



CHAPTER 15A
ARTICLE 23 - POLICE PROCESSING AND DUTIES UPON ARREST

N.C.G.S. § 15A-502.

Photographs and fingerprints.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2023-121, s. 15(a) — fifteenth act in the lineage	RETRIEVED 21 September 2026, 03:44 UTC	SOURCE FINGERPRINT 026d810678c2c44f26ccd63d - 760d763147e6afb36a58eeb6 - 848b67fda28cc461
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§ 15A-502(a) A person charged with the commission of a felony or a misdemeanor may be photographed and his fingerprints may be taken for law-enforcement records only when he has been:

- (1) Arrested or committed to a detention facility, or
- (2) Committed to imprisonment upon conviction of a crime, or
- (3) Convicted of a felony.

§ 15A-502(a1) It shall be the duty of the arresting law-enforcement agency to cause a person charged with the commission of a felony to be fingerprinted and to forward those fingerprints to the State Bureau of Investigation.

§ 15A-502(a2) It shall be the duty of the arresting law enforcement agency to cause a person charged with the commission of any of the following misdemeanors to be fingerprinted and to forward those fingerprints to the State Bureau of Investigation:

- (1) G.S. 14-32.5 (Misdemeanor crime of domestic violence), G.S. 14-134.3 (Domestic criminal trespass), G.S. 15A-1382.1 (Offense that involved domestic violence), or G.S. 50B-4.1 (Violation of a valid protective order).
- (2) G.S. 20-138.1 (Impaired driving), G.S. 20-138.2 (Impaired driving in commercial vehicle), G.S. 20-138.2A (Operating a commercial vehicle after consuming alcohol), and G.S. 20-138.2B (Operating various school, child care, EMS, firef - ighting, or law enforcement vehicles after consuming alcohol).
- (3) G.S. 90-95(a)(3) (Possession of a controlled substance).

- § 15A-502(a3)** It shall be the duty of the arresting law enforcement agency to cause a person charged with a crime to provide to the magistrate as much of the following information as possible for the person arrested:
- (1) Name including first, last, middle, maiden, and nickname or alias.
 - (2) Address including street, city, and state.
 - (3) Drivers license number and state of issuance.
 - (4) Date of birth.
 - (5) Sex.
 - (6) Race.
 - (7) Social Security number.
 - (8) Relationship to the alleged victim and whether it is a "personal relationship" as defined by G.S. 50B-1(b).
- § 15A-502(a4)** It shall be the duty of the arresting law enforcement agency to cause a person who has been charged with a misdemeanor offense of assault, stalking, or communicating a threat and held under G.S. 15A-534.1 to be fingerprinted and to forward those fingerprints to the State Bureau of Investigation.
- § 15A-502(a5)** It shall be the duty of the magistrate to enter into the court information system all information provided by the arresting law enforcement agency on the person arrested.
- § 15A-502(a6)** If the person cannot be identified by a valid form of identification, it shall be the duty of the arresting law-enforcement agency to cause a person charged with the commission of:
- (1) Any offense involving impaired driving, as defined in G.S. 20-4.01(24a), or
 - (2) Driving while license revoked if the revocation is for an Impaired Driving License Revocation as defined in G.S. 20-28.2 to be fingerprinted and photographed.
- § 15A-502(b)** This section does not authorize the taking of photographs or fingerprints when the offense charged is a Class 2 or 3 misdemeanor under Chapter 20 of the General Statutes, "Motor Vehicles." Notwithstanding the prohibition in this subsection, a photograph may be taken of a person who operates a motor vehicle on a street or highway if:

- (1) The person is cited by a law enforcement officer for a motor vehicle moving violation, and
- (2) The person does not produce a valid drivers license upon the request of a law enforcement officer, and
- (3) The law enforcement officer has a reasonable suspicion concerning the true identity of the person.

As used in this subsection, the phrase "motor vehicle moving violation" does not include the offenses listed in the third paragraph of G.S. 20-16(c) for which no points are assessed, nor does it include equipment violations specified in Part 9 of Article 3 of Chapter 20 of the General Statutes.

§ 15A-502(b1) Any photograph authorized by subsection (b) of this section and taken by a law enforcement officer or agency:

- (1) Shall only be taken of the operator of the motor vehicle, and only from the neck up.
- (2) Shall be taken at either the location where the citation is issued, or at the jail if an arrest is made.
- (3) Shall be retained by the law enforcement officer or agency until the final disposition of the case.
- (4) Shall not be used for any purpose other than to confirm the identity of the alleged offender.
- (5) Shall be destroyed by the law enforcement officer or agency upon a final disposition of the charge.

§ 15A-502(c) This section does not authorize the taking of photographs or fingerprints of a juvenile alleged to be delinquent except under Article 21 of Chapter 7B of the General Statutes.

§ 15A-502(d) This section does not prevent the taking of photographs, moving pictures, video or sound recordings, fingerprints, or the like to show a condition of intoxication or for other evidentiary use.

§ 15A-502(e) Fingerprints or photographs taken pursuant to subsection (a), (a1), or (a2) of this section may be forwarded to the State Bureau of Investigation, the Federal Bureau of Investigation, or other law-enforcement agencies.

§ 15A-502(f)

If a person is charged with an offense for which fingerprints are required pursuant to this section but the person is not arrested for that offense, the court before which the charge is pending shall order the defendant to submit to fingerprinting by the Sheriff or other appropriate law enforcement agency at the earliest practical opportunity. If the person fails to appear for fingerprinting as ordered by the court, the Sheriff or other designated agency shall so inform the court, and the court may initiate proceedings for criminal contempt against the person pursuant to G.S. 5A-15, including issue of an order for arrest pursuant to G.S. 5A-16, if necessary. The defendant shall continue to be subject to the court's order to provide fingerprints until submitted.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
15 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.



Nº	YEAR	ACT	CHARACTER
01	1973	c. 1286, s. 1	ENACTED
02	1977	c. 711, s. 22	AMENDED
03	1979	c. 850	AMENDED
04	1981	c. 862, s. 3	AMENDED
05	1993	c. 539, s. 298	AMENDED
06	1994	Ex. Sess., c. 24, s. 14(c)	AMENDED
07	1996	2nd Ex. Sess., c. 18, s. 23.2(b)	AMENDED
08	1998	S.L. 1998-202, s. 13(f)	AMENDED
09	2007	S.L. 2007-370, s. 1	AMENDED
10	2007	S.L. 2007-534, s. 1	AMENDED
11	2015	S.L. 2015-195, s. 11(h)	AMENDED
12	2015	S.L. 2015-267, s. 2(a), (b)	AMENDED
13	2017	S.L. 2017-176, s. 4(a)	AMENDED

14	2019	S.L. 2019-243, s. 6	AMENDED
15	2023	S.L. 2023-121, s. 15(a)	AMENDED

APPARATUS II
16 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. 14-32.5	(a2)(1)	
G.S. 14-134.3	(a2)(1)	"14-32.5 (Misdemeanor crime of domestic violence), "
G.S. 15A-1382.1	(a2)(1)	"violence), G.S. 14-134.3 (Domestic criminal trespass), "
G.S. 50B-4.1	(a2)(1)	"(Offense that involved domestic violence), or"
G.S. 20-138.1	(a2)(2)	
G.S. 20-138.2	(a2)(2)	"G.S. 20-138.1 (Impaired driving), "
G.S. 20-138.2A	(a2)(2)	"20-138.2 (Impaired driving in commercial vehicle), "
G.S. 20-138.2B	(a2)(2)	"commercial vehicle after consuming alcohol), and"
G.S. 90-95(a)(3)	(a2)(3)	
G.S. 50B-1(b)	(a3)(8)	"a "personal relationship" as defined by"
G.S. 15A-534.1	(a4)	"communicating a threat and held under"
G.S. 20-4.01(24a)	(a6)(1)	"involving impaired driving, as defined in"
G.S. 20-28.2	(a6)(2)	"Driving License Revocation as defined in"
G.S. 20-16(c)	(b)	"listed in the third paragraph of"
G.S. 5A-15	(f)	"contempt against the person pursuant to"
G.S. 5A-16	(f)	"an order for arrest pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-502 (2023).

PINPOINT

N.C. Gen. Stat. § 15A-502(a) (2023).

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; 1977, c. 711, s. 22; 1979, c. 850; 1981, c. 862, s. 3; 1993, c. 539, s. 298; 1994, Ex. Sess., c. 24, s. 14(c); 1996, 2nd Ex. Sess., c. 18, s. 23.2(b); 1998-202, s. 13(f); 2007-370, s. 1; 2007-534, s. 1; 2015-195, s. 11(h); 2015-267, s. 2(a), (b); 2017-176, s. 4(a); 2019-243, s. 6; 2023-121, s. 15(a).)

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