



January 17, 2024

Via First Class mail and e-mail

Philip A. Baddour III, Chair (philip.baddour@ic.nc.gov)
North Carolina Industrial Commission
4319 Mail Service Center
Raleigh, NC 27699-4319

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

Dear Chairman Baddour:

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 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 and payment of the awarded benefit(s) is made by the NCDST 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. Therefore, although NCDST does not make the respective determinations, I nevertheless would support providing death benefits totaling two hundred thousand dollars (\$200,000) in the case of Sergeant Nix. Please let my office know as soon as NCIC has made its determinations; we will expedite the payment.

Thank you for your time and attention to this matter. Thank you also for this service that the NCIC 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 style with a large, stylized 'D' and 'F'.

Dale R. Folwell, CPA
State Treasurer

Cc: Tamara Nance, Chief Deputy Commissioner
Robert J. Harris, Senior Deputy Commissioner
North Carolina Industrial Commission
1236 Mail Service Center
Raleigh, NC 27699-1236