



CHAPTER 15A

ARTICLE 16 - ELECTRONIC SURVEILLANCE

N.C.G.S. § 15A-290.

Offenses for which orders for electronic surveillance may be granted.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2018-47, s. 4(k) — fourth act in the lineage	21 September 2026, 05:52 UTC	e366f4384fd2aff342d9811e - 8fc6946e12baeb027fb321fd - 589e452befcfddee8

§ 15A-290(a)

Orders authorizing or approving the interception of wire, oral, or electronic communications may be granted, subject to the provisions of this Article and Chapter 119 of Title 18 of the United States Code, when the interception does any of the following:

- (1) May provide or has provided evidence of the commission of, or any conspiracy to commit, any of the following:
 - a. Any of the drug-trafficking violations listed in G.S. 90-95(h).
 - b. A continuing criminal enterprise in violation of G.S. 90-95.1.
- (2) May expedite the apprehension of persons indicted for the commission of, or any conspiracy to commit, an offense listed in subdivision (1) of this subsection.

§ 15A-290(b)

Orders authorizing or approving the interception of wire, oral, or electronic communications may be granted, subject to the provisions of this Article and Chapter 119 of Title 18 of the United States Code, when the interception may provide, or has provided, evidence of any offense that involves the commission of, or any conspiracy to commit, murder, kidnapping, hostage taking, robbery, extortion, bribery, rape, or any sexual offense, or when the interception may expedite the apprehension of persons indicted for the commission of these offenses.

§ 15A-290(c)

Orders authorizing or approving the interception of wire, oral, or electronic communications may be granted, subject to the provisions of this Article and Chapter

119 of Title 18 of the United States Code, when the interception may provide, or has provided, evidence of any of the following offenses, or any conspiracy to commit these offenses, or when the interception may expedite the apprehension of persons indicted for the commission of these offenses:

- (1) Any felony offense against a minor, including any violation of G.S. 14-27.31 (Sexual activity by a substitute parent or custodian), G.S. 14-27.32 (Sexual activity with a student), G.S. 14-41 (Abduction of children), G.S. 14-43.11 (Human trafficking), G.S. 14-43.12 (Involuntary servitude), G.S. 14-43.13 (Sexual servitude), G.S. 14-190.16 (First degree sexual exploitation of a minor), G.S. 14-190.17 (Second degree sexual exploitation of a minor), G.S. 14-202.1 (Taking indecent liberties with children), G.S. 14-205.2(c) or (d) (Patronizing a prostitute who is a minor or has a mental disability), or G.S. 14-205.3(b) (Promoting prostitution of a minor or a person who has a mental disability).
- (2) Any felony obstruction of a criminal investigation, including any violation of G.S. 14-221.1 (Altering, destroying, or stealing evidence of criminal conduct).
- (3) Any felony offense involving interference with, or harassment or intimidation of, jurors or witnesses, including any violation of G.S. 14-225.2 or G.S. 14-226.
- (4) Any felony offense involving assault or threats against any executive or legislative officer in violation of Article 5A of Chapter 14 of the General Statutes or assault with a firearm or other deadly weapon upon governmental officers or employees in violation of G.S. 14-34.2.
- (5) Any offense involving the manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of weapons of mass death or destruction in violation of G.S. 14-288.8 or the adulteration or misbranding of food, drugs, cosmetics, etc., with the intent to cause serious injury in violation of G.S. 14-34.4.

§ 15A-290(d)

When an investigative or law enforcement officer, while engaged in intercepting wire, oral, or electronic communications in the manner authorized, intercepts wire, electronic, or oral communications relating to offenses other than those specified in the order of authorization or approval, the contents of the communications and evidence derived from the communications may be disclosed or used as provided in G.S. 15A-294(a) and (b). The contents of the communications and any evidence derived from the communications may be used in accordance with G.S. 15A-294(c) when authorized or approved by a judicial review panel where the panel finds, on subsequent application made as soon as practicable, that the contents were otherwise

intercepted in accordance with this Article or Chapter 119 of Title 18 of the United States Code.

§ 15A-290(e)

No otherwise privileged wire, oral, or electronic communication intercepted in accordance with, or in violation of, the provisions of this Article or Chapter 119 of Title 18 of the United States Code, shall lose its privileged character.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I

4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1995		2007		2018	
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT		CHARACTER	
01	1995	c. 407, s. 1		ENACTED	
02	2013	S.L. 2013-368, s. 6		AMENDED	
03	2015	S.L. 2015-181, s. 46		AMENDED	
04	2018	S.L. 2018-47, s. 4(k)		AMENDED	

APPARATUS II

21 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 90-95(h)	(a)	"of the drug-trafficking violations listed in"
G.S. 90-95.1	(a)	"continuing criminal enterprise in violation of"
G.S. 14-27.31	(c)(1)	"a minor, including any violation of"
G.S. 14-27.32	(c)(1)	"by a substitute parent or custodian),"
G.S. 14-41	(c)(1)	"14-27.32 (Sexual activity with a student),"
G.S. 14-43.11	(c)(1)	"student), G.S. 14-41 (Abduction of children),"
G.S. 14-43.12	(c)(1)	"of children), G.S. 14-43.11 (Human trafficking),"

G.S. 14-43.13	(c)(1)	"(Human trafficking), G.S. 14-43.12 (Involuntary servitude),"
G.S. 14-190.16	(c)(1)	"(Involuntary servitude), G.S. 14-43.13 (Sexual servitude),"
G.S. 14-190.17	(c)(1)	"degree sexual exploitation of a minor,"
G.S. 14-202.1	(c)(1)	"degree sexual exploitation of a minor,"
G.S. 14-205.2(c) or (d)	(c)(1)	"14-202.1 (Taking indecent liberties with children),"
G.S. 14-205.3(b)	(c)(1)	"or has a mental disability), or"
G.S. 14-221.1	(c)(2)	"criminal investigation, including any violation of"
G.S. 14-225.2	(c)(3)	"or witnesses, including any violation of"
G.S. 14-226	(c)(3)	"any violation of G.S. 14-225.2 or"
G.S. 14-34.2	(c)(4)	"officers or employees in violation of"
G.S. 14-288.8	(c)(5)	"death or destruction in violation of"
G.S. 14-34.4	(c)(5)	"cause serious injury in violation of"
G.S. 15A-294(a) and (b)	(d)	"disclosed or used as provided in"
G.S. 15A-294(c)	(d)	"may be used in accordance with"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-290 (2018).

PINPOINT

N.C. Gen. Stat. § 15A-290(a) (2018).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1995, c. 407, s. 1; 2013-368, s. 6; 2015-181, s. 46; 2018-47, s. 4(k).)

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