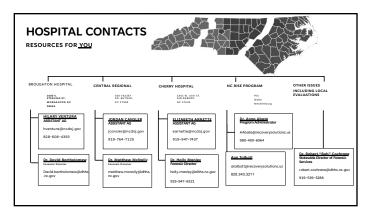
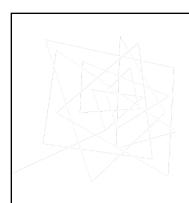


IMPROVING THE ITP PROCESS KNOW YOUR RESOURCES BENEFITS OF THE N.C. RISE PROGRAM INCREASE COURT INVOLVEMENT





THE BENEFITS OF THE N.C. RISE PROGRAM ON THE CRIMINAL COURT SYSTEM

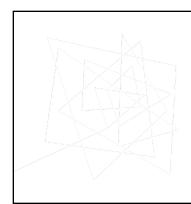
4

BENEFITS OF THE N.C. RISE PROGRAM STATE PSYCHIATRIC HOSPITALS Lengthy Wait Times (especially for adult males) Significantly Lower Wait Times (If any) Accepts Males/Females Currently Accepts only Males Exact Same Forensic Services as S.P.H Highest Quality of Forensic Services Reports. Exact Same Forensic Report as S.P.H. Reports Highest Quality of Forensic Report Hospital Environment Continuity of Jail Environment Requires 304b & **Requires Local Sheriff MOU** Requires 304b Order Allows Defendant to Remain in program receiving continued care until __court hearing__ Defendant Returns to Jail Following Capacity Determination

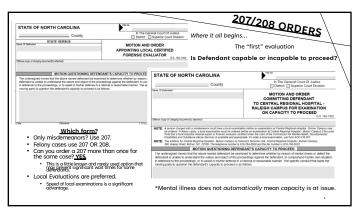
5

<u>DATA</u>	MECKLENBERG	PITT
OTAL BEDS AVAILABLE	25	10
BEDS IN USE CURRENTLY	6	3
OPEN BEDS	19	7
SIGNED MOU'S	8	5
PARTICIPATING COUNTIES	MECKLENBERG, WATUGA, ROWAN, UNION, BUNCOMBE, IREDELL, CLAY, RUTHERFORD, WILKES	PITT, WAYNE, LENOIR, GREENE, NEW HANOVER, PENDER
Wake County RISE I	nas 10 beds, serves Wake (ounty ITP's only.

/
CURRENTLY
ONLY 16
OUT OF 100
NC /
COUNTIES /
ARE /
UTILIZING /
THE N.C.
RISE
PROGRAM.
Data as of 10/1/2025



INCREASED
COURT
INVOLVEMENT
PROMOTES
POSITIVE RESULTS



		304B ORDERS	
ne respondent has been charged in File No with a criminal offense i	n the above named county and has been found incapable of		
oceeding to trial under G.S. 15A-1002. The Court considered the opinion of	jname of forencic evaluator) in	Is Defendant capable or non-restorable? /	
e report dated(ilst date of report) as evidence of incapacity to proceed. A copy	of the evaluator's report is attached.	/	
ased on the evidence presented, the Court finds that there are reasonable grounds to believe ingarous to self or others or in need of treatment in order to prevent further disability or deter		E-Courts has changed the former process.	
st (insert appropriate findings)		Once signed, courtroom clerk sends the	
		304b order to the SPC clerk where it is	
		sealed. *These forms should be provided /	
addition, the Court finds that the respondent		to jail staff (or person responsible with	
1. is probably mentally retarded, in that (most appropriate drolings)		sending to hospital admissions) before	
		they are sealed by SPC clerk.	
 is charged with a violent crime in violation of G.S, in that (insert 	appropriate forfess)	ORDER	
NOTE TO JUDGE: It this footing is made, you must designate a law entiresement against headness. MOST COMMON ISSUES Must be filled out entirely	a. to a local person authorized by lare to consuld: b. directly to the 24-hour facility named below for I this about chappel and a simple comp. 2. The Court further CRICENS that you deliver a copy of named above. to the 24-hour facility named below. To The Direction Of The 24-hour Facility Named Below:	an examination, for examination, (view when not chapped with a view come.) responsely couldn't count is counted as an examination and treatment peeting a district count hearing. The forensic evaluation report referenced in the Princings above, by the forensic evaluation report referenced in the Princings above, by the forensic evaluation report referenced above to the Assistant Astories' General and the Special Chapter of	
Don't forget LEO Agency	Nation To hespital, Institution, 34-febre Facility. Command Chapter and still predicting sector that rependent it detendent-respondent is released health must be released to the law enforcement agency named below. If the defendent-respondent is not chapter with a violent crime and so law enforcement agency is asported, you may release before to make the command of the command o		
 24 hr. facility must list Broughton, Central Regional, or Cherry Hospital depending on catchment 			
Central Regional, or Cherry	Name Of Law Enforcement Agency		
	Name And Address Of 24-Haur Facility	Date	
Hospital dépending on catchment			
Hospital dépending on catchment area.	name And Andreas Co Service Pallary	Transition (VI Indian	
	Table And Address Co 244 and Facility	Signature Of Judge	

COMMON ISSUES

- Skipping the wait list
- Why are there waitlists?
- > Dismissing case prior to Defendant arriving at state hospital
- The order ends with the case.
- $\, \succ \,$ Defendant returns to jail after capacity evaluation
- Was Defendant's hearing timely scheduled pursuant to statute?
 30 days
- Why does this matter for capacity purposes?
 Certain medications (e.g. forced medications) unavailable in local jails
 Jail vs. hospital environment
- > Defendant makes bond after 207/208 or 304b is ordered.
- How should this be addressed when Defendant refuses to report to the initial evaluation?
- Refuses to report to the State hospital?
 Who is required to transport Defendant?
- \succ Dismissing charges after non-restorable determination
- Pros/Cons of dismissing prior to Defendant returning to jail vs. after Defendant Returns to Jail

10

JUDGE INVOLVEMENT IS VITAL Defendant may be out of sight but should not be out of mind								
·		Moving porty must provide sufficient information to the court to support request for capacity examination. Should timely provide relevant confidential information to examiner. G.S.15A-1002(b)(4). Should engage with forensic evaluator as needed.	Required to calendar capacity hearing within 30 days of receiving capacity report. May not stipulate Defendant lacks capacity, but may choose not to offer evidence contesting report.					
	S	enior resident superior court judge.						

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CLOSING THE REVOLVING DOOR

Benefits of Increased Court Involvement

- Checks and Balances
 - Ensures the Defendant is in fact on the waitlist
 Ensures attorneys stay involved
 Periodic updates on Defendant's progress
 Timely resolutions- closes revolving door.

EXAMPLES:

- Defendant found non-restorable.
 Currently still waiting in jail after 2 years without a hearing.
- Defendant thought to be on waitlist for over 2 years.
 304b was never ordered.
- Defendant found capable and returned to jail. Never scheduled for hearing or trial. Decompensated.
- Ordered back to Cherry 4 separate times for capacity evaluations.

THANK YOU ELIZABETH ARNETTE, ASSISTANT	
ATTORNEY GENERAL 919-947-7437	
EARNETTE@NCDOJ.GOV	
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