

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

FILED SENATE  
Mar 25, 2025  
S.B. 548  
PRINCIPAL CLERK

S

D

SENATE BILL DRS35218-ND-58A

Short Title: Protect Whistleblower LEOs from Retaliation. (Public)

Sponsors: Senators Hanig, Alexander, and Johnson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT PROTECTING FROM RETALIATION LAW ENFORCEMENT OFFICERS THAT  
3 REPORT THE USE OF EXCESSIVE FORCE OR OTHER IMPROPER OR UNLAWFUL  
4 ACTIVITY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 15A-401 reads as rewritten:

7 "§ 15A-401. Arrest by law-enforcement officer.

8 ...

9 (d1) Duty to Intervene and Report Excessive Use of Force. – A law enforcement officer,  
10 while in the line of duty, who observes another law enforcement officer use force against another  
11 person that the observing officer reasonably believes exceeds the amount of force authorized by  
12 subsection (d) of this section and who possesses a reasonable opportunity to intervene, shall, if  
13 it is safe to do so, attempt to intervene to prevent the use of excessive force. Additionally, the  
14 observing officer shall, within a reasonable period of time not to exceed 72 hours thereafter,  
15 report what the officer reasonably believes to be an unauthorized use of force to a superior law  
16 enforcement officer within the agency of the observing officer, even if the observing officer did  
17 not have a reasonable opportunity to intervene. If the head of the law enforcement agency of the  
18 observing officer was involved or present during what the observing officer reasonably believes  
19 to be unauthorized use of force, the observing officer shall make the report to the highest ranking  
20 law enforcement officer of that officer's agency who was not involved in or present during the  
21 use of force.

22 Making a knowingly false report under this subsection shall be a Class 2 misdemeanor.

23 (d2) Protection from Retaliation. – The observing officer reporting an alleged  
24 unauthorized use of force pursuant to subsection (d1) of this section shall not be terminated,  
25 disciplined, or otherwise retaliated against for making that report, provided that nothing in this  
26 subsection shall prohibit councils, supervisors, department heads, or other appropriate authorities  
27 from taking disciplinary action against the observing officer for conduct that occurred prior to  
28 making the report.

29 ...."

30 SECTION 2. Article 1 of Chapter 17C of the General Statutes is amended by adding  
31 a new section to read:

32 "§ 17C-17. Duty to intervene and report certain conduct; protection from retaliation.

33 (a) No public employer shall retaliate against a criminal justice officer for disclosing a  
34 violation of or noncompliance with a law, rule, or regulation to a supervisor or government  
35 agency.



1        (b) Employees' protected reporting under this section does not exempt an employee from  
2 adherence to laws, rules, or regulations. The employer retains the right to investigate and take  
3 appropriate disciplinary action, up to and concluding termination, for any policy violation,  
4 misconduct, or performance issue, regardless of whether the employee has filed a protected  
5 disclosure under this section. Any such disciplinary action shall be based on and consistent with  
6 the law and the agency's rules and regulations and shall not be influenced by the employee's  
7 protected disclosure.

8        (c) Making a knowingly false report under this section shall be a Class 2 misdemeanor."

9                **SECTION 3.** This act becomes effective December 1, 2025, and applies to offenses  
10 committed and retaliatory actions taken on or after that date.