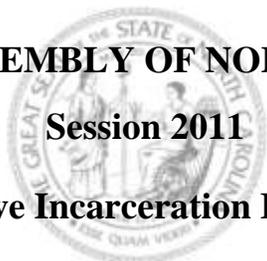


GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2011

Legislative Incarceration Fiscal Note

(G.S. 120-36.7)

BILL NUMBER: House Bill 696 (Second Edition)

SHORT TITLE: Assault/Officer/Physical Injury.

SPONSOR(S): Representatives Ingle, Guice, R. Brown, and Faircloth

	FISCAL IMPACT				
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>
GENERAL FUND*					
Correction					
Recurring	-	\$366,571	\$1,252,985	\$1,283,933	\$1,315,903
Nonrecurring	\$3,658,826	-	-	-	-
Probation	-	\$31,860	\$109,063	\$111,752	\$114,441
Judicial	\$165,748	\$306,920	\$331,134	\$351,290	\$368,460
TOTAL					
EXPENDITURES:	3,824,574	\$705,351	\$1,693,182	\$1,746,975	\$1,798,804
ADDITIONAL PRISON BEDS:					
(cumulative)**	0	14	47	47+	47+
POSITIONS:					
DOC:	0	6	21	21+	21+
AOC:	3.13	3.13	3.13	3.13	3.13
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Correction; Judicial Branch.					
EFFECTIVE DATE: December 1, 2011					
*This fiscal analysis is estimated using a scenario which assumes that ten percent of misdemeanor charges for assault on a State or local public officer or employee discharging or attempting to discharge official duties would be elevated to assault inflicting bodily injury; See Assumptions and Methodology					
**This fiscal analysis is independent of the impact of other criminal penalty bills being considered by the General Assembly, which could also increase the projected prison population and thus the availability of prison beds in future years. The Fiscal Research Division is tracking the cumulative effect of all criminal penalty bills on the prison system as well as the Judicial Department.					

BILL SUMMARY:

The proposed legislation enacts two new Class I felonies by adding subparts (c)(1) and (c)(2) to G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility. The act becomes effective December 1, 2011, and applies to offenses committed on or after that date.

ASSUMPTIONS AND METHODOLOGY:

General

The Sentencing and Policy Advisory Commission prepares prison population projections for each bill containing a criminal penalty. The Commission assumes for such bills that expanding existing, or creating new criminal offenses produces no deterrent or incapacitative effect on crime. Therefore, the Fiscal Research Division does not assume deterrent effects for any criminal penalty bill.

Department of Correction – Division of Prisons

G.S. 14-34.7(c)(1): Subpart (c)(1) makes it a Class I felony to assault and inflict physical injury upon a law enforcement, probation, or parole officer (collectively LEO) while the LEO is discharging or attempting to discharge official duties. The new offense is a lesser included offense the Class F felony of assault of an LEO inflicting serious bodily injury in G.S. 14-34.7(a).¹ A serious injury has been held sufficient to support the Class F felony in (a), notwithstanding the statute's use of the term serious bodily injury (*State v. Crawford*, 167 N.C. App. 777, 606 S.E.2d 375, 2005). The new Class I felony in (c)(1) requires only a physical injury which does not rise to the level of serious injury, G.S. 14-37.4(c).²

The proposed offense would draw from the existing Class A1 misdemeanor offenses of (1) assault on a State or local public officer or employee discharging or attempting to discharge official duties, G.S. 14-33(c)(4), and (2) assault on a company or campus police officer in the performance of official duties G.S. 14-33(c)(8). It is assumed that an assault on an LEO inflicting an injury that the prosecutor deem insufficiently serious to support a charge under G.S. 14-34.7(a) is currently charged as one of these offenses, rather than as a Class 2 misdemeanor simple assault under G.S. 14-33(a).

¹ In FY 2009-10, there were 12 Class F convictions under G.S. 14.34.7. It is not possible to distinguish between convictions resulting from violations of G.S. 14.34.7(a) and convictions resulting from violations of 14.34.7(b).

² Note: Under current case law, “as long as the State presents evidence that the victim sustained a physical injury as a result of an assault by the defendant, it is for the jury to determine the question of whether the injury was serious.” *State v. Walker*, ___ N.C. App. ___, ___, 694 S.E.2d 484, 495 (2010) (quotations omitted). Therefore, there is no legal standard for identifying a “physical injury that does not constitute serious injury” other than the jury’s verdict. G.S. 14-34.7(c).

In FY 2009-10, there were 1,455 Class A1 misdemeanor convictions under G.S. 14-33(c)(4) and 15 convictions under 14-33(c)(8). Although it is not possible to determine the portion that would be reclassified to Class I felony, some portion of these 1,470 convictions would likely be reclassified, given the similarities in the elements of the offenses. In FY 2009-10, 17.4 percent of Class I felony convictions resulted in active sentences, with an average estimated time served of seven months. If, for example, there were ten Class I felony convictions for this proposed offense per year, the combination of active sentences and probation revocations would result in the need for one additional prison bed the first year and three additional prison beds the second year.

If it is assumed that 147 offenders (or ten percent of the 1,470 convictions described above) would be convicted as Class I felons under the proposed statute, the combination of active sentences and probation revocations would result in the need for 14 prison beds the first year and 47 prison beds the second year.

If it is assumed that 735 offenders (or 50 percent of the 1,470 convictions described above) would be convicted as Class I felons under the proposed statute, the combination of active sentences and probation revocations would result in the need for 71 prison beds the first year and 237 prison beds the second year.

G.S. 14-34.7(c)(2): Subpart (c)(1) makes it a Class I felony to assault and inflict physical injury upon a person employed at a State or local detention facility who is discharging or attempting to discharge official duties. The new offense is a lesser included offense of the Class F felony of assault inflicting serious bodily injury on a detention facility employee in G.S. 14-34.7(b).³ A serious injury has been held sufficient to support the Class F felony in (b), notwithstanding the statute's use of the term serious bodily injury (State v. Crawford, 167 N.C. App. 777, 606 S.E.2d 375, 2005). The new Class I felony in (c)(2) requires only a physical injury which does not rise to the level of serious injury, G.S. 14-37.4(c).⁴

The proposed offense would primarily draw from the existing Class A1 misdemeanor offense of assault on a State or local public officer or employee discharging or attempting to discharge official duties, G.S. 14-33(c)(4). It is assumed that an assault on a detention facility employee inflicting an injury that the prosecutor deems insufficiently serious to support a charge under G.S. 14-34.7(b) is currently charged as one of these offenses, rather than as a Class 2 misdemeanor simple assault under G.S. 14-33(a).

³ In FY 2009-10, there were 12 Class F convictions under G.S. 14.34.7. It is not possible to distinguish between convictions resulting from violations of G.S. 14.34.7(a) and convictions resulting from violations of 14.34.7(b).

⁴ Note: Under current case law, "as long as the State presents evidence that the victim sustained a physical injury as a result of an assault by the defendant, it is for the jury to determine the question of whether the injury was serious." State v. Walker, ___ N.C. App. ___, ___, 694 S.E.2d 484, 495 (2010) (quotations omitted). Therefore, there is no legal standard for identifying a "physical injury that does not constitute serious injury" other than the jury's verdict. G.S. 14-34.7(c).

In FY 2009-10, there were 1,455 Class A1 misdemeanor convictions under G.S. 14-33(c)(4). In FY 2009-10, 17.4 percent of Class I felony convictions resulted in active sentences, with an average estimated time served of seven months. If, for example, there were ten Class I felony convictions for this proposed offense per year, the combination of active sentences and probation revocations would result in the need for one additional prison bed the first year and three additional prison beds the second year.

If it is assumed that 146 offenders (or about ten percent of the 1,455 convictions described above) would be convicted as Class I felons under the proposed statute, the combination of active sentences and probation revocations would result in the need for 14 prison beds the first year and 47 prison beds the second year.

If it is assumed that 728 offenders (or about 50 percent of the 1,455 convictions described above) would be convicted as Class I felons under the proposed statute, the combination of active sentences and probation revocations would result in the need for 71 prison beds the first year and 235 prison beds the second year.

While less likely, the proposed offense might also draw from the Class A1 misdemeanor of assault on a company or campus police officer in the performance of official duties G.S. 14-33(c)(8). There were 15 convictions under G.S. 14-33(c)(8) in FY 2009-10. However, it is not known how many current convictions for this offense would qualify for the new Class I felony. In FY 2009-10, 17.4 percent of Class I felony convictions resulted in active sentences, with an average estimated time served of seven months. If, for example, there were ten Class I felony convictions for this proposed offense per year, the combination of active sentences and probation revocations would result in the need for one additional prison bed for the first year and three additional prison beds for the second year.

Impact of G.S. 14-34.7(c)(1) and (c)(2): Overall, the proposed offense would primarily draw from the existing Class A1 misdemeanor offense of assault on a State or local public officer or employee discharging or attempting to discharge official duties, G.S. 14-33(c)(4). While less likely, the proposed offense might also draw from the Class A1 misdemeanor of assault on a company or campus police officer in the performance of official duties G.S. 14-33(c)(8). The most likely occurrence is that a subset of the 1,455 Class A1 misdemeanor charges in FY 2009-10 for assault on a State or local public officer or employee discharging or attempting to discharge official duties under 14-33(c)(4) would be elevated to Class I felonies under new G.S. 14-34.7(c)(1) or (c)(2).

Since the Sentencing Commission cannot identify a specific number of offenders that would be convicted under this bill, the Fiscal Research Division used the lowest estimate of the number of offenders to estimate the cost of this bill for new G.S. 14-34.7(c)(1) or (c)(2). As such, prison bed and Department of Correction (DOC) cost estimates throughout this fiscal note are formulated assuming that 146 offenders (or about ten percent of the pool of 1,455 convictions described above) would be convicted under the proposed legislation. To the extent that there are more convictions, this estimate may be understated.

The chart below depicts the projected inmate population relative to available prison bed capacity system-wide. Capacity projections assume operation at Expanded Operating Capacity,⁵ and represent the total number of beds in operation, or authorized for construction or operation as of December 2010.

Based on the most recent population projections and estimated bed capacity, there are no surplus prison beds available for the five-year fiscal note horizon or beyond. Therefore, the number of additional beds needed (row five) is always equal to the projected number of additional inmates resulting from a bill (row four). Rows four and five in the chart demonstrate the impact of H.B. 696. As shown, the Sentencing Commission estimates that under a ten percent scenario this specific legislation will add at least 47 inmates to the prison system by the end of FY 2015-16.

	June 30 <u>2012</u>	June 30 <u>2013</u>	June 30 <u>2014</u>	June 30 <u>2015</u>	June 30 <u>2016</u>
1. Projected No. of Inmates Under Current Structured Sentencing Act ⁶	41,987	42,013	42,267	42,562	42,898
2. Projected No. of Available Prison Beds (DOC Expanded Capacity)	41,168	41,924	41,924	41,924	41,924
3. Projected No. of Beds Over/Under Inmate Population	(819)	(89)	(343)	(638)	(974)
4. Projected No. of Additional Inmates Due to this Bill⁷	<i>N/A</i>	14	47	47+	47+
5. No. of Additional Beds Needed Each Fiscal Year Due to this Bill	<i>N/A</i>	14	47	47+	47+

POSITIONS: Based on the ten percent scenario, it is anticipated that by FY 2013-14, at least 21 positions would be needed to supervise the additional inmates housed under this bill. This position total includes security, program, and administrative personnel at a ratio of approximately one employee for every 2.3 inmates.

FISCAL IMPACT BEYOND FIVE YEARS: Fiscal notes examine a bill’s impact over a five-year horizon, through FY 2015-16. However, when information is available, Fiscal Research also attempts to quantify longer-term impacts. Accordingly, the chart below illustrates the projected number of available beds given current conditions; the projected number of additional inmates due to H.B. 696; and, the estimated number of new beds required each year through FY 2019-20.

⁵ Expanded Operating Capacity (EOC) is: 1) the number of single cells housing one inmate, 2) the number of single cells housing two inmates, and 3) the number of beds in dormitories, allowing between 35 (130% of Standard Operating Capacity) and 50 (SOC) square feet per inmate.

⁶ The Sentencing and Policy Advisory Commission prepares inmate population projections annually. These projections are derived from: historical information on incarceration and release rates under Structured Sentencing; crime rate forecasts by a technical advisory group; probation and offender revocation rates; and the decline (parole and max-outs) of the stock prison population sentenced under prior sentencing acts. Projections were updated in January 2011.

⁷ Criminal penalty bills effective December 1, 2011, should not affect prison population and bed needs until FY 2012-13 due to the lag time between offense charge and sentencing - six months on average. No delayed effect is presumed for the Court System.

	<u>June 30 2017</u>	<u>June 30 2018</u>	<u>June 30 2019</u>	<u>June 30 2020</u>
1. Available Beds (Over/Under) Under Current Structured Sentencing	(1,296)	(1,740)	(2,284)	(2,916)
2. <i>Projected No. of Additional Inmates Resulting From H.B. 696</i>	47+	47+	47+	47+
3. <i>Estimated No. of New Beds Required Under H.B. 696</i>	47+	47+	47+	47+

DISTRIBUTION OF BEDS: After analyzing H.B. 696, the Department of Correction estimates the following distribution of needed beds, by custody level:⁸

Ten percent of Class A1 misdemeanor convictions now sentenced to Class I felony convictions:

Table 1:

Year	Minimum	Medium	Close	Total Additional Beds
1	9	4	1	14
2	32	13	2	47

Estimated Construction Cost per Custody Level, FY 2010-11

<u>Custody Level</u>	<u>Minimum</u>	<u>Medium</u>	<u>Close</u>
Cost EOC Per Bed	\$72,200	\$78,100	\$132,100

CONSTRUCTION: Construction costs are shown as non-recurring costs in the Fiscal Impact table (p.1). An annual inflation rate is applied to these costs. The inflation rate applied depends on the timeframe required for planning and construction. The inflation rate is applied until the midpoint of project construction. A facility should be budgeted four years in advance, since building a prison typically requires four years for site selection planning, design, construction, and occupancy. The midpoint figure used should be thirty months (one year of planning and one to three years of construction). The annual inflation rate is 1.92%.

Accordingly, given an increase of at least 47 inmates, bed provision through construction could cost approximately \$3.7 million by FY 2015-16. Table 2 provides the estimated construction costs to implement the proposed legislation.

Table 2:

Year	Inflation	Minimum		Medium		Close		Total	
		Beds	Costs	Beds	Costs	Beds	Costs	Beds	Costs
FY 2015-16	1.92%	32	\$2,354,760	13	\$1,034,794	2	\$269,273	47	\$3,658,826

⁸ Custody level is determined by a multi-factor assessment, including but not limited to: offense severity and history, institutional behavior (i.e. violence, rule disobedience), sentence length and portion served, job performance, and age. Infrastructure, personnel, and equipment needs are positively correlated with security levels and inmate risk assessments.

OPERATING: Operating costs are based on actual FY 2009-10 costs for each custody level, as provided by the Department of Correction. These costs include security, inmate programs, inmate costs (food, medical, etc.), and administrative overhead costs for the Department and the Division of Prisons. Table 3 provides the operating cost per day and per year to implement the proposed legislation. Table 4 provides the operating cost per year times the number of estimated beds. Fiscal Research applies an estimated inflation rate to these base costs, as shown in the recurring costs estimate in the Fiscal Impact table (p.1).⁹

Daily Inmate Operating Cost per Custody Level, FY 2009-10

<u>Custody Level</u>	<u>Minimum</u>	<u>Medium</u>	<u>Close</u>	<u>Daily Average</u>
Daily Cost Per Inmate	\$64.59	\$76.22	\$88.39	\$74.34

Table 3:

Year	Inflation	Minimum		Medium		Close	
		Per Day	Per Year	Per Day	Per Year	Per Day	Per Year
FY 2012-13	3.05%	\$66.56	\$24,294	\$78.54	\$28,669	\$91.09	\$33,246
FY 2013-14	2.99%	\$68.55	\$25,021	\$80.89	\$29,526	\$93.81	\$34,240
FY 2014-15	2.47%	\$70.24	\$25,639	\$82.89	\$30,255	\$96.13	\$35,086
FY 2015-16	2.49%	\$71.99	\$26,277	\$84.96	\$31,009	\$98.52	\$35,960

Table 4:

Year	Minimum		Medium		Close		Total	
	Beds	Costs	Beds	Costs	Beds	Costs	Beds	Costs
FY 2012-13	9	\$218,650	4	\$114,675	1	\$33,246	14	\$366,571
FY 2013-14	32	\$800,666	13	\$383,838	2	\$68,481	47	\$1,252,985
FY 2014-15	32	\$820,442	13	\$393,319	2	\$70,172	47	\$1,283,933
FY 2015-16	32	\$840,871	13	\$403,113	2	\$71,920	47	\$1,315,903

Department of Correction – Division of Community Corrections

For felony offense classes E through I and all misdemeanor classes, offenders may be given non-active (intermediate or community) sentences exclusively, or in conjunction with imprisonment (split-sentence). Intermediate sanctions include intensive supervision probation, special probation, house arrest with electronic monitoring, day reporting center, residential treatment facility, and drug treatment court. Community sanctions include supervised probation, unsupervised probation, community service, fines, and restitution. Offenders given intermediate or community sanctions requiring supervision are supervised by the Division of Community Corrections (DCC); DCC also oversees community service.¹⁰

⁹ Estimates based on consumer price index projections provided by Moody’s economy.com (January 2011)

¹⁰ DCC incurs costs of \$0.97 per day for each offender sentenced to the Community Service Work Program.

General supervision of intermediate and community offenders by a probation officer costs DCC \$3.44 per offender, per day; no cost is assumed for those receiving unsupervised probation, or who are ordered only to pay fines, fees, or restitution. Total costs to DCC are based on average supervision length and the percentage of offenders (per offense class) sentenced to intermediate sanctions and supervised probations.

In FY 2009-10, 17 percent of Class I felony offenders received active sentences; 40 percent received intermediate sentences; and 43 percent received community punishments. The average lengths of intermediate and community punishment imposed for this offense class were 27 and 23 months, respectively. Accordingly, potential costs to DCC could total \$31,860 in FY 2012-13, the first full fiscal year of applicability.¹¹

Table 5:

Level of Punishment:	Intermediate	Community
Percentage (Number) of Total Convictions	6 (40%)	6 (43%)
Number of Days	810 days (27 months)	690 days (23 months)
Cost Per Day (adjusted for inflation)	\$3.54 per day=\$2,867	\$3.54 per day=\$2,443
Total Cost:	\$17,204	\$14,656

Table 6:

	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16
Inflation	0.00%	3.05%	2.99%	2.47%	2.49%
Cost Per Offender	\$3.44	\$3.54	\$3.65	\$3.74	\$3.83
Intermediate (40%)	\$0	\$17,204	\$56,174	\$57,559	\$58,944
Community (43%)	\$0	\$14,656	\$52,889	\$54,193	\$55,497
Total Cost:	\$0	\$31,860	\$109,063	\$111,752	\$114,441

Judicial Branch

The Administrative Office of the Courts provides Fiscal Research with a fiscal impact analysis for most criminal penalty bills. For such bills, fiscal impact is typically based on the assumption that court time will increase due to anticipated increases in trials and corresponding increases in workload for judges, clerks, and prosecutors. This increased court time is also expected to result in greater expenditures for jury fees and indigent defense.

Under the proposed bill, some misdemeanor assault charges could be elevated to Class I felony charges under this bill. The most likely occurrence is that a subset of Class A1 misdemeanor charges for Assault on a State or local public officer or employee discharging or attempting to

¹¹ Due to the effective date of December 1, 2011, and the typical lag time between charge and conviction (6 months), little impact is assumed for DCC in FY 2010-11. Though some offenders may come under DCC supervision during this time, this note assumes an even entry over the course of FY 2011-12.

discharge official duties under 14-33(c)(4) would be elevated to Class I felonies under the proposed legislation. For calendar year 2010, AOC data show the following defendants charged:

Table 7:

Statute	Description	Offense Class	Defendants Charged
14-34.7	Assault inflicting serious bodily injury on a law enforcement officer, probation officer, parole officer, or detention employee discharging or attempting to discharge official duties	F felony	66
14-33(c)(4)	Assault on a state or local public officer or employee discharging or attempting to discharge official duties	A1 misd.	3,158
14-33(c)(8)	Assault on a company or campus police officer in the performance of official duties	A1 misd.	35
14-16.6(a)	Assault on an executive, legislative or court officer	I felony	5
14-33(c)(1)	Assault with a deadly weapon	A1 misd.	6,544
14-33(c)(1)	Assault inflicting serious injury	A1 misd.	2,208

It is likely that a subset of defendants charged with Class A1 misdemeanors under 14-33(c)(4) would instead be charged with Class I felonies under new G.S. 14-34.7(c)(1) or (c)(2). AOC cannot project the number of charges that would be elevated. However, it is reasonable to assume that the number of defendants charged with the new bodily injury felony would exceed the 66 defendants charged in 2010 with the Class F serious bodily injury felony under current 14-34.7. This would equate to only two percent of charges under G.S. 14-33(c)(4) elevated from Class A1 misdemeanors to Class I felonies, a likely understatement.

The elevation of the offense from a Class A1 misdemeanor to a Class I felony would result in a more vigorous defense and prosecution and more in-court and preparation time for trials and pleas. The creation of new Class I felony offenses would also result in increased court workload. While some judicial districts handle pleas for Class H and I felonies in district court, all trials and many pleas would be shifted from district court to superior court under this bill or occur as new workload in superior court. Thus, even one new offense impacted by this legislation will result in a cost to the court system.

Overall, the monetary value of the average workload of a lower level (Class I through F) felony case for those positions typically involved in felony cases – Superior Court Judge, Assistant District Attorney, Deputy Clerk, Court Reporter, and Victim Witness Legal Assistant – is \$945. As the Class I felonies in this bill will represent new charges in superior court, and since district court backlogs and personnel shortages would prevent any offsetting reduction in district court resources for those offenses increased from Class A1 misdemeanors to Class I felonies, the average fiscal impact of each case would be the full \$945. In addition, a 2005 Office of Indigent Defense study of fee applications found that the average indigent defense cost for a Class I felony case was \$480 per indigent defendant, as compared to an average of \$225 for indigent misdemeanants.

If, for example, ten percent of charges under G.S. 14-33(c)(4) were elevated from Class A1 misdemeanors to Class I felonies, the monetary value of the impact on existing court personnel would be \$306,920 in the first full year of implementation (FY 2012-13).

The table below shows the salaries, benefits, operating costs such as supplies and training, and inflationary increases associated with the additional positions required to handle the increased workload anticipated from the proposed legislation.

Table 8:

Position Type	Positions	Position Cost				FY 2011-12 (Eff. Dec 1)	FY2012-13	FY2013-14	FY2014-15	FY2015-16
		Salary	Soc Sec	Retirement	Health	Total	Total	Total	Total	Total
Inflation*							8.87%	8.68%	6.64%	5.24%
Superior Court Judge	0.49	\$124,382	\$8,426	\$24,889	\$4,929	\$46,403	\$86,603	\$94,120	\$100,370	\$105,629
Assistant District Attorney	0.84	\$70,946	\$5,428	\$7,457	\$4,929	\$43,617	\$81,405	\$88,471	\$94,345	\$99,289
Victims Witness Legal Assistant	0.78	\$37,364	\$2,859	\$3,927	\$4,929	\$22,397	\$41,800	\$45,428	\$48,444	\$50,983
Deputy Clerk	0.53	\$27,888	\$2,134	\$2,932	\$4,929	\$11,670	\$21,781	\$23,672	\$25,244	\$26,566
Court Reporter	0.49	\$47,772	\$3,655	\$5,021	\$4,929	\$17,513	\$32,685	\$35,522	\$37,881	\$39,866
Subtotal Court Personnel	3.13					\$141,600	\$264,274	\$287,213	\$306,284	\$322,333
Other Costs										
Inflation*							3.05%	2.99%	2.47%	2.49%
Operating Expenses						\$24,148	\$42,646	\$43,921	\$45,006	\$46,127
Total						\$165,748	\$306,920	\$331,134	\$351,290	\$368,460

* Positions were inflated based on the Moody's economy.com inflation rate estimates for salaries and wages (Jan. 2011).

**Operating expense inflation estimates based on consumer price index projections provided by Moody's economy.com (Jan. 2011)

In FY 2009-10, a typical felony case took approximately 216 days to dispose in Superior Court. A typical misdemeanor case took approximately 91 days to dispose in District Court. Any increase in judicial caseload without accompanying resources could be expected to further delay the disposition of cases.

SOURCES OF DATA: Department of Correction; Judicial Branch; North Carolina Sentencing and Policy Advisory Commission; and Office of State Construction.

TECHNICAL CONSIDERATIONS: None

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DATE: June 2, 2011



Signed Copy Located in the NCGA Principal Clerk's Offices