

ADMINISTRATIVE MEMORANDUM

SUBJECT Reporting Misuse of State Property by
State Employees

NUMBER 84

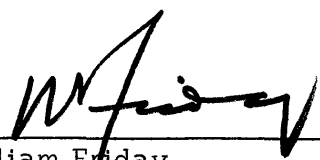
DATE August 5, 1977

The enclosed materials present the substance and basic procedures for enforcement of Chapter 763, 1977 Session Laws (codified as G. S. 114-15.1). In part, G. S. 114-15.1 creates the obligation of State employees who are informed of or have evidence of misuse by a State employee of State property to report that information or evidence under a statutory time limit to the reporting employee's immediate supervisor. The statute further specifies that the information must then be reported within a stated interval to the immediate supervisor's department, agency, or institutional head, and, in turn, to the Director of the State Bureau of Investigation for inquiry and possible referral to the appropriate District Attorney.

Each Chancellor is hereby appointed to function as departmental, agency, or institutional head as contemplated under G. S. 114-15.1 and to implement the statute in a manner consistent with the attached materials, relative to his respective constituent institution.

This office will administer G. S. 114-15.1 with respect to the General Administration.

Any questions about this Administrative Memorandum may be directed to Mr. David Edwards of this office.



William Friday

Enclosures



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR
RALEIGH 27611

JAMES B. HUNT, JR.
GOVERNOR

MEMORANDUM

TO: Dr. William Friday, President of The University of North Carolina

FROM: Governor James B. Hunt, Jr. *JH*
J. Phil Carlton, Secretary of Crime Control *JPC*
Jack Cozort, Legal Counsel *JC*

RE: Reporting requirements for GS 114-15.1

DATE: July 26, 1977

We direct your attention to the attached letter from SBI Director Haywood R. Starling, concerning the reporting requirements of GS 114-15.1. That statute requires heads of State Departments to report possible violations of the criminal statutes involving misuse of State property to the State Bureau of Investigation.

Your cooperation in implementing this statute will help solve a serious problem involving great losses to the State each year. The SBI will be compiling information on misuse of State property and assisting local authorities where such assistance is needed.

Please distribute this information to those in your department who will be concerned with this program. It might be helpful for you to designate someone in your department to coordinate the statutory reporting.



RUFUS L. EDMISTEN
ATTORNEY GENERAL

NORTH CAROLINA
STATE BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

421 NORTH BLOUNT STREET

RALEIGH 27601

July 22, 1977



HAYWOOD R. STARLING
DIRECTOR

Honorable William C. Friday, President
University of North Carolina
Chapel Hill, North Carolina 27514

Dear President Friday:

I would like to take this opportunity to bring to your attention a new section to the North Carolina General Statutes, G.S. 114-15.1, which was recently ratified by the General Assembly and became effective June 27, 1977. This statute requires that any person employed by the State of North Carolina who receives any information or evidence of an attempted arson, or arson, damage of, theft from, or theft of, or embezzlement from, or embezzlement of, or misuse of any state-owned personal property, buildings or other real property, shall, as soon as possible but not later than three (3) days from receipt of the information or evidence, report same to their immediate supervisor who shall in turn report same to the head of the respective department, agency or institution. The head of any department, agency or institution receiving such information or evidence shall, within a reasonable time but no later than ten (10) days from receipt thereof, report such information in writing to the Director of the State Bureau of Investigation.

Attached you will find a form, which you may duplicate, for submitting these written reports. Use of this form should simplify the reporting requirements considerably on both ends. It would be helpful if the forms could be submitted in duplicate.

In addition to the written report as required by statute, it is requested that an immediate telephone notification be made to Special Agent Bill Dowdy at SBI Headquarters, Telephone (919) 733-4311, as soon as such information or evidence is received. It is further requested that a copy of any report made by your Department and/or a copy of any report made to local law enforcement authorities relating to the offenses listed above be forwarded to the SBI.

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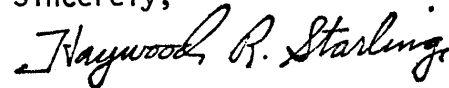
It is contemplated that this report is in addition to any report that would normally be made to a local law enforcement agency. In other words, the SBI is to be informed even though local authorities may be pursuing the investigation. Upon receipt of notification and information as provided for, the State Bureau of Investigation shall, if appropriate, conduct an investigation.

It is requested that this information relative to G.S. 114.15.1 be disseminated to your subordinates. I am enclosing a copy of that statute in ratified form.

May I take this opportunity to express to you my appreciation for the cooperation you have given in these matters in the past. May I assure you of our continued cooperation in all matters of mutual interest.

With kindest regards, I am

Sincerely,

A handwritten signature in cursive script that reads "Haywood R. Starling". The signature is written in dark ink and is positioned below the word "Sincerely,".

HAYWOOD R. STARLING
Director

Attachment

(SUBMIT IN DUPLICATE. AS REQUIRED BY G.S. 114-15.1, FORM FOR USE BY DEPARTMENT HEAD TO REPORT INFORMATION OR EVIDENCE OF AN ATTEMPTED ARSON, OR ARSON, DAMAGE OF, THEFT FROM, OR THEFT OF, OR EMBEZZLEMENT FROM, OR EMBEZZLEMENT OF, OR MISUSE OF ANY STATE-OWNED PERSONAL PROPERTY, BUILDINGS, OR OTHER REAL PROPERTY.)

Department: _____ Div/Instit/Agency: _____

Address: _____ Tel. #: _____

Employee Reporting Info: _____ Bus. Tel. #: _____

Type of Crime: _____ Property Attacked: _____

Date of Crime: _____ Time: _____ City & County: _____

Description of Crime: _____

STOLEN/DAMAGED PROPERTY:

	(QUANTITY)	(ITEMS)	(EQUIP. #)	(SERIAL #)	(MODEL)	(COLOR)	(SIZE)	(VALUE)
1.								
2.								
3.								
4.								

SUSPECTS:

Name: _____ Race: ____ Sex: ____ Age: ____ Add: _____

Name: _____ Race: ____ Sex: ____ Age: ____ Add: _____

Name: _____ Race: ____ Sex: ____ Age: ____ Add: _____

If Reported to Local Authorities: Department: _____ Date: _____
(Attached Copy of Local Authorities Report)

Was Stolen Property Entered into NCIC: _____

(DATE OF REPORT)

(DEPARTMENT HEAD)

FOR SBI USE

SBI File #: _____

Date Report Received: _____

_____ Filed with no Bureau Action. Info. copy sent to _____ District on _____.

_____ Referred to _____ District for investigation on _____.

_____ Case handled by local Department _____.

_____ Case Referred to _____ Dept. for administrative action on _____.

_____ Other (Specify): _____

(DATE)

(AGENT)

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1977
RATIFIED BILL

CHAPTER 763

SENATE BILL 839

AN ACT REQUIRING HEADS OF STATE DEPARTMENTS TO REPORT POSSIBLE VIOLATIONS OF THE CRIMINAL STATUTES INVOLVING MISUSE OF STATE PROPERTY TO THE STATE BUREAU OF INVESTIGATION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 114 of the General Statutes is amended by adding a new subsection 114-15.1 to read as follows:

"§ 114-15.1. Department heads to report possible violations of criminal statutes involving misuse of State property to State Bureau of Investigation.--Any person employed by the State of North Carolina, its agencies or institutions, who receives any information or evidence of an attempted arson, or arson, damage of, theft from, or theft of, or embezzlement from, or embezzlement of, or misuse of, any state-owned personal property, buildings or other real property, shall as soon as possible, but not later than three days from receipt of the information or evidence, report such information or evidence to his immediate supervisor, who shall in turn report such information or evidence to the head of the respective department, agency, or institution. The head of any department, agency, or institution receiving such information or evidence shall, within a reasonable time but no later than 10 days from receipt thereof, report such information in writing to the Director of the State Bureau of Investigation.

Upon receipt of notification and information as provided for in his section, the State Bureau of Investigation shall, if appropriate, conduct an investigation.

The employees of all State departments, agencies and institutions are hereby required to cooperate with the State Bureau of Investigation, its officers and agents, as far as may be possible, in aid of such investigation.

If such investigation reveals a possible violation of the criminal laws, the results thereof shall be reported by the State Bureau of Investigation to the District Attorney of any district if the same concerns persons or offenses in his district."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified,
this the 27th day of June, 1977.

JAMES C. GREEN, SR.

James C. Green

President of the Senate

CARL J. STEWART, JR.

Carl J. Stewart, Jr.

Speaker of the House of Representatives