

PART III. CRITICAL INCIDENT STATEWIDE DATABASE

SECTION 3.(a) G.S. 17C-2 reads as rewritten:

"§ 17C-2. Definitions.

Unless the context clearly otherwise requires, the following definitions apply in this Article:

...

(3a) Critical incident. – An incident involving any use of force by a law enforcement officer that results in death or serious bodily injury to a person.

...."

SECTION 3.(b) Article 1 of Chapter 17C of the General Statutes is amended by adding a new section to read:

"§ 17C-15. Database for law enforcement officer critical incident information.

(a) The Division shall develop and maintain a statewide database for use by law enforcement agencies that tracks all critical incident data of law enforcement officers in North Carolina.

(b) All law enforcement agencies in the State that employ personnel certified by the Commission shall provide any information requested by the Division to maintain the database required by subsection (a) of this section.

(c) Information collected under this section that is confidential under State or federal law shall remain confidential.

(d) A law enforcement officer who is reported to the Division as having been involved in a critical incident who disputes being involved in a critical incident has a right, prior to being placed in the database, to request a hearing in superior court for a determination of whether the officer's involvement was properly placed in the database."

SECTION 3.(c) G.S. 17E-2 reads as rewritten:

"§ 17E-2. Definitions.

Unless the context clearly requires otherwise, the following definitions apply to this Chapter:

...

(4) "Critical incident" means an incident involving any use of force by a law enforcement officer that results in death or serious bodily injury to a person."

SECTION 3.(d) Chapter 17E of the General Statutes is amended by adding a new section to read:

"§ 17E-15. Database for justice officer critical incident information.

(a) The Division shall develop and maintain a statewide database for use by law enforcement agencies that tracks all critical incident data of justice officers in North Carolina.

(b) All law enforcement agencies in the State that employ personnel certified by the Commission shall provide any information requested by the Commission to maintain the database required by subsection (a) of this section.

(c) Information collected under this section that is confidential under State or federal law shall remain confidential.

(d) A justice officer who is reported to the Division as having been involved in a critical incident who disputes being involved in a critical incident has a right, prior to being placed in the database, to request a hearing in superior court for a determination of whether the officer's involvement was properly placed in the database."

SECTION 3.(e) This section becomes effective October 1, 2021, and applies to critical incidents on or after that date.

PART IV. REPORT REQUIREMENT RELATED TO GIGLIO MATERIAL

SECTION 4.(a) Article 1 of Chapter 17C of the General Statutes is amended by adding a new section to read:

"§ 17C-16. Requirement to report material relevant to testimony.