



*State of North Carolina
Department of Correction
Division of Prisons*

Chapter: C
Section: .0800
Title: **Parole – Committed
Youthful Offenders &
Regular Offenders Serving
Indeterminate Sentences**
Issue Date: 10/05/07
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POLICY & PROCEDURES

.0801 PURPOSE

- (a) This policy statement establishes procedures relating to the periodic review and conditional release of offenders sentenced under General Statutes 148-49.10 through 148-49.16 (Committed Youthful Offender) and offenders who were sentenced under General Statute 148-42 (Indeterminate Sentences). Both Statutes have been repealed, however, their provisions will apply to those offenders who were sentenced when the laws were in effect. Under this policy, facility heads and region directors are charged with the responsibility of implementing and administering this policy statement as the representatives of the Director of the Division of Prisons.
- (b) If a prisoner younger than 21 years old was sentenced to a prison term of 20 years or less, or if a prisoner younger than 25 years old, convicted of a misdemeanor or a non-violent class H, I, or J felony was sentenced to a term of 20 years or less, the prisoner would be considered a Committed Youthful Offender (CYO) under this policy. If the court sentenced a youthful offender to a term of more than 20 years, or if the court specifically concluded the offender would not benefit from treatment as a CYO, the prisoner would be considered a regular youthful offender.
- (c) It is the responsibility of the facility head and region director to carefully monitor the correctional program of each offender sentenced under the above statutes. As each offender moves toward conditional release, it is the responsibility of the facility head to develop and coordinate a working relationship with parole authorities in processing parole recommendations made in accordance with this policy.
- (d) The nature of the crime and the length of sentence must be weighed carefully by the reviewing authority prior to recommending conditional release. The recommendation of the probation/parole review level should be also carefully considered.
- (e) Youthful offenders may be required to participate in vocational, educational, and correctional training and activities. The Secretary of Correction may contract with any appropriate public or private agency not under his control for treatment and training services to youthful offenders when this is the most economical or effective way to provide needed services.

.0802 COMMITTED YOUTHFUL OFFENDERS

- (a) A Committed Youthful Offender with a sentence of greater than 20 years was processed as a regular youthful offender unless a corrected commitment was obtained. If a

probation violator under age 21 was admitted to prison and the Commitment Upon Revocation of Probation did not state the offender was to be a CYO, he/she was processed as an RYO.

- (b) An inmate could receive consecutive CYO commitments with a total combined sentence greater than 20 years and would still be considered and treated as a CYO.
- (c) Inmates who received both CYO and RYO sentences are informed that they are required to be parole eligible on the RYO sentences before undergoing review for release by the CYO review committee.
 - (1) Periodic Review for Committed Youthful Offenders. The purpose of the Committed Youthful Offender Statute was to “improve the chances of correction, rehabilitation, and successful return to the community of youthful offenders sentenced to imprisonment by preventing, as far as practicable, their association during their terms of confinement with older and more experienced criminals, and by closer coordination of the activities of sentencing, training and custody, parole, and final discharge.” To accomplish the objectives of the statute, periodic reviews of progress are necessary for all Committed Youthful Offenders according to the following guidelines:
 - (2) Each Committed Youthful Offender felon will be reviewed at least once every six months by the facility classification authority.
 - (3) A supervisory staff member may refer a Committed Youthful Offender to the facility classification authority for review at any time for a specified reason.
 - (4) The evaluation of progress during each periodic review will be recorded on the IC05 OPUS Reclassification screen
- (d) A Committed Youthful Offender may be housed as an adult offender after his 21st birthday or after revocation of parole, whichever occurs later. The Committed Youthful Offender’s parole status and the program structure set forth by this policy is to continue following the assignment to the adult facility.



Director of Prisons Date

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