

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

FILED SENATE
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S.B. 415
PRINCIPAL CLERK

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SENATE BILL DRS35158-ND-27B*

Short Title: Grand Jury if LEO Charged Performing Duties. (Public)

Sponsors: Senators Daniel, Edwards, and Britt (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CREATE A RIGHT FOR LAW ENFORCEMENT OFFICERS TO TESTIFY
BEFORE A GRAND JURY WHEN THE OFFICER MAY BE CRIMINALLY CHARGED
FOR A CRIME THAT ALLEGEDLY OCCURRED WHILE THE OFFICER WAS IN THE
PERFORMANCE OF THE OFFICER'S DUTIES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-626 is amended by adding a new subsection to read:

"(d1) In any matter where the grand jury is to consider a presentment or indictment of a sworn law enforcement officer as a defendant for actions arising out of or in the performance of the officer's duties as a sworn law enforcement officer, the district attorney shall notify the officer by personal service 10 days prior to the grand jury session. The officer shall be notified that the officer is entitled to appear before the grand jury and voluntarily testify or present evidence if the officer so desires. If the officer elects to testify, the officer shall be called to testify after the State's evidence has been presented to the grand jury."

SECTION 2. This act becomes effective December 1, 2019, and applies to grand jury proceedings on or after that date.



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