



CHAPTER 148
ARTICLE 1 - ORGANIZATION AND MANAGEMENT

N.C.G.S. § 148-4.1.

Release of inmates.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2021-180, s. 19C.9(cccc) — twenty-second act in the lineage	RETRIEVED 21 September 2026, 05:35 UTC	SOURCE FINGERPRINT 1f6edabb704ae778572ed947 - 31536ed17a9c14b84822edc5 - a6ccebe642be15bc
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§ 148-4.1(a) Whenever the Secretary of the Department of Adult Correction determines from data compiled by the Division of Prisons that it is necessary to reduce the prison population to a more manageable level or to meet the State's obligations under law, the Secretary in consultation with the Secretary of the Department of Public Safety may direct the Post-Release Supervision and Parole Commission to release on parole over a reasonable period of time a number of prisoners sufficient to that purpose. From the time the Secretary directs the Post-Release Supervision and Parole Commission until the prison population has been reduced to a more manageable level, the Secretary may not accept any inmates ordered transferred from local confinement facilities to the State prison system under G.S. 148-32.1(b). Further, the Secretary may return any inmate housed in the State prison system under an order entered pursuant to G.S. 148-32.1(b) to the local confinement facility from which the inmate was transferred. In order to meet the requirements of this section, the Parole Commission shall not parole any person convicted under Article 7B of Chapter 14 of a sex offense, under G.S. 14-39, 14-41, or 14-43.3, under G.S. 90-95(h) of a drug trafficking offense, or under G.S. 14-17, or any other violent felon as defined in subsection (a1) of this section. The Parole Commission may continue to consider the suitability for release of such persons in accordance with the criteria set forth in Articles 85 and 85A of Chapter 15A.

§ 148-4.1(a1) Notwithstanding any other provision of this section, the Division of Prisons of the Department of Adult Correction shall at all times secure the necessary prison space to house any violent felon or habitual felon for the full active sentence imposed by the court. For purposes of this subsection, the term "violent felon" means any person

convicted of the following felony offenses: first or second degree murder, voluntary manslaughter, first or second degree rape, first or second degree sexual offense, any sexual offense involving a minor, robbery, kidnapping, or assault, or attempting, soliciting, or conspiring to commit any of those offenses.

§ 148-4.1(b) Except as provided in subsection (c), only inmates who are otherwise eligible for parole pursuant to Article 85 of Chapter 15A or pursuant to Article 3B of this Chapter may be released under this section.

§ 148-4.1(c) Persons eligible for parole under Article 85A of Chapter 15A shall be eligible for early parole under this section nine months prior to the discharge date otherwise applicable, and six months prior to the date of automatic 90-day parole authorized by G.S. 15A-1380.2.

§ 148-4.1(c1) through (g). Repealed by 1995 Session Laws, c. 324, s. 19.9(e).

§ 148-4.1(g1) Expired July 1, 1996.

§ 148-4.1(h) A person sentenced under Article 81B of Chapter 15A of the General Statutes shall not be released pursuant to this section.

§ 148-4.1(i) This section does not apply to inmates released pursuant to G.S. 148-64.1.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I 22 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1983	c. 557, s. 1	ENACTED
02	1983	1985 (Reg. Sess., 1986), c. 1014, s. 197(a)	AMENDED
03	1987	c. 7, ss. 1, 3, 4	AMENDED

04	1987	c. 879, s. 1.2	AMENDED
05	1989	c. 1, s. 1	AMENDED
06	1990	Ex. Sess., c. 1, ss. 1-3.3	AMENDED
07	1990	1989 (Reg. Sess., 1990), c. 933, ss. 10-13	AMENDED
08	1991	c. 187, s. 2	AMENDED
09	1991	c. 217, ss. 6, 7	AMENDED
10	1991	c. 437, ss. 1-9	AMENDED
11	1991	1991 (Reg. Sess., 1992), c. 1036, ss. 5-7	AMENDED
12	1993	c. 91, ss. 1-9	AMENDED
13	1993	c. 538, s. 31	AMENDED
14	1994	Ex. Sess., c. 14, s. 64	AMENDED
15	1994	c. 15, ss. 1-4	AMENDED
16	1994	c. 24, s. 14(b), (e)	AMENDED
17	1995	c. 324, s. 19.9(a)-(e)	AMENDED
18	2008	S.L. 2008-199, s. 1	AMENDED
19	2011	S.L. 2011-145, s. 19.1(h), (i)	AMENDED
20	2015	S.L. 2015-181, s. 47	AMENDED
21	2017	S.L. 2017-186, s. 2(wwwwww)	AMENDED
22	2021	S.L. 2021-180, s. 19C.9(cccc)	AMENDED

APPARATUS II

6 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 148-32.1(b)	(a)	"to the State prison system under"
G.S. 14-39	(a)	"14 of a sex offense, under"
G.S. 90-95(h)	(a)	"G.S. 14-39, 14-41, or 14-43.3, under"
G.S. 14-17	(a)	"a drug trafficking offense, or under"
G.S. 15A-1380.2	(c)	"of automatic 90-day parole authorized by"
G.S. 148-64.1	(i)	"apply to inmates released pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 148-4.1 (2021).

PINPOINT

N.C. Gen. Stat. § 148-4.1(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1983, c. 557, s. 1; 1985 (Reg. Sess., 1986), c. 1014, s. 197(a); 1987, c. 7, ss. 1, 3, 4; c. 879, s. 1.2; 1989, c. 1, s. 1; 1990, Ex. Sess., c. 1, ss. 1-3.3; 1989 (Reg. Sess., 1990), c. 933, ss. 10-13; 1991, c. 187, s. 2; c. 217, ss. 6, 7; c. 437, ss. 1-9; 1991 (Reg. Sess., 1992), c. 1036, ss. 5-7; 1993, c. 91, ss. 1-9; c. 538, s. 31; 1994, Ex. Sess., c. 14, s. 64; c. 15, ss. 1-4; c. 24, s. 14(b), (e); 1995, c. 324, s. 19.9(a)-(e); 2008-199, s. 1; 2011-145, s. 19.1(h), (i); 2015-181, s. 47; 2017-186, s. 2(wwwwww); 2021-180, s. 19C.9(cccc).)

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