

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division

_____ County

Name Of Plaintiff

ORDER REGARDING RELEASE OF CUSTODIAL LAW ENFORCEMENT AGENCY RECORDING

VERSUS

Name Of Defendant

G.S. 132-1.4A(g)

This matter came before the undersigned Superior Court Judge to determine whether release of a law enforcement agency recording is warranted under Chapter 132 of the General Statutes. Following a hearing, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. On _____ (date) the plaintiff named above filed a civil action seeking release of a custodial law enforcement agency recording to _____.
2. Each person entitled to be notified of this proceeding pursuant to G.S. 132-1.4A(g) (i.e., the head of the custodial law enforcement agency, the district attorney, and all law enforcement agency personnel whose image or voice is in the recording and the head of each such person's employing agency) was was not given notice and an opportunity to be heard, either individually or by such person's designated representative.
3. The Court conducted an in-camera review of the recording on _____ (date).
4. The recording was made was made in some portion was not made in this county.
5. The Court considered the applicability of all of the standards in G.S. 132-1.4A(g) and determined the following:
 - Release is necessary to advance a compelling public interest.
 - The recording contains information that is otherwise confidential or exempt from disclosure or release under State or federal law.
 - The person requesting release is seeking to obtain evidence to determine legal issues in a current or potential court proceeding.
 - Release would reveal information regarding a person that is of a highly sensitive personal nature.
 - Release may harm the reputation or jeopardize the safety of a person.
 - Release would create a serious threat to the fair, impartial, and orderly administration of justice.
 - Confidentiality is necessary to protect either an active or inactive internal or criminal investigation or potential internal or criminal investigation.
 - There is good cause shown to release all portions of a recording.
 - Other (if applicable): _____

CONCLUSIONS OF LAW

In light of the foregoing findings of fact, (check one and write name of party authorized or not authorized to release of the recording)

- The Court concludes that _____ is authorized to the release of the recording.
- The Court concludes that _____ is not authorized to the release of the recording.

(Over)

ORDER

It is therefore Ordered that *(check one)*

Release Granted:

The custodial law enforcement agency shall release to _____
the following portions of the recording: *(list, and indicate if all portions are to be released)* _____

The court places the following conditions/restrictions on the release of the recording: _____

Release Denied:

The custodial law enforcement agency shall not release any portion of the recording to _____

SIGNATURE OF SUPERIOR COURT JUDGE

Date

Name Of Superior Court Judge (type or print)

Signature Of Superior Court Judge