project the impact of a bill. However, the lack of empirical data relating to the proposed policy changes made it difficult to project the impact of the bill. The

accuracy of the impact projections will depend on how the policies in the field play out in comparison with the assumptions that were used to project the impact of this bill. Ms. Hevener noted that impact projections were prepared for each section of the bill, and should not be added together due to interactions with other sections of the bill.

Mr. Madler explained that Part I: Strengthen Probation Supervision, Sections 1(a), (b), and (c), deals with community and intermediate punishments. Both of these punishments would be redefined and the judge could impose up to six days a month in the local jail as a new condition of probation. He then discussed the legal and policy issues identified by the Subcommittee (*see* Report attached for impact, legal and policy issues, and options). Mr. Madler reviewed the practical issues and pointed out that they are the same for the whole bill: court and DOC officials would have to be trained in the new sentencing policies; the AOC would have to revise court forms to reflect the changes; and the AOC and DOC would have to modify data collection programs to reflect the changes and to capture the additional components.

Mr. Madler then presented the two options that the Subcommittee had suggested. Judge Ervin stated that if he understood this correctly, a first time offender who could only get a maximum of 45 days active sentence could serve his entire sentence in seven months through the six days per month jail provision. Mr. Madler explained that in the next section, a cap of three months (18 days total) had been added. Secretary Keller explained again that the six days was an immediate response meant to get the offender through the probationary period.

Sections 1(d) and (e) of Part I deal with the delegated authority to the probation officer. The probation officer could impose conditions of probation, including up to six days per month in local jail – now capped at three months. The probation officer can exercise these authorities in two situations (1) the probation officer determines the offender has violated probation, and (2) the Department of Correction finds the offender to be high risk based on the risk assessment tool. Mr. Madler summarized the legal and policy issues that the Subcommittee identified. No options were identified.

Mr. Madler continued with Section 1(f) of Part I – the risk assessment instrument. The DOC will use a validated assessment instrument to determine the offender’s risk of reoffending and to place the probationer in the appropriate supervision level. The Subcommittee pointed out that the determination of what constitutes each risk level will affect how other portions of the bill are implemented. The Subcommittee suggested that the DOC would have to continually validate the instrument and adjust the definition of the risk levels based on empirical data.

Ms. Hevener reviewed the impact of Part I of HB 642. Prison bed savings would occur if there is a net reduction in probation revocation rates for felons and misdemeanants. Three scenarios were used to project potential prison bed savings, assuming a 5% decrease (Scenario 1), a 10% decrease (Scenario 2), and a 20% decrease (Scenario 3) in probation revocation rates. Potential savings could range from 348 in 10 years with a 5% decrease in probation revocations (Scenario 1) to 1,541 in 10 years with a 20% decrease (Scenario 3). The accuracy of these projections will depend on the actual changes in revocation rates, and whether there are changes in the imposition of community, intermediate and active punishments, or the usage of specific

sanctions.

Mr. Madler began Part II: Post-Release Supervision Changes with Sections 2(a) and (b). Class B1 through E felons would have post-release supervision increased from nine to twelve months. Class F through I felons would have nine months of post-release supervision added to their sentences. Registered sex offenders would continue to receive five years of post-release supervision. The Subcommittee identified one policy issue and suggested two options.

Sections 2(e) and (f) deal with revocation of post-release supervision. If post-release supervision is revoked, the period of imprisonment for Class B1 through E felons would be increased from nine months to twelve months; nine months of imprisonment would be added to class F through I felons; and, depending upon the class of the sex offender, nine or twelve months would be added. The Subcommittee identified one legal and policy issue. Since the subcommittee meeting, another concern had arisen about post-release supervision for drug traffickers. The only option suggested by the subcommittee was to set the imprisonment period at an amount different from the supervision period.

Judge Ervin noted that if the offender violates post-release supervision, he/she could spend more time in prison than their initial sentence. Representative Guice explained that they were trying to address the underlying issues to keep an offender from returning. Again, Judge Ervin reiterated that a Class I felon's maximum sentence would go from six months to 15 months. Louise Davis asked Ginny if there was any way to anticipate the cost of those worse case scenarios. Ms. Hevener said that a lot of factors are involved, but that there is no data on those factors. Mr. Katzenelson interjected there is plenty of data on the offenders, but what is missing is the data on the policy makers on the ground who will be implementing it – the correctional staff, the judges, DAs, etc. That's more of a guess than an assumption.

Mr. Madler continued with Section 2(d) regarding period if imprisonment. If an offender commits a new crime or absconds, he can be sent back to prison for his entire period of imprisonment. Otherwise, all other revocations are punishable in 90 day increments, but cannot exceed the original period of imprisonment. Judge Ervin asked if an offender can still ask to do his/her entire sentence rather than the 90-day increments. Secretary Keller answered that the Department is trying to get the offender out of the position of control. Judge Ervin foresaw this as a problem as the offender is going to feel that he/she cannot do this – no money to pay supervision fees, no driver's license to get to the meetings, no way of succeeding on this, so let's be done with it. Secretary Keller said that they are trying to do something about that. They want to give the probation officers an option to tell these offenders that this will not always work. Representative Guice said that the new bill will release felony offenders with at least nine months of Post-Release Supervision. In the past, an offender had to commit a serious violation to get any attention. Now, they will have the tools to do the job. He said that one has to look at the bill as a package. In some cases, more beds are needed, but in other cases a lot less beds are needed. In the House, this bill was passed 110-6.

Representative Bordsen reminded the Commission that this is a first step. The Commission has to keep monitoring it to make sure it continues to work the way it's intended. It

is a work in progress. It is up to the Commission to voice its concerns and make them known. Senator McKissick said that when he and Senator Hartsell requested that the Commission study the bill, they really wanted to hear constructive criticism. There was a lot of good discussion and ideas presented. Representative Guice said that the House made a number of changes as a result of the Subcommittee meeting.

Judge Brown expressed his concern about delegated authority. If an offender asks for a hearing, there will be a definite impact on Indigent Services. Senator Kinnaird said that he was right, especially in light of the fact that Indigent Defense Services had such drastic cuts.

Mr. Madler continued with the option recommended by the Subcommittee – to allow the Post-Release Supervision and Parole Commission to impose the entire period of imprisonment for violations of other conditions. Judge Ervin made a motion to include the following as an option for consideration: Give the Post-Release Supervision and Parole Commission the discretion to impose the entire period of imprisonment for violations of conditions but require that it develop policies for using that discretion that would preserve the intent of the original recommendation. Mr. Gibson seconded the motion and the motion carried.

Ms. Hevener discussed the impact to the post-release supervision changes. Additional prison beds will be needed as a result of the expansion of post-release supervision to Classes F-I in HB 642. The impact will depend on the PRS revocation rate. Three scenarios were prepared using different PRS revocation rates – 20% for Scenario 1, 22% for Scenario 2, and 25% for Scenario 3. Other factors considered included the multiple 90-day periods of imprisonment for violations. Judge Ervin wanted to know if multiple sentences were taken into account for multiple charges. Ms. Hevener said that if they were in the data base multiple times, they would be counted. Ms. Katzenelson clarified the Judge Ervin’s question by saying that consecutive sentences are taken into account. Mr. Madler explained that there is a statute that only allows one post-release supervision period. Judge Ervin expressed his concern about Truth in Sentencing and how to explain to the victims about the sentence given out. Jamie Markham followed up with that by saying that there is a one sentence rule. He said that there may be a technical correction that has to be made as some people get twelve months added and some nine months added. He said that you just have to pick the most serious sentence. Judge Ervin said that post-release supervision used to be part of the sentence, but is now added to the top of the sentence.

Mr. Madler continued his presentation with Part III: Status Offense of Habitual Breaking and Entering. Section 3(a) creates a new status offense – on the second breaking and entering offense, the offender may be sentenced as a Class E felon. “Breaking and Entering” offenses include first degree burglary and breaking out of dwelling house burglary (Class D), second degree burglary and breaking or entering a building that is a place of religious worship (Class G), and breaking or entering buildings generally (Class H). The Subcommittee identified a number of legal and policy issues and two different options: change the definition of burglary to remove the requirement that it be committed at nighttime, and to review the classification of the offense of breaking or entering buildings generally.

Judge Ervin asked Representative Guice what was driving this recommendation, if it was

the breaking and entering of a home. Representative Guice said that he had met with the Sheriffs' Association and the District Attorneys and both groups said that breaking and entering happens all the time, and that often an offender commits 50-60 crimes of this nature before being caught. However, the District Attorneys have to wait until the fourth time this person is caught to charge then as a habitual felon. This was not good enough. Mr. Frank said that as a district attorney, he gets more complaints about breaking and entering into homes than some more serious crimes. It is hard to explain to them that it's a revolving door as it appears that nothing is being done. This option provides a tool for the district attorney. Representative Guice said that this just gives discretion to the DAs as to what happens, but they do not have to adhere to it. Judge Ervin said that the impact of this section seems to him the hardest to predict.

Ms. Hevener explained the impact projection for the new habitual breaking and entering status offense. This provision would result in the need for additional prison beds. The impact would depend on how many offenders are convicted of habitual breaking and entering and the rate of active sentences. Scenario 1 assumes active rates would be based on the felony punishment chart and Scenario 2 assumes that all habitual breaking and entering offenders would receive active sentences. Under Scenario 1, it is estimated that an additional 213 beds would be needed in Year 1 and 972 additional beds would be needed by Year 10. Under Scenario 2, it is estimated that an additional 317 beds would be needed in Year 1, and 1,223 additional beds would be needed by Year 10.

Mr. Madler continued with Sections 3(b) and (c) that change the punishment for the habitual felon from a Class C to four classes higher than the underlying offense but in no case higher than Class C. No legal issues or options were identified.

Ms. Hevener discussed the impact of the habitual felon section using 2 scenarios and 2 models. The impact would depend on the rate of active sentences imposed (Scenario 1: active rates based on felony punishment chart; Scenario 2: all receive active sentence) and sentencing practices regarding the imposition of sentences within the sentencing ranges (Model A: midpoint of presumptive range; Model B: relative location of current sentencing range). The findings for Model A in both scenarios were consistent as were the findings for Model B.

Mr. Madler began reviewing Part IV: Limit Time/Certain Violations of probation, Sections 4(a), (b), and (c) dealing with period of imprisonment. These sections limit the time an offender may serve for a technical violation of probation. The court can revoke probation if the offender commits a new crime or absconds. The court cannot revoke probation for any other violation of the conditions of probation. The court can impose a 90 day period of confinement each time the offender violates a condition of probation, the sum of which cannot exceed their maximum sentence. This last part has been changed. The court can impose two 90-day periods of confinement and then can revoke the offender's probation. Legal and policy issues are that the court cannot require the offender to serve the suspended sentence for a violation of the conditions of probation other than committing a new crime or absconding, and it is not clear whether the offender has a right to appeal the sentence modification (from District Court to Superior Court and from Superior Court to the Court of Appeals) since it is not a revocation or imposition of special probation. Mr. Madler suggested that the Commission might want to exclude the first option of

the committee since the bill had changed the limit to two 90-day imprisonments before revoking probation. The other option recommended was to require shorter periods of imprisonment for misdemeanants or make the period up to 90 days.

Ms. Hevener explained that prison bed savings would result when the total time served through the ninety-day periods of confinement is less than the suspended sentence length. The impact would depend on whether more offenders would be revoked with the availability of the ninety-day periods of confinement. Several scenarios with different assumptions for revocation rates were developed to estimate the potential impact (Scenario 1: no change; Scenario 2: 5% increase; Scenario 3: 10% increase; Scenario 4: 20% increase), with potential prison bed savings in year 10 of 1,942 (Scenario 4) to 2,713 (Scenario 1). Ms. Katzenelson said that this section will see the most immediate savings. Mr. Hart asked why there wasn't a bigger savings between year 5 and year 10. Ms. Hevener explained that because the savings is almost immediate, you'll see the biggest savings in the early years. That number will not continue to grow at a significant amount.

Judge Ervin made the motion to strike option 1. It was seconded, and the motion carried.

Mr. Madler moved on to Part V: Diversion Program/Felony Drug Possession. Sections 5(a) and (b) dealt with diversion for possession of a controlled substance. These sections expand the current conditional discharge program by expanding the pool of offenders eligible for the program to include all offenders convicted of felony possession of a controlled substance; by changing the prior criminal history limitation to no prior felony conviction for an offense; and by requiring the court to defer further proceedings and place the defendant in the program. Mr. Madler reviewed the legal and policy issues as well as the options identified by the Subcommittee.

Ms. Hevener spoke about the impact of the drug diversion program. It has potential to result in prison bed savings, dependent on the number of offenders who successfully complete the program and receive a discharge or dismissal. However, due to the lack of data, the impact cannot be determined.

Ms. Davis asked if there were Drug Diversion Programs in all counties. The answer was no. She asked where the funds would come from to supply that option. Mr. Madler responded that this was one of the programs eligible for funding under the entity that would replace the Criminal Justice Partnership Program. Representative Guice said that seven and a half million dollars has been set aside for treatment. Senator Kinnaird said that Drug Treatment Court, Summit House, Harriet House, and Mary Francis are all gone. Representative Guice reported that contracts have been signed according to the DOC with Mary Francis and other private companies accounting for 1,800 beds to be used in the substance abuse program. They are attempting to get control of how the money is spent. It doesn't mean that the facilities mentioned cannot contract with State Government to do some things.

Judge Spainhour reminded the Commissioners that they still needed to deal with this section. Mr. Madler said that the first option has been dealt with. Mr. Moore moved to strike option 1 from the recommendations; the motion was seconded by Mr. Hart, and the motion carried.

Mr. Madler finished Part V with Section 5(c) (advanced supervised release). This section authorizes early supervised release from prison upon completion of certain programs by eligible offenders sentenced to an active sentence in Classes D through H. The judge, in his or her discretion and without objection from the prosecutor, finds at sentencing that the offender will be eligible for one or more risk reduction incentives in prison. If the offender is sentenced in a range other than the mitigated range and completes the risk reduction incentive in prison, he will be released onto advanced supervised release after serving a sentence equal to the shortest duration in the mitigated range. If the offender is sentenced in the mitigated range and completes the risk reduction incentive in prison, he will be released onto advanced supervised release after serving a sentence equal to 80% of the mitigated sentence imposed. Mr. Madler reviewed the legal and policy issues as well as the options identified by the Subcommittee.

Ms. Hevener discussed the potential impact of advanced supervised release. Factors considered were how many offenders in the eligible pool would, at the discretion of the court and without objection of the prosecutor, receive a sentence with risk reduction incentives; how many would complete the risk reduction incentives and be released at the advanced supervised release date; the amount of the sentence reduction; and plea negotiation practices. She explained that this has the potential to result in prison bed savings. Several scenarios were provided based on the assumption that a certain percentage of the eligible pool (10% under Scenario 1, 20% under Scenario 2, and 30% under Scenario 3) would complete the risk reduction incentives and be released at the advanced supervised release date. Potential prison bed savings in year 10 could range from 281 beds (Scenario 1) to 874 beds (Scenario 3).

Judge Ervin asked what big picture goal this provision was trying to address. Representative Guice explained that in talking with the people from the Council of State Governments, this is a program that has been initiated in other states and has proved very successful. He believed the district attorney will be the key here in determining which individuals would be successful. Judge Ervin asked how the DA would do that. Representative Guice explained that the offender would be assessed when he/she gets in the system. Judge Ervin stated that this provision could produce a huge disparity. Mr. Frank said that as a district attorney, he expects the defense attorney to convince him that the person is a good candidate. Senator Kinnaird said that there is no money in the system to roll this out, and that Sentencing Services is gone and they would have been a big help. Representative Guice said that one million dollars has been set aside for this. Judge Ervin said that this creates a problem for Truth in Sentencing unless the judge, at the time of the sentence, announces what the true potential minimum sentence is.

Mr. Madler continued the presentation with Part VI: Refocus Criminal Justice Partnership Act. Sections 6(a) and (b) deal with community-based corrections programs. It repeals the State-County Criminal Justice Partnership Program and enacts the Treatment for Effective Community Supervision Program which authorizes the DOC to contract directly with community-based corrections programs. The only legal and policy issues identified was that this removes the role of the local officials, both in determining their needs and in monitoring the programs. No options were identified.

Ms. Hevener explained that it was impossible to project the impact of this proposal on the prison population. Ms. Davis asked Representative Guice how the local communities might access the DOC in the way the contracts are going to be given out. Representative Guice said that they are in the process of trying to bridge that gap. Ms. Davis asked that they keep in mind those good non-profits that have already established a reputation in our state for doing a good job and not forget to consider them for the contracts. Mr. Gibson thanked Representative Guice for listening to the Association of County Commissioners and addressing their concerns. Senator Kinnaird voiced her concern that they have lost a lot in the structure of these community partnerships by abolishing the CJPP. Representative Guice said that some counties were very effective and others were using 80% of their funds on salaries. Counties can still have boards, but they will contract with those people who can provide exactly what they need. It will be done by RFPs. It is not a budgeted item.

Mr. Madler addressed the last provision, Part VII: Misdemeanants to Serve Sentences in Jail. Sections 7(a), (b), and (c) move most misdemeanor offenders sentenced to an active sentence from prison to jail. They require a misdemeanor who has six months or less to serve on an active sentence (sentence imposed minus credit for time served) to serve the sentence in the local jail. They do not apply to impaired driving offenses. Mr. Madler explained that the most recent version of the bill changed this provision to a statewide program where misdemeanants with a sentence of 90 days to 180 days would be placed in a county jail that had space available. Representative Guice said that they met with the County Commissioners and the Sheriffs' Association. This will be a volunteer program and the Sheriffs' Association has agreed to oversee the program. They will help develop a plan of action to safeguard the counties. It is unique and special. He believes they have developed something that will work. If a person is sentenced to a local facility, that county will be paid. If there is no room, the Sheriffs' Association will identify nearest county with space. The Sheriffs' Association will be paid to oversee the program.

Representative Bordsen asked how the contracts would be negotiated. Would they be done at a uniform rate and/or annually? She expressed concerns about the Federal rate versus the State rate as counties might keep their extra space for the higher Federal rate if the State rate wasn't equitable. Representative Guice said that the Sheriffs' Association had everything under control, and that apparently many counties were excited about this idea. After the study, they should know of any issues or concerns, but he does not foresee a problem with any of it.

Mr. Gibson asked if jail time meant actual jail time or some lesser punishment. Everyone agreed that it meant jail time behind bars. Mr. Gibson said that some folks need to be in jail and some do not. Some could use electronic monitoring as an alternative punishment. Representative Guice said that they need to develop a really good pre-trial program. Senator McKissick said that the whole concept is intriguing. The only variable in his mind is the cost; *i.e.*, transportation costs between jails. Senator Kinnaird mentioned that the DOC will save money in not having to process misdemeanants.

Mr. Madler stated the legal and policy issues and pointed out that they had been addressed by the recent change. Mr. Moore moved to strike the first issue; the motion was seconded, and the motion carried. Mr. Moore moved to strike the second issue; there was a second, and the motion

carried. Mr. Madler reviewed the options. Mr. Moore moved to strike the first option to delay or phase-in the effective date; there was a second and the motion carried.

Ms. Hevener explained that this proposal would move most misdemeanor offenders from prison to jail resulting in a savings of around 1,000 to 1,200 prison beds a year. The shift of these misdemeanants to jail could result in the need for additional jail capacity.

Mr. Moore moved to adopt the study with its amendments. Mr. Frank seconded the motion, and the motion carried. Dr. McMurray asked about the assessment process, and Representative Guide explained that it was built into the bill.

LEGISLATIVE REVIEW – FELONY AND MISDEMEANOR BILLS INTRODUCED DURING THE 2011 SESSION

Judge Spainhour released the floor to Sara Perdue and David Lagos for the legislative review of felony and misdemeanor bills introduced during the 2011 session. Ms. Perdue reviewed the criteria for classifying the bills.

Proposed Felony Bills

HB 36 – Government Contractors Must Use E-Verify [Ed.2]

(GS §64-11) Luther Moore moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

(GS §64-12) Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

HB 54 – Habitual Misdemeanor Larceny [Ed.4] (GS §14-72). Bill Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 408 – Amend Criminal Discovery Laws [Ed. 2] (G.S. §15A-903). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 512 – Rendering Act Amendments [Ed. 2] (G.S. §14-79.2, Subsection (2)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Moe McKnight seconded the motion, and the motion carried.

HB 582 – Amend Felony Firearms Act/Increase Penalties [Ed. 2]. Mr. Hart moved to find the following four provisions inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §14-415.1, Subpart ((a1)(1)).

(G.S. §14-415.1, Subpart ((a1)(1)).

(G.S. §14-415.1, Subpart ((a1)(2)).

(G.S. §14-415.1, Subpart ((a1)(3)).

HB 582 – Amend Felony Firearms Act/Increase Penalties [Ed. 2] (G.S. §14-415.1, Subpart ((a1)(4)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 642 – Justice Reinvestment Act [Ed. 3] Mr. Hart moved to find G.S. 164-41 to be inapplicable for the next six provisions. Mr. Moore seconded the motion, and the motion carried.

(G.S. §15A-1340.11, Subsection (2)).

(G.S. §15A-1340.11, Subsection (6)).

(G.S. §15A-1344, Subsections (a), (d2)).

(G.S. §15A-1368.2).

(G.S. §15A-1368.2).

(G.S. §15A-1368.3, Subsections (c)).

HB 642 – Justice Reinvestment Act [Ed. 3]

(G.S §14-7.26). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Mr. McKnight seconded the motion, and the motion carried. Bill Hart amended the motion that this is consistent with a Class C or Class F.

(G.S §14-7.6). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S §15A-1340.18). Mr. Hart moved to find G.S. 164-41 to be inapplicable. Mr. Moore seconded the motion, and the motion carried.

(G.S §15A-1340.18). Mr. Hart moved to find G.S. 164-41 to be inapplicable. Mr. Moore seconded the motion, and the motion carried.

(G.S §15A-1340.18). Mr. Hart moved to find G.S. 164-41 to be inapplicable. Mr. Moore seconded the motion, and the motion carried

HB 674 – Amend Habitual Felon Law [Ed. 1]

(G.S. §14-7.1). Mr. Moore moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Gibson seconded the motion, and the motion carried.

(G.S. §15A-1340.16E). Judge Ervin moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 729 – Reckless Assault of a Child [Ed. 1] (G.S. §14-32.5). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria, but consistent with a Class C or Class E. Judge Elmore seconded the motion, and the motion carried.

HB 798 – Fraudulent Firearm Purchase Prevention Act [Ed. 1]

(G.S. §14-408.1, Subsection (b)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §14-408.1, Subsection (c)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. McKnight seconded the motion, and the motion carried.

HB 849 – Third Degree Rape [Ed. 1] (G.S. §14-27.3A, Subsection (b)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 850 – The Baucum-Reynolds Safe Roads Act [Ed. 1] (G.S. §20-137.4B). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

HB 862 – Election Integrity/Voter Access Act [Ed. 1]

(G.S. §163-166.7, Subsection (a)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §163-227.2, Subsection (b)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 227 – Disturbing/Dismembering Human Remains [Ed. 2]

(G.S. §14-401.22, Subdivision (c)(1)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §14-401.22, Subdivision (c)(ii)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §14-401.22, Subdivision (d)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §14-401.22, Subdivision (e)). Mr. Moore moved to find the provision inconsistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

HB 696 – Assault on Officer/Serious Injury/Penalty [Ed. 2] (G.S. §14-34.7, Subdivision (c)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Mr. McKnight seconded the motion, and the motion carried.

SB 105 – Increase Penalty/2nd Degree Murder [Ed. 2] (G.S. §14-17). Mr. Hart moved to find the Offense Classification Criteria inapplicable. Mr. Moore seconded the motion, and the motion carried.

SB 144 – Cash Converters Must Keep Purchase Records [Ed. 2] (G.S. §91A-10). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

SB 523 – North Carolina Casino Gaming Act [Ed. 1]

(G.S. §18D-510, Subsection (a)(1)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(2a)). Judge Elmore moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(2a)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(2b)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(2b)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion,

and the motion carried.

(G.S. §18D-510, Subsection (a)(3)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(3)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(4)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Gibson seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(4)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(5)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(5)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(6)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(6)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(7)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(7)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(8)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(8)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(9)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(9)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(10)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(10)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(11)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(11)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (a)(12)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

G.S. §18D-510, Subsection (a)(12)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

G.S. §18D-510, Subsection (b). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §18D-510, Subsection (b)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

SB 604 – North Carolina Illegal Immigration Enforcement Act [Ed. 1]

(G.S. §64-14, Subsection ((a)(1)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Judge Morrison seconded the motion, and the motion carried.

(G.S. §64-14, Subsection ((a)(2)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Judge Morrison seconded the motion, and the motion carried.

(G.S. §64-14, Subsection ((a)(3)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Judge Morrison seconded the motion, and the motion carried.

(G.S. §64-14, Subsection ((a)(4)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

SB 684 – Post-Release Supervision/Sex Offenders [Ed.1] (G.S. §15A-1340.17). Mr. Hart moved to find the provision inapplicable with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

SB 707 – School Violence Prevention Act [Ed. 1]

(G.S. §14-458.2, Subsection (b)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §14-34.10). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

SB 762 – Assault on Law Enforcement & EM Worker/Felony [Ed.1]

G.S. §14-33.3). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

(G.S. §14-34.6, Subsection (a)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §14-34.6, Subsection (b)). Judge Brown moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §14-288.9, Subsection (c)). Mr. Hart moved to find the provision inconsistent with

the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

Misdemeanor Bills Proposed

HB 200 – Appropriations Act of 2011 [Ed. 7]

(G.S. §113-221.3). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria, but consistent with a Class 3 Misdemeanor. Judge Ervin seconded the motion, and the motion carried.

(G.S. §113-221.3). Mr. Moore moved to find the provision inconsistent with the Offense Classification Criteria, but consistent with a Class 3 Misdemeanor. Brown seconded the motion, and the motion carried.

HB 408 – Amend Criminal Discovery Laws [Ed. 2] (G.S. §15A-903). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 451 – DWLR Penalties Increased/Vehicle Seizures [Ed. 2] (G.S. §20-28). Mr. Hart moved to find the provision inconsistent, but consistent with a Class 1 Misdemeanor. June Ray seconded the motion, and the motion carried.

HB 476 – Protect Galax & Venus Fly Trap/WRC Rule Fines [Ed. 3]. Mr. Hart moved to find the following five provisions inconsistent with the Offense Classification Criteria, but consistent with a Class 3 Misdemeanor. Mr. Moore seconded the motion, and the motion carried.

(G.S. §106-202.19, Subsection (a)(6a)).

(G.S. §106-202.19, Subsection (a)(6b)).

(G.S. §106-202.19, Subsection (a)(6c)).

(G.S. §106-202.19, Subsection (a)(6d)).

(G.S. §106-202.19, Subsection (a)(6e)).

HB 512 – Rendering Act Amendments [Ed. 2]. Mr. Hart moved to find the following four provisions inconsistent with the Offense Classification Criteria. Mr. Frank seconded the motion, and the motion carried.

(G.S. §106-168.14A, Subsection (d)).

(G.S. §106-168.14A, Subsection (e)(1)).

(G.S. §106-168.14A, Subsection (e)(2)).

(G.S. §106-168.14A, Subsection (e)(3)).

HB 512 – Rendering Act Amendments [Ed. 2].

(G.S. §106-168.14A, Subsection (e)(4)). Mr. Moore moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Frank seconded the motion, and the motion carried.

(G.S. §14-79.2). Judge Brown moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 690 – Supervise RE Closing/Settlement Funds [Ed. 3] (G.S. §84-8). Judge Elmore moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 753 – Establish Radiologic Technicians Licensure [Ed. 1] (G.S. §90-750). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 761 – Ignition Interlock Systems/Record Checks [Ed. 1] (G.S. §20-17.8A). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

HB 776 – Selling Motor Vehicle Registrations Unlawful [Ed. 1].

(G.S. §20-79.1, Subsection (d)). Judge Brown moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

(G.S. §20-79.1, Subsection (1)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 843 – Modernize North Carolina Emergency Management Act [Ed. 2].

(G.S. §166A-19.30). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §166A-19.31). Mr. Gibson moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §14-288.20A). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 850 – The Baucum-Reynolds Safe Roads Act [Ed. 1] (G.S. §20-137.4B). Mr. Moore moved to find the provision inconsistent with the Offense Classification Criteria. Senator Kinnaird seconded the motion, and the motion carried.

HB 889 – Amend Locksmith Licensing Act/Increase Fees [Ed. 1].

G.S. §74F-3). Senator Kinnaird moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

G.S. §74F-3). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

G.S. §74F-3). Garry Frank moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

G.S. §74F-3). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 927 – State Pension Plan Solvency Reform Act [Ed. 1].

(G.S. §135-18.11). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §128-38.5). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §135-75.2). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §120-4.34). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

HB 591 – LDP/Ignition Interlock Changes [Ed. 2] (G.S. §20-17.8A). Senator Kinnaird moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

SB 125 – Regional Schools [Ed. 4] (G.S. §115C-238.56N). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. June Ray seconded the motion, and the motion carried.

SB 144 – Cash Converters Must Keep Purchase Records [Ed. 2] (G.S. §91A-7.1). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore

seconded the motion, and the motion carried.

SB 183 – Selective Vegetation Removal/State Highway [Ed. 4]

(G.S. §136-133.1). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. June Ray seconded the motion, and the motion carried.

(G.S. §136-133.1). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. June Ray seconded the motion, and the motion carried.

SB 195 – Operation of Mopeds [Ed. 2] (G.S. §20-10.1, Subsection (a)). Mr. Hart moved to find the provision inconsistent, but consistent with a Class 3 Misdemeanor. Judge Elmore seconded the motion, and the motion carried.

SB 315 – Roadside Campaign Signs [Ed. 2] (G.S. §136-32, Subsection (e)). Mr. Hart moved to find the provision consistent. Mr. Moore seconded the motion, and the motion carried.

HB 762/SB 374 – Landowner Protection Act [Ed. 2].

(G.S. §113-291.12, Subsection (a)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §113-291.12, Subsection (a)). Mr. Moore moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §113-291.12, Subsection (b)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §113-291.12, Subsection (b)). Mr. Moore moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §113-291.12, Subsection (c)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Ms. Ray seconded the motion, and the motion carried.

(G.S. §113-291.12, Subsection (c)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

SB 602 – Domestic Fowl Stray/Commercial Poultry Lands [Ed. 2] (G.S. §68-25). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

SB 604 – NC Illegal Immigration Enforcement Act [Ed. 1]. Mr. Hart moved to find all four provisions consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §64-14, Subsection (a)(1)).

(G.S. §64-14, Subsection (a)(2)).

(G.S. §64-14, Subsection (a)(3)).

(G.S. §64-14, Subsection (a)(4)).

SB 621 – Simulated Gaming Allowed/Certain ABC Outlets [Ed. 1] (G.S. §18B-1010, Subsection (g)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Ms. Ray seconded the motion, and the motion carried.

SB 628 – WQ Permitting/Compliance Rev. & Submissions [Ed. 1] (G.S. §143-215.6B, Subsection (i)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Judge Ervin seconded the motion, and the motion carried.

SB 657 – Voting Integrity [Ed. 1] (G.S. §163-82.6, Subsection (a1)(2)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

SB 678 – Automotive Glass Repair/Ins. Coverage [Ed. 1].

(G.S. §58-33-78). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Ms. Ray seconded the motion, and the motion carried.

(G.S. §58-33-78). Judge Elmore moved to find the provision inconsistent with the Offense Classification Criteria. Ms. Ray seconded the motion, and the motion carried.

SB 707 – School Violence Prevention Act [Ed. 1].

(G.S. §115C-276). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

(G.S. §14-266.4). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §14-266.4). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Ms. Ray seconded the motion, and the motion carried.

SB 737 – UI/Five-Hour Public Service Requirement [Ed. 1] (G.S. §96-13, Subsection (h)).

Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Moore seconded the motion, and the motion carried.

SB 743 – Encourage Volunteer Health Care Providers [Ed. 2] (G.S. §90-12-1B, Subsection (e)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

SB 772 – Consolidate Ethics, Elections, and Lobbying [Ed. 1] (G.S. §163A-210, Subsection (7)). Mr. Moore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

SB 775 – Regulate Abortion Facilities [Ed. 1] (G.S. §131E-154.28). Judge Ervin moved to find the provision consistent with the Offense Classification Criteria. Ms. Ray seconded the motion, and the motion carried.

2011 LEGISLATIVE SESSION UPDATES

Mr. Madler presented a handout on ratified bills, bills in conference committees, bills that have crossed over from one chamber to the other, the budget bill, and special provisions. He highlighted those bills that have a potentially large impact on the prison system. Ms. Hevener said that the staff has prepared approximately 75 impact analyses this session, each bill varying on prison bed impact. Mr. Madler presented the total budgets for FY 2011/12 and FY 2012/13 for Justice and Public Safety. The most publicly discussed special provision was the creation of the new Department of Public Safety – the consolidation of the Department of Correction, the Department of Juvenile Justice and Delinquency Prevention, and the Department of Crime Control and Public Safety. There will be seven Divisions making up the Department of Public Safety. An organizational chart was presented; however, it was noted that the SBI will stay under the Department of Justice rather than move to the new Department as originally proposed.

Lastly, Mr. Madler presented a letter from Representative Alice Bordsen to Judge Spainhour requesting that the Sentencing Commission study the issues surrounding children of incarcerated parents. She specifically asked the Commission to examine the immediate and long-term effects of parental incarceration on the care, education, health, and life outcomes of children; what is currently being done in North Carolina to assist these children and their parents; and what else could be done. A motion was made to appoint a subcommittee, but Ms. Katzenelson explained that it would be premature to form a subcommittee until the staff had a chance to look at this and report back to the Chairman whether it should be a staff project only or one for a subcommittee. Ms. Ray moved that this be done; Judge Ervin seconded the motion, and the motion carried.

Judge Spainhour postponed the presentations on the Juvenile Recidivism Report and the Effectiveness of Juvenile Crime Prevention Council Programs Report until the September 9th meeting in the interest of time. He also reminded the Commissioners that the last meeting of the year would be on December 2.

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Vicky Etheridge
Administrative Assistant