

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017**

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**SENATE BILL 123**

Short Title: Release of LEO Recordings. (Public)

Sponsors: Senators D. Davis and Pate (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 23, 2017

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR LAW ENFORCEMENT AGENCIES TO HAVE SOLE DISCRETION TO RELEASE RECORDINGS FOR THE PURPOSES OF SUSPECT IDENTIFICATION OR APPREHENSION AND FOR NONCRIMINAL INVESTIGATIVE PURPOSES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 132-1.4A(h) reads as rewritten:

"(h) Release of Recordings; Law Enforcement Purposes. – Notwithstanding the requirements of subsections (c), (f), and (g) of this section, a custodial law enforcement agency shall disclose or release a recording to a district attorney (i) for review of potential criminal charges, (ii) in order to comply with discovery requirements in a criminal prosecution, (iii) for use in criminal proceedings in district court, or (iv) for any other law enforcement purpose, and may may, in its sole discretion, disclose or release a recording for any of the following purposes:

- (1) For law enforcement training purposes.
- (2) Within the custodial law enforcement agency for any administrative, training, or law enforcement purpose.
- (3) To another law enforcement agency for law enforcement purposes.
- (4) For the purpose of suspect identification or apprehension.
- (5) For noncriminal investigative purposes such as community-oriented publicity or goodwill."

**SECTION 2.** This act is effective when it becomes law.

