

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 415*

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

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

Referred to: Rules and Operations of the Senate

April 1, 2019

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

6 The General Assembly of North Carolina enacts:

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

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

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

