

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1447

Short Title: Crime Stoppers Tips Are Confidential. (Public)

Sponsors: Representatives Wiley; Hurley, Lewis, Lucas, Neumann, and Stevens.

Referred to: Judiciary III, if favorable, Ways and Means/Broadband Connectivity.

April 13, 2009

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE IDENTITY OF AN INDIVIDUAL WHO PROVIDES A TIP FOR AN UNSOLVED CASE THROUGH CRIME STOPPERS OR SIMILAR ORGANIZATIONS IS NOT A PUBLIC RECORD AND IS NOT ADMISSIBLE AS EVIDENCE IN A COURT PROCEEDING, AND TO PROVIDE THAT A LAW ENFORCEMENT AGENCY HAS A DUTY TO MAINTAIN THE CONFIDENTIALITY OF A CRIME STOPPERS' TIP.

The General Assembly of North Carolina enacts:

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

"Article 47.

"Local Crime Stoppers Programs.

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

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

(b) Inadmissibility in Court Proceeding. – The identity of a person submitting a report of an alleged criminal act to a "Crime Stoppers" organization is not admissible in a court proceeding, regardless of the means by which a communication is received.

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

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

