



CHAPTER 15A
ARTICLE 53 - MOTION TO SUPPRESS EVIDENCE

N.C.G.S. § 15A-974.

Exclusion or suppression of unlawfully
obtained evidence.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2011-6, s. 1 — second act in the lineage	RETRIEVED 21 September 2026, 04:22 UTC	SOURCE FINGERPRINT 9c9c4a739ed1133bd4c3eb2d - ac56c5da41792481c12ac872 - e1756661e6f0e303
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- § 15A-974(a)

Upon timely motion, evidence must be suppressed if:

(1)

Its exclusion is required by the Constitution of the United States or the Constitution of the State of North Carolina; or

(2)

It is obtained as a result of a substantial violation of the provisions of this Chapter. In determining whether a violation is substantial, the court must consider all the circumstances, including:

a.

The importance of the particular interest violated;

b.

The extent of the deviation from lawful conduct;

c.

The extent to which the violation was willful;

d.

The extent to which exclusion will tend to deter future violations of this Chapter.

Evidence shall not be suppressed under this subdivision if the person committing the violation of the provision or provisions under this Chapter acted under the objectively reasonable, good faith belief that the actions were lawful.
- § 15A-974(b)

The court, in making a determination whether or not evidence shall be suppressed under this section, shall make findings of fact and conclusions of law which shall be included in the record, pursuant to G.S. 15A-977(f).

APPARATUS I
2 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.

1973		1992	2011
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1973	c. 1286, s. 1	ENACTED
02	2011	S.L. 2011-6, s. 1	AMENDED

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-977(f)	(b)	<i>"included in the record, pursuant to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-974 (2011).

PINPOINT

N.C. Gen. Stat. § 15A-974(a) (2011).

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; 2011-6, s. 1.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

