12 NCAC 10B .0412 is proposed for readoption with substantive changes as follows:

12 NCAC 10B .0412 ~~DEPARTMENT~~ AGENCY HEAD RESPONSIBILITIES: CRITICAL INCIDENT REPORTING

(a) For all law enforcement agencies in the State that employ personnel certified by the North Criminal Sheriffs' Education and Training Standards Commission, the ~~Department Head~~ agency head shall submit the Critical Incident Report, Form F-27, to the Sheriff's Standards Division no later than 30 days after making the determination that an incident involving any use of force by a law enforcement officer that resulted in death or serious bodily injury to a person has occurred. The Critical Incident Report (F-27) shall contain the following:

(1) date and time of incident;

(2) location of incident;

(3) officer involved; and

(4) whether the incident involved serious bodily injury or death

(5) notice that the officer has 30 days after receipt to request a hearing in superior court for a determination of whether the officer's involvement was properly placed in the database described in Paragraph (d) of this Rule, and that if a copy of that filing is not provided to the Division within the 30 days, the officer's name will be placed in the database.

(b) Information contained in the submitted Critical Incident Report, (F-27), that is confidential under state or federal law shall remain confidential.

~~(d)~~(c) The Division shall develop and maintain a statewide database for use by law enforcement agencies that tracks all critical incident data in North Carolina that is reported to the Division.

History Note: *Authority G.S. 17E-15;*
Adoption Eff. December 1, ~~2025.~~2025;
Readopted Eff. March 1, 2027.