

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 41
Feb 7, 2019
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH40005-MMa-19

Short Title: Allison's Law/GPS Tracking Pilot/DV/Funds. (Public)

Sponsors: Representatives Lambeth and Conrad (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A PILOT PROGRAM ALLOWING THE USE OF A GLOBAL
3 POSITIONING SYSTEM TRACKING DEVICE ON A PERSON WHO HAS
4 COMMITTED ACTS OF DOMESTIC VIOLENCE AND TO APPROPRIATE FUNDS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The North Carolina Department of Public Safety, in consultation with
7 local law enforcement agencies, the courts, and other appropriate local entities, shall conduct a
8 pilot program for the use of global positioning system (GPS) tracking devices on domestic
9 violence offenders. The pilot program shall be conducted in Forsyth County. The offender subject
10 to the GPS monitoring may be responsible for paying the costs associated with use of the device.
11 In developing and implementing the pilot program, the Department and all entities involved shall
12 consider the following:

- 13 (1) The type of offender who will be subject to GPS monitoring, such as all
14 offenders who violate a domestic violence protective order or only violent
15 offenders, and what constitutes a violent offender.
- 16 (2) How offender monitoring will be staffed and whether a local law enforcement
17 agency will staff the monitoring of the offender's location or whether it will
18 be outsourced to an independent agency.
- 19 (3) The costs associated with monitoring the offender's location.
- 20 (4) The type of GPS tracking device to be used.
- 21 (5) The type of GPS monitoring that will be used, such as active tracking, which
22 provides real-time location of the offender 24 hours a day, versus passive
23 tracking, in which the offender wears a device but the monitoring official may
24 only receive information once a day when it is uploaded.
- 25 (6) Whether the victim's location will be monitored or tracked as well as the
26 offender's and what privacy or safety concerns such monitoring or tracking
27 raises.
- 28 (7) Any other systems for monitoring offenders currently in place in this State
29 that may assist in implementing the GPS monitoring program established
30 under this act.
- 31 (8) Whether other states have implemented similar systems and the means by
32 which those systems were implemented and costs associated with
33 implementation.
- 34 (9) Any other legal issues, information, or practices deemed relevant.

35 **SECTION 2.** The Department of Public Safety shall report to the Joint Legislative
36 Oversight Committee on Justice and Public Safety on the effectiveness of the pilot program by



1 April 1, 2022. The report shall include any recommendations regarding the continuation,
2 expansion, or elimination of the pilot program, as well as costs associated with implementing the
3 program or any recommended legislation.

4 **SECTION 3.** There is appropriated from the General Fund to the Department of
5 Public Safety the sum of twenty-five thousand dollars (\$25,000) for the 2019-2020 fiscal year to
6 be used to implement the pilot program provided in Section 1 of this act.

7 **SECTION 4.** This act becomes effective July 1, 2019.