GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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SENATE BILL 147 Judiciary II Committee Substitute Adopted 4/18/01

Short Title: Traffic l	Law Enforcement Statistics.	(Public)
Sponsors:		
Referred to:		
	February 14, 2001	
	A BILL TO BE ENTITLED	
AN ACT TO PR		TRAFFIC LAW
	STATISTICS ON STOPS MADE BY CERTA	
ENFORCEMENT		II COCIL EII V
	y of North Carolina enacts:	
	1. G.S. 114-10(2a) reads as rewritten:	
	ollect, correlate, and maintain the following info	rmation regarding
	ic law enforcement by State law enforcement off	
a.	The number of drivers stopped for routine tr	
	by State law enforcement officers, the officer	making each stop,
	the date each stop was made, the agency of t	he officer making
	each stop, and whether or not a citation or war	ning was issued;
b.	Identifying characteristics of the drivers stop	ped, including the
	race or ethnicity, approximate age, and gender	·••
c.	The alleged traffic violation that led to the stop	p;
d.	Whether a search was instituted as a result of t	•
e.	Whether the vehicle, personal effects, driver	
	passengers were searched, and the rad	•
_	approximate age, and gender of each person se	
f.	Whether the search was conducted purs	
	probable cause, or reasonable suspicion to	_
	including the basis for the request for	
	circumstances establishing probable cause	e or reasonable
	suspicion;	1
g.	Whether any contraband was found and the ty	pe and amount of
1	any such contraband;	
h.	Whether any written citation or any oral or writsued as a result of the stop:	men warning was
	issued as a result of the stop.	

1	i. Whether an arrest was made as a result of either the stop or the
2 3	search;
3 4	j. Whether any property was seized, with a description of that
4 5	property;
5 6	k. Whether the officers making the stop encountered any physical
7	resistance from the driver or passenger or passengers;
8	1. Whether the officers making the stop engaged in the use of
8 9	force against the driver, passenger, or passengers for any
	reason;
10	m. Whether any injuries resulted from the stop;
11	n. Whether the circumstances surrounding the stop were the
12	subject of any investigation, and the results of that
13	investigation; and
14	o. The geographic location of the stop; if the officer making the
15	stop is a member of the State Highway Patrol, the location shall
16	be the Highway Patrol District in which the stop was made; for
17	all other law enforcement officers, the location shall be the city
18	or county in which the stop was made.
19	For purposes of this subdivision, "law enforcement officer'
20	means:
21	 1. All State law enforcement officers; 2. Law enforcement officers employed by county sheriffs
22	<u>Law enforcement officers employed by county sheriffs</u>
23	or county police departments; and
24	3. Law enforcement officers employed by police
25	departments in municipalities with a population of
26	10,000 or more persons.
27	The information required by this subdivision need not be
28	collected in connection with impaired driving checks under G.S
29	20-16.3A or other types of roadblocks, vehicle checks, or checkpoints
30	that are consistent with the laws of this State and with the State and
31	federal constitutions, except when those stops result in a warning
32	search, seizure, arrest, or any of the other activity described in
33	sub-subdivisions d. through n. of this subdivision.
34	The identity of the law enforcement officer making the stop
35	required by sub-subdivision a. of this subdivision may be
36	accomplished by assigning anonymous identification numbers to each
37	officer in an agency. The correlation between the identification
38	numbers and the names of the officers shall not be a public record, and
39	shall not be disclosed by the agency except when required by order of
40	a court of competent jurisdiction to resolve a claim or defense properly
41	before the court."

SECTION 2. The Division of Criminal Statistics shall establish a procedure and a schedule for the reporting of the information required by this act to the Division.

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- The Division shall print and supply all forms necessary for the collection of this information and shall ensure that local governments providing the Division with this information have the option of doing so by efficient means such as electronic transmission or facsimile.
- 5 **SECTION 3.** This act becomes effective January 1, 2002, and applies to law enforcement actions occurring on or after that date.