



January 17, 2024

***Via First Class mail and e-mail***

Josh Stein, Attorney General (jstein@ncdoj.gov)  
North Carolina Department of Justice  
9001 Mail Service Center  
Raleigh, NC 27699-9001

**Re: Line of Duty Death Benefit—Sergeant Philip D. Nix**

Dear Attorney General Stein:

The North Carolina Department of State Treasurer (“NCDST”) is committed to serving the citizens of the State of North Carolina with integrity and undivided loyalty. I am contacting you regarding the regrettable passing of Sergeant Philip D. Nix of the City of Greensboro Police Department. My understanding is that Sergeant Nix beneficially affected many lives during his over two decades of outstanding service with the City of Greensboro. Unfortunately, reports suggest that Sergeant Nix was shot and killed after witnessing a crime and confronting the suspects on December 30, 2023.

As you are likely aware, the Public Safety Employees’ Death Benefits Act (the “Act”) provides a system of benefits for dependents of covered public safety employees in consideration of their hazardous public service rendered to the people of this State. The Act authorizes the North Carolina Industrial Commission (“NCIC”) to award a death benefit in the amount of one hundred thousand dollars (\$100,000) when a law-enforcement officer is killed in the line of duty. Specifically, it provides this death benefit for a law-enforcement officer “who is killed or dies as a result of bodily injuries sustained . . . in the course and scope of his or her official duties while in the discharge of his or her official duty or duties.” N.C. Gen. Stat. § 143-166.2(6). The Act further authorizes the NCIC to award an additional death benefit in the amount of one hundred thousand dollars (\$100,000) when a law-enforcement officer is murdered in the line of duty. This additional benefit is to be paid when the NCIC reasonably determines that the death was “directly caused by the intentional harmful act of another person.” N.C. Gen. Stat. § 143-166.2(7a). Once a decision to award death benefits is made by the NCIC, notice is subsequently sent to the NCDST, which then makes the payment of the benefit(s) in accordance with the Decision and Order.

Considering the above, it appears from available reports that Sergeant Nix was both killed and murdered in the line of duty. Although NCDST does not make the respective determinations, I nevertheless expressed in writing to NCIC my support for determinations providing death benefits totaling two hundred thousand dollars (\$200,000) in the case of Sergeant Nix. My concern and reason for writing you is that these determinations may be delayed if any required investigation by the State Crime Laboratory, housed under the North Carolina Department of Justice, is not completed expeditiously. Therefore, I am requesting your assistance to ensure that any investigation related to Sergeant Nix (and any other law

enforcement officers) are given priority at the State Crime Laboratory. This will help expedite the payment of Sergeant Nix's line of duty death benefits to his surviving beneficiary(ies), depending, of course, upon the NCIC's determinations.

Thank you for your time and attention to this matter. Thank you also for this service that the NDOJ provides to the citizens of North Carolina.

Sincerely,

A handwritten signature in black ink that reads "Dale R. Folwell, CPA". The signature is written in a cursive, flowing style.

Dale R. Folwell, CPA  
State Treasurer

Cc: Leslie Cooley Dismukes, Interim Laboratory Director  
State Crime Laboratory  
121 E. Tryon Road  
Raleigh, NC 27602