

As of March 24, 2009 two favorable bills for law enforcement are currently in the Judiciary Committee in the North Carolina General Assembly.

Short Title: Assault State or Local Officer or Employee: **House Bill 134 reads as follows: 14-33.3 Simple assault on an officer or employee of the State or any political subdivision of the state.**

Unless the conduct is covered under some other provision of law providing greater punishment, any person who assaults an officer or employee of the State or any political subdivision of the State, when the officer or employee is discharging or attempting to discharge his or her duties is guilty of a Class I felony.” This would be outstanding if it passes. It is a felony to steal pine straw but currently a misdemeanor to assault an LEO.

House Bill 4, Short Title: Good Faith Exception/Exclusionary Rule.

**15A-974. Exclusion or suppression of unlawful obtained evidence.**

Upon timely motion, evidence must be suppressed only if its exclusion is required by the Constitution of the United States or the Constitution of the State of North Carolina.

North Carolina has never recognized the Federal Good Faith Exception; this would be very beneficial to law enforcement on certain cases if this passes.

At present I have no positive news to report on the 25 Year retirement plan. I have written and phoned Governor Perdue's Office reference the issue with negative responses. I contacted Senator Snow and he advised he had no retirement legislation sponsored this year. However, he did advise that Senator Bozeman was working on a bill but it has not been introduced during this session.

On the Final Stimulus Bill, Law Enforcement is going to receive \$4 Billion. This should equate to approximately 1 million dollars for our organization.

On the federal H.R. 413, the “Public-Employee Cooperation Act.” The U.S. House of Representatives on 17 July 2007 voted in favor 314-97. However, when this bill went to the Senate in May 2008, an attempt to filibuster it was made. The bill was then pulled from the floor. Hopefully it will come back up for a vote. I will let members know when the bill is introduced again.

In closing please contact your State Representatives and encourage them to vote for H.B. 134 and H.B. 7. Their web site is <http://www.ncga.state.nc.us/>. This website will allow you to find out who your representative is and their contact information. If these bills pass they will come effective December 1, 2009 and applies to offenses committed on or after that date.