

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

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**HOUSE BILL 952**

Short Title: Supporting Law Enforcement. (Public)

Sponsors: Representatives Prather, Alston, Everitt, and Staton-Williams (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

May 2, 2024

A BILL TO BE ENTITLED  
AN ACT TO STRENGTHEN POLICIES AND STANDARDS SURROUNDING LAW  
ENFORCEMENT OFFICERS.

The General Assembly of North Carolina enacts:

**PART I. DIRECT THE DEPARTMENT OF JUSTICE TO ASSIST LAW  
ENFORCEMENT AGENCIES IN APPLYING FOR GRANT FUNDS AND FUND  
POSITIONS TO MEET THE REQUIREMENTS OF THIS PART**

**SECTION 1.1.** The Department of Justice shall provide assistance to law enforcement agencies seeking grant funds, including, but not limited to, the following:

- (1) Alerting law enforcement agencies to available grant funds.
- (2) Assisting law enforcement agencies with drafting and submitting grant proposals and applications.

**SECTION 1.2.** There is appropriated from the General Fund to the Department of Justice two hundred thousand dollars (\$200,000) in recurring funds for the 2024-2025 fiscal year to be used to hire two full-time grant writers to assist law enforcement agencies pursuant to the requirements of Section 1.1 of this Part. Funds appropriated by this section may also be used to hire mental health officers.

**SECTION 1.3.** This Part becomes effective July 1, 2024.

**PART II. SUPPORT COMMUNITY POLICING PROGRAMS**

**SECTION 2.1.** There is appropriated from the General Fund to the Department of Justice the sum of three hundred thousand dollars (\$300,000) in recurring funds for the 2024-2025 fiscal year to be used to award grants to law enforcement agencies for initiatives supporting community policing, including funding for mental health officers.

**SECTION 2.2.** This Part becomes effective July 1, 2024.

**PART III. CREATE INCENTIVES FOR LAW ENFORCEMENT OFFICERS AND  
AGENCIES**

**SECTION 3.1.** There is appropriated from the General Fund to the Department of Justice the sum of seven hundred fifty thousand dollars (\$750,000) in recurring funds for the 2024-2025 fiscal year to be used to provide the following types of grants:



1 (1) Grants provided to law enforcement agencies to be awarded to law  
2 enforcement officers, including mental health officers, exhibiting exemplary  
3 service as established by the Department of Justice.

4 (2) Grants awarded to law enforcement agencies for meeting racial or gender  
5 diversity benchmarks, including the hiring of mental health officers, as  
6 established by the Department of Justice.

7 **SECTION 3.2.** No grant awarded pursuant to this Part shall exceed fifteen thousand  
8 dollars (\$15,000).

9 **SECTION 3.3.** This Part becomes effective July 1, 2024.

#### 10 **PART IV. REVISE POLICE USE OF FORCE POLICIES**

11 **SECTION 4.1.** G.S. 15A-401(d) reads as rewritten:

12 "(d) Use of Force in Arrest. –

13 ...

14 (2) A law-enforcement officer is justified in using deadly physical force upon  
15 another person for a purpose specified in subdivision (1) of this subsection  
16 only when it is or appears to be reasonably necessary thereby:

17 ...

18 Strangleholds, lateral vascular neck restraints, carotid restraints, or any other  
19 tactics that restrict oxygen or blood flow to the head or neck shall be  
20 considered the use of deadly force under this subdivision.

21 Nothing in this subdivision constitutes justification for willful, malicious or  
22 criminally negligent conduct by any person which injures or endangers any  
23 person or property, nor shall it be construed to excuse or justify the use of  
24 unreasonable or excessive force.

25 (3) Under all circumstances in which a law-enforcement officer uses force of any  
26 kind, a law-enforcement officer shall use the minimum amount of force  
27 reasonably necessary to accomplish the law-enforcement action and shall  
28 attempt to utilize de-escalation tactics when possible."

29 **SECTION 4.2.** The Attorney General, in consultation with the North Carolina  
30 Sheriffs' Association and the North Carolina Association of Chiefs of Police, shall develop  
31 uniform use of force policies that may be adopted by all law enforcement agencies in the State.  
32 These policies shall be submitted to the Joint Legislative Oversight Committee on Justice and  
33 Public Safety no later than December 1, 2024, shall be published on the Department of Justice  
34 website, and shall be distributed in digital format by the Attorney General to all law enforcement  
35 agencies in the State.

36 **SECTION 4.3.** Section 4.1 of this Part becomes effective October 1, 2024, and  
37 applies to actions taken on or after that date. The remainder of this Part is effective when it  
38 becomes law.

#### 39 **PART V. ESTABLISH MINIMUM STANDARDS FOR THE HIRING AND TRAINING** 40 **OF LAW ENFORCEMENT OFFICERS**

41 **SECTION 5.1.** G.S. 17C-6(a) reads as rewritten:

42 "(a) In addition to powers conferred upon the Commission elsewhere in this Article, the  
43 Commission shall have the following powers, which shall be enforceable through its rules and  
44 regulations, certification procedures, or the provisions of G.S. 17C-10:

45 ...

46 (2a) Establish the minimum age requirement that shall be met in order to qualify  
47 for entry level employment as a criminal justice officer in temporary or  
48 probationary status or in a permanent position, which shall not be less than 21  
49 years of age.

1           (2b) Establish minimum mental health screening protocols that must be met in  
 2           order to qualify for entry level employment and retention as a criminal justice  
 3           officer in temporary or probationary status or in a permanent position. The  
 4           standards for entry level employment shall include a psychological screening  
 5           within one year prior to certification performed by a physician, psychologist,  
 6           or other mental health professional.

7           ...

8           (17a) Establish minimum annual mental health screening protocols for criminal  
 9           justice officers, including additional mental health screening protocols for  
 10          criminal justice officers following a traumatic event, including a  
 11          psychological screening performed by a physician, psychologist, or other  
 12          mental health professional.

13          ...."

14          **SECTION 5.2.** G.S. 17C-13(b) reads as rewritten:

15          "(b) Notwithstanding G.S. 15A-145.4 or G.S. 15A-145.5, the Commission may gain  
 16          access to a person's misdemeanor and felony conviction records, including those maintained by  
 17          the Administrative Office of the Courts in its confidential files containing the names of persons  
 18          granted expunctions. The Commission may deny, suspend, or revoke a person's certification  
 19          based solely on that person's felony conviction, conviction or the conviction of four or more  
 20          misdemeanors, whether or not ~~that conviction was~~ the convictions were expunged, unless the  
 21          ~~conviction was~~ convictions were expunged pursuant to G.S. 15A-145.4 or G.S. 15A-145.8A."

22          **SECTION 5.3.** G.S. 17E-4(a) reads as rewritten:

23          "(a) The Commission shall have the following powers, duties, and responsibilities, which  
 24          are enforceable through its rules and regulations, certification procedures, or the provisions of  
 25          G.S. 17E-8 and G.S. 17E-9:

26          ...

27          (2a) Establish the minimum age requirement that shall be met in order to qualify  
 28          for entry level employment as an officer in temporary or probationary status  
 29          or in a permanent position, which shall not be less than 21 years of age.

30          (2b) Establish minimum mental health screening protocols that must be met in  
 31          order to qualify for entry level employment and retention as an officer in  
 32          temporary or probationary status or in a permanent position. The standards for  
 33          entry level employment shall include a psychological screening within one  
 34          year prior to certification performed by a physician, psychologist, or other  
 35          mental health professional.

36          ...

37          (13a) Establish minimum annual mental health screening protocols for officers,  
 38          including additional mental health screening protocols for officers following  
 39          a traumatic event, including a psychological screening performed by a  
 40          physician, psychologist, or other mental health professional.

41          ...

42          The Commission may certify, and no additional certification shall be required from it, programs,  
 43          courses and teachers certified by the North Carolina Criminal Justice Education and Training  
 44          Standards Commission. Where the Commission determines that a program, course, instructor or  
 45          teacher is required for an area which is unique to the office of sheriff, the Commission may certify  
 46          such program, course, instructor, or teacher under such standards and procedures as it may  
 47          establish."

48          **SECTION 5.4.** G.S. 17E-12(b) reads as rewritten:

49          "(b) Notwithstanding G.S. 15A-145.4 or G.S. 15A-145.5, the Commission may gain  
 50          access to a person's misdemeanor and felony conviction records, including those maintained by  
 51          the Administrative Office of the Courts in its confidential files containing the names of persons

1 granted expunctions. The Commission may deny, suspend, or revoke a person's certification  
2 based solely on that person's felony ~~conviction~~, conviction or the conviction of four or more  
3 misdemeanors, whether or not ~~that conviction was~~ the convictions were expunged, unless the  
4 ~~conviction was~~ convictions were expunged pursuant to G.S. 15A-145.4 or G.S. 15A-145.8A."

5 **SECTION 5.5.** There is appropriated from the General Fund to the Department of  
6 Justice the sum of one million dollars (\$1,000,000) in recurring funds for the 2024-2025 fiscal  
7 year to be used to provide grants to law enforcement agencies to pay for the mental health  
8 screenings required by Sections 5.1 and 5.3 of this Part and for mental health officers.

9 **SECTION 5.6.** Sections 5.1 and 5.3 of this Part become effective January 1, 2025,  
10 and apply to officers hired or employed on or after that date. Sections 5.2 and 5.4 of this Part  
11 become effective January 1, 2025, and apply to (i) officers hired on or after that date and (ii)  
12 officers employed on or after that date that are convicted of a felony or misdemeanor on or after  
13 that date. Section 5.5 of this Part becomes effective July 1, 2024. The remainder of this Part is  
14 effective when it becomes law.

## 15 16 **PART VI. FUND ADDITIONAL DETECTIVES OR INVESTIGATIVE OFFICERS TO** 17 **INVESTIGATE SEVERE CRIMES**

18 **SECTION 6.1.** There is appropriated from the General Fund to the Department of  
19 Justice the sum of two million dollars (\$2,000,000) in recurring funds for the 2024-2025 fiscal  
20 year to be used to provide grants to law enforcement agencies to temporarily provide partial or  
21 total funding for detective or other investigative law enforcement positions, including mental  
22 health officer positions, in order to aid in the investigation of person crimes that would constitute  
23 a charge of a Class D felony or higher.

24 **SECTION 6.2.** This Part becomes effective July 1, 2024.

## 25 26 **PART VII. SEVERABILITY CLAUSE AND EFFECTIVE DATE**

27 **SECTION 7.1.** If any Part, section, or provision of this act is declared  
28 unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or  
29 any portion other than the portion declared to be unconstitutional or invalid.

30 **SECTION 7.2.** Except as otherwise provided, this act is effective when it becomes  
31 law.