



CHAPTER 7B
ARTICLE 21 - LAW ENFORCEMENT PROCEDURES IN DELINQUENCY PROCEEDINGS

N.C.G.S. § 7B-2102.

Fingerprinting and photographing juveniles.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-123, s. 5(d) — ninth act in the lineage	21 September 2026, 01:25 UTC	6d3c2e63c3c8640ac0198d63 - 02ed51a4845330aa4f7ed002 - a974b3630dc5c774

- § 7B-2102(a)

A law enforcement officer or agency shall fingerprint and photograph a juvenile who was 10 years of age or older at the time the juvenile allegedly committed a nondivertible offense as set forth in G.S. 7B-1701(a), when a complaint has been prepared for filing as a petition and the juvenile is in physical custody of law enforcement or the Division.
- § 7B-2102(a1)

A county juvenile detention facility shall photograph a juvenile who has been committed to that facility. The county detention facility shall release any photograph it makes or receives pursuant to this section to the Division, upon the Division's request. The duty of confidentiality in subsection (d) of this section applies to the Division, except as provided in G.S. 7B-3102.
- § 7B-2102(b)

If a law enforcement officer or agency does not take the fingerprints or a photograph of the juvenile pursuant to subsection (a) of this section or the fingerprints or photograph have been destroyed pursuant to subsection (e) of this section, a law enforcement officer or agency shall fingerprint and photograph a juvenile who has been adjudicated delinquent if the juvenile was 10 years of age or older at the time the juvenile committed an offense that would be a felony if committed by an adult.
- § 7B-2102(c)

A law enforcement officer, facility, or agency who fingerprints or photographs a juvenile pursuant to this section shall do so in a proper format for transfer to the State Bureau of Investigation and the Federal Bureau of Investigation. After the juvenile, who was 10 years of age or older at the time of the offense, is adjudicated delinquent

of an offense that would be a felony if committed by an adult, fingerprints obtained pursuant to this section shall be transferred to the State Bureau of Investigation and placed in the Automated Fingerprint Identification System (AFIS) to be used for all investigative and comparison purposes, and may be entered into a local fingerprint database for the same purposes, if the law enforcement agency with jurisdiction is served by a secure crime laboratory facility that maintains a local fingerprint database. Photographs obtained pursuant to this section shall be placed in a format approved by the State Bureau of Investigation and may be used for all investigative or comparison purposes. The State Bureau of Investigation shall release any photograph it receives pursuant to this section to the Division, upon the Division's request. The duty of confidentiality in subsection (d) of this section applies to the Division, except as provided in G.S. 7B-3102.

§ 7B-2102(d)

Fingerprints and photographs taken pursuant to this section are not public records under Chapter 132 of the General Statutes, shall not be included in the clerk's record pursuant to G.S. 7B-3000, shall be withheld from public inspection or examination, and shall not be eligible for expunction pursuant to G.S. 7B-3200. Fingerprints and photographs taken pursuant to this section shall be maintained separately from any juvenile record, other than the electronic file maintained by the State Bureau of Investigation.

§ 7B-2102(d1)

Repealed by Session Laws 2007-458, s. 1, effective October 1, 2007.

§ 7B-2102(e)

If a juvenile is fingerprinted and photographed pursuant to subsection (a) of this section, the custodian of records shall destroy all fingerprints and photographs at the earlier of the following:

- (1) The juvenile court counselor or prosecutor does not file a petition against the juvenile within one year of fingerprinting and photographing the juvenile pursuant to subsection (a) of this section;
- (2) The court does not find probable cause pursuant to G.S. 7B-2202; or
- (3) The juvenile is not adjudicated delinquent of any offense that would be a felony or a misdemeanor if committed by an adult.

The chief court counselor shall notify the local custodian of records, and the local custodian of records shall notify any other record-holding agencies, when a decision is made not to file a petition, the court does not find probable cause, or the court does not adjudicate the juvenile delinquent.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
9 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.

	1996					2009						2021
	TICK HEIGHT = ACTS IN THAT YEAR					DASHED = RECODIFICATION, NOT AMENDMENT						
Nº	YEAR	ACT					CHARACTER					
01	1996	2nd Ex. Sess., c. 18, s. 23.2(a)					ENACTED					
02	1998	S.L. 1998-202, s. 6					AMENDED					
03	2000	S.L. 2000-137, s. 3					AMENDED					
04	2001	S.L. 2001-490, s. 2.16					AMENDED					
05	2003	S.L. 2003-297, s. 2					AMENDED					
06	2007	S.L. 2007-458, ss. 1, 3(a), (b)					AMENDED					
07	2011	S.L. 2011-145, s. 19.1(l)					AMENDED					
08	2019	S.L. 2019-243, s. 19.5					AMENDED					
09	2021	S.L. 2021-123, s. 5(d)					AMENDED					

APPARATUS II
5 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. 7B-1701(a)	(a)	"nondivertible offense as set forth in"
G.S. 7B-3102	(a1)	"the Division, except as provided in"
G.S. 7B-3000	(d)	"in the clerk's record pursuant to"
G.S. 7B-3200	(d)	"be eligible for expunction pursuant to"
G.S. 7B-2202	(e)(2)	"not find probable cause pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7B-2102 (2021).

PINPOINT

N.C. Gen. Stat. § 7B-2102(a) (2021).

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

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1996, 2nd Ex. Sess., c. 18, s. 23.2(a); 1998-202, s. 6; 2000-137, s. 3; 2001-490, s. 2.16; 2003-297, s. 2; 2007-458, ss. 1, 3(a), (b); 2011-145, s. 19.1(l); 2019-243, s. 19.5; 2021-123, s. 5(d).)

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