

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 384
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HOUSE PRINCIPAL CLERK

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HOUSE DRH20129-LM-91 (03/13)

Short Title: Greensboro/Police Disciplinary Actions. (Local)

Sponsors: Representatives R. Johnson, Brockman, and Harrison (Primary Sponsors).

Referred to:

1
2 A BILL TO BE ENTITLED
3 AN ACT AUTHORIZING THE CITY OF GREENSBORO TO DISCLOSE TO ANY
4 PERSON AND MEMBERS OF A POLICE REVIEW BOARD LIMITED PERSONNEL
5 INFORMATION CONCERNING THE DISPOSITION OF DISCIPLINARY CHARGES
6 AGAINST POLICE OFFICERS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 160A-168(c), as amended in Section 1 of S.L. 2001-20 and
9 applicable to the City of Greensboro only, reads as rewritten:

10 "(c) All information contained in a city employee's personnel file, other than the
11 information made public by subsection (b) of this section, is confidential and shall be open to
12 inspection only in the following instances:

- 13 ...
- 14 (7) The city manager, with concurrence of the council, or, in cities not having a
15 manager, the council may inform any person of the employment or
16 nonemployment, promotion, demotion, suspension or other disciplinary
17 action, reinstatement, transfer, ~~or termination of termination,~~ or other
18 disposition of disciplinary charges against a city employee and the reasons
19 for that personnel action. Before releasing the information, the manager or
20 council shall determine in writing that the release is essential to maintaining
21 public confidence in the administration of city services or to maintaining the
22 level and quality of city services. This written determination shall be
23 retained in the office of the manager or the city clerk, and is a record
24 available for public inspection and shall become part of the employee's
25 personnel file.
- 26 (8) In order to facilitate citizen review of the police disciplinary process, the city
27 manager or the chief of police, or their designees may release the disposition
28 of disciplinary charges against a police officer and the facts relied upon in
29 determining that disposition to the Human Relations Commission Complaint
30 Subcommittee, Subcommittee, or a successor board or committee established
31 by the city council to provide for citizen review of the police disciplinary
32 process, including a police review board, and may release the disposition of
33 the disciplinary charges to the person alleged to have been aggrieved
34 affected by the officer's actions or to that person's survivor. Commission
35 members shall maintain as confidential all personnel information released to
36 them under this subdivision that is not a matter of public record under this



1 section, and any member who violates that confidentiality is guilty of the
2 violations set forth in subsections (e) and (f) of this section. Each member of
3 the Commission shall execute and adhere to a confidentiality agreement that
4 is satisfactory to the city. For purposes of this ~~subdivision~~,subsection, the
5 term "disposition of disciplinary charges" includes determinations that the
6 charges are sustained, not sustained, unfounded, exonerated, classified as an
7 information file, or classified as any other disciplinary disposition category
8 subsequently adopted by the Greensboro Police Department."

9 **SECTION 2.** The act applies only to the City of Greensboro.

10 **SECTION 3.** This act is effective when it becomes law.