

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

2

HOUSE BILL 1447
Committee Substitute Favorable 5/7/09

Short Title: Crime Stoppers Tips Are Confidential.

(Public)

Sponsors:

Referred to:

April 13, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT THE IDENTITY OF AN INDIVIDUAL WHO PROVIDES A
3 TIP FOR AN UNSOLVED CASE THROUGH CRIME STOPPERS OR SIMILAR
4 ORGANIZATIONS IS NOT A PUBLIC RECORD, TO PROVIDE THAT THE
5 COMMUNICATION RECEIVED BY A CRIME STOPPERS ORGANIZATION IS NOT
6 SUBJECT TO DISCOVERY OR ADMISSIBLE IN A COURT PROCEEDING, AND TO
7 PROVIDE THAT A LAW ENFORCEMENT AGENCY HAS A DUTY TO MAINTAIN
8 THE CONFIDENTIALITY OF A CRIME STOPPERS TIP.

9 The General Assembly of North Carolina enacts:

10 SECTION 1. Chapter 15A of the General Statutes is amended by adding a new
11 Article to read:

12 "Article 47.

13 "Local Crime Stoppers Programs.

14 "**§ 15A-850. Local Crime Stoppers organizations; confidentiality.**

15 (a) Definition. – As used in this section, a "Crime Stoppers" organization or other
16 similarly named organization means a private, nonprofit North Carolina corporation governed
17 by a civilian volunteer board of directors that is operated on a local or statewide level that (i)
18 offers anonymity to persons providing information to the organization, (ii) accepts and expends
19 donations for cash rewards to persons who report to the organization information about alleged
20 criminal activity and that the organization forwards to the appropriate law enforcement agency,
21 and (iii) is established as a cooperative alliance among the news media, the community, and
22 law enforcement officials.

23 (b) Confidentiality of Crime Stoppers Tips. – Evidence of a communication or any
24 information contained therein between a person submitting a report of an alleged criminal act to
25 a Crime Stoppers organization and the person who accepted the report on behalf of the
26 organization is not subject to discovery or admissible in any court proceeding, regardless of the
27 means by which a communication is received.

28 (c) Identity of Crime Stoppers Informant Is Not Public Record; Duty of Law
29 Enforcement Agency to Maintain Confidentiality. – The identity of any individual providing
30 information about a crime or criminal activity to a Crime Stoppers organization under a
31 promise of anonymity is not a public record as defined by G.S. 132-1 and shall not be
32 disclosed. A law enforcement agency receiving information concerning alleged criminal
33 activity from a Crime Stoppers organization shall maintain confidentiality pursuant to this
34 section and pursuant to G.S. 132-1.4(h)."

35 SECTION 2. This act becomes effective December 1, 2009.



* H 1 4 4 7 - V - 2 *