

DNA Upon Arrest Study and Offenses

G.S. 15A-266.3A was enacted in 2010 (S.L. 2010-94), and requires that a DNA sample be taken from persons arrested for certain offenses. In 2015, some additional offenses were added to the list, and Section 17.3(b) of the 2015 Budget (S.L. 2015-241) directs the Joint Legislative Oversight Committee on Justice and Public Safety to study extending collection of DNA upon arrest to all felony offenses. The Committee is required to report to the 2016 General Assembly, and the report shall include:

1. A recommended time line for implementing a requirement that DNA samples be collected for persons arrested for committing any felony
2. An estimate of initial nonrecurring costs and recurring operating costs required to implement such a requirement
3. Other costs and benefits of implementing such a requirement
4. An estimate of capital costs to the State of implementing such a requirement
5. Any other information the Committee deems relevant.

2010

The offenses included in the original enactment are as follows:

- G.S. 14-17, First and Second Degree Murder
- G.S. 14-28, Manslaughter
- Any offense in Article 7A, Rape and Other Sex Offenses
- G.S. 14-32, Felonious assault with deadly weapon with intent to kill or inflicting serious injury
- G.S. 14-32.4(a), Assault inflicting serious bodily injury
- G.S. 14-34.2, Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers
- G.S. 14-34.5, Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility
- G.S. 14-34.6, Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, or emergency department physician
- G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility
- Any offense in Article 10, Kidnapping and Abduction
- Any offense in Article 10A, Human Trafficking
- G.S. 14-51, First and second degree burglary
- G.S. 14-53, Breaking out of dwelling house burglary
- G.S. 14-54.1, Breaking or entering a place of religious worship
- G.S. 14-57, Burglary with explosives
- Any offense in Article 15, Arson
- G.S. 14-87, Armed robbery
- Any offense which would require the person to register as a sex offender
- G.S. 14-196.3, Cyberstalking
- G.S. 14-277.3A, Stalking

2015

The following additional offenses were added in 2015:

- G.S. 14-16.6(b), Assault with a deadly weapon on executive, legislative, or court officer
- G.S. 14-16.6(c), Assault inflicting serious bodily injury on executive, legislative or court officer
- Any felony offense in Article 6A, Unborn Victims
- G.S. 14-28, Malicious castration
- G.S. 14-29, Castration or other maiming without malice aforethought
- G.S. 14-30, Malicious maiming
- G.S. 14-30.1, Malicious throwing of corrosive acid or alkali
- G.S. 14-31, Maliciously assaulting in a secret manner
- G.S. 14-32.1(e), Aggravated assault or assault and battery on handicapped person
- G.S. 14-32.2(a) when punishable pursuant to G.S. 14-32.2(b)(1), Patient abuse and neglect, intentional conduct proximately causes death
- G.S. 14-32.3(a), Domestic abuse of disabled or elder adults resulting in injury
- Any offense of G.S. 14-32.4, Assault inflicting serious bodily injury or injury by strangulation (previously only included assault inflicting serious bodily injury)
- G.S. 14-33.2, Habitual misdemeanor assault
- G.S. 14-34.1, Discharging certain barreled weapons or a firearm into occupied property
- G.S. 14-34.4, Adulterated or misbranded food, drugs, etc; intent to cause serious injury or death; intent to extort
- G.S. 14-34.9, Discharging a firearm from within an enclosure
- G.S. 14-34.10, Discharge firearm within enclosure to incite fear
- Any offense in Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material
- G.S. 14-54(a1), Breaking or entering buildings with intent to terrorize or injure
- Common law robbery punishable pursuant to G.S. 14-87.1
- G.S. 14-88, Train robbery
- G.S. 14-163.1(a1), Assaulting a law enforcement agency animal, an assistance animal, or a search and rescue animal willfully killing the animal
- G.S. 14-202, Secretly peeping into room occupied by another person
- G.S. 14-258.2, Possession of dangerous weapon in prison resulting in bodily injury or escape
- G.S. 14-258.3, Taking of hostage, etc., by prisoner
- G.S. 14-258.4, Malicious conduct by prisoner
- G.S. 14-288.9, Assault on emergency personnel with a dangerous weapon or substance
- G.S. 14-299.21, Unlawful manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of a nuclear, biological, or chemical weapon of mass destruction

- G.S. 14-288.22, Unlawful use of a nuclear, biological, or chemical weapon of mass destruction
- G.S. 14-318.4(a), Child abuse inflicting serious injury
- G.S. 14-318.4(a3), Child abuse inflicting serious bodily injury
- G.S. 14-360(a1), Cruelty to animals; maliciously kill by intentional deprivation of necessary sustenance
- G.S. 14-360(b), Cruelty to animals; maliciously torture, mutilate, maim, cruelly beat, disfigure, poison, or kill
- G.S. 14-401.22(e), Attempt to conceal evidence of non-natural death by dismembering or destroying remains