

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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SENATE BILL 548

Short Title: Protect Whistleblower LEOs from Retaliation. (Public)

Sponsors: Senators Hanig, Alexander, and Johnson (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 26, 2025

A BILL TO BE ENTITLED
AN ACT PROTECTING FROM RETALIATION LAW ENFORCEMENT OFFICERS THAT
REPORT THE USE OF EXCESSIVE FORCE OR OTHER IMPROPER OR UNLAWFUL
ACTIVITY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-401 reads as rewritten:

"§ 15A-401. Arrest by law-enforcement officer.

...

(d1) Duty to Intervene and Report Excessive Use of Force. – A law enforcement officer, while in the line of duty, who observes another law enforcement officer use force against another person that the observing officer reasonably believes exceeds the amount of force authorized by subsection (d) of this section and who possesses a reasonable opportunity to intervene, shall, if it is safe to do so, attempt to intervene to prevent the use of excessive force. Additionally, the observing officer shall, within a reasonable period of time not to exceed 72 hours thereafter, report what the officer reasonably believes to be an unauthorized use of force to a superior law enforcement officer within the agency of the observing officer, even if the observing officer did not have a reasonable opportunity to intervene. If the head of the law enforcement agency of the observing officer was involved or present during what the observing officer reasonably believes to be unauthorized use of force, the observing officer shall make the report to the highest ranking law enforcement officer of that officer's agency who was not involved in or present during the use of force.

Making a knowingly false report under this subsection shall be a Class 2 misdemeanor.

(d2) Protection from Retaliation. – The observing officer reporting an alleged unauthorized use of force pursuant to subsection (d1) of this section shall not be terminated, disciplined, or otherwise retaliated against for making that report, provided that nothing in this subsection shall prohibit councils, supervisors, department heads, or other appropriate authorities from taking disciplinary action against the observing officer for conduct that occurred prior to making the report.

...."

SECTION 2. Article 1 of Chapter 17C of the General Statutes is amended by adding a new section to read:

"§ 17C-17. Duty to intervene and report certain conduct; protection from retaliation.

(a) No public employer shall retaliate against a criminal justice officer for disclosing a violation of or noncompliance with a law, rule, or regulation to a supervisor or government agency.



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(b) Employees' protected reporting under this section does not exempt an employee from adherence to laws, rules, or regulations. The employer retains the right to investigate and take appropriate disciplinary action, up to and concluding termination, for any policy violation, misconduct, or performance issue, regardless of whether the employee has filed a protected disclosure under this section. Any such disciplinary action shall be based on and consistent with the law and the agency's rules and regulations and shall not be influenced by the employee's protected disclosure.

(c) Making a knowingly false report under this section shall be a Class 2 misdemeanor."

SECTION 3. This act becomes effective December 1, 2025, and applies to offenses committed and retaliatory actions taken on or after that date.