



CHAPTER 15A
ARTICLE 20 - ARREST

N.C.G.S. § 15A-404.

Detention of offenders by private persons.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 1286, s. 1 — first act in the lineage	RETRIEVED 21 September 2026, 02:06 UTC	SOURCE FINGERPRINT e7486ed2d683af6b65206edb - 596d95c4c4605ecb7247ff69 - ed6abe22558509b2
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- § 15A-404(a)

No Arrest; Detention Permitted. - No private person may arrest another person except as provided in G.S. 15A-405. A private person may detain another person as provided in this section.
- § 15A-404(b)

When Detention Permitted. - A private person may detain another person when he has probable cause to believe that the person detained has committed in his presence:

(1)

A felony,

(2)

A breach of the peace,

(3)

A crime involving physical injury to another person, or

(4)

A crime involving theft or destruction of property.
- § 15A-404(c)

Manner of Detention. - The detention must be in a reasonable manner considering the offense involved and the circumstances of the detention.
- § 15A-404(d)

Period of Detention. - The detention may be no longer than the time required for the earliest of the following:

(1)

The determination that no offense has been committed.

(2)

Surrender of the person detained to a law-enforcement officer as provided in subsection (e).
- § 15A-404(e)

Surrender to Officer. - A private person who detains another must immediately notify a law-enforcement officer and must, unless he releases the person earlier as required by subsection (d), surrender the person detained to the law-enforcement officer.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
1 ACT

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.

1

1973

1974

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1973	c. 1286, s. 1	ENACTED

APPARATUS II
1 AUTHORITY

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. 15A-405	(a)	"another person except as provided in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-404 (1973).

PINPOINT

N.C. Gen. Stat. § 15A-404(a) (1973).

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
(1973, c. 1286, s. 1.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

