




NORTH CAROLINA
ADMINISTRATIVE OFFICE
of the COURTS

Judge Marion Warren
Director

PO Box 2448, Raleigh, NC 27602
T 919 890-1391 F 919 890-1915
E Marion.R.Warren@nccourts.org

MEMORANDUM

TO: Trial Court Officials

FROM: Judge Marion Warren 
Director, North Carolina Administrative Office of the Courts

DATE: February 4, 2016

SUBJECT: Firearm Legislation 2015 – S.L. 2015-195 (HB 562) –
Arrest Processing and Access to IVC Records¹

In this year's long session, the General Assembly enacted S.L. 2015-195 (House Bill 562, Amend Firearm Laws, hereafter "HB 562"),² making numerous changes to statutes governing the purchase, possession, and regulation of firearms, as well as to statutes governing judicial proceedings involving firearms. Most of the changes in HB 562 already are in effect, and several of its changes to court operations already have been implemented.³ However, HB 562 made some changes that the North Carolina Administrative Office of the Courts (NCAOC) and trial courts cannot implement due to ambiguities in the enacted text or conflicts with other statutes on the same subject matter.

The NCAOC worked with legislators and their staffs during the session in an attempt to resolve these few problematic provisions, but they were not clarified before the session's end. We have continued to consult with members of the General Assembly, including the chairpersons of the Joint Legislative Oversight Committee on Justice and Public Safety, to explain the problems with implementation and the need for clarification in the short session.

The purpose of this memorandum is to notify court officials of (i) some remaining provisions in HB 562 that the NCAOC implemented on **January 1, 2016**, and (ii) some provisions for which implementation will be deferred until further clarification from the legislature.

¹ For future reference, a copy of this memo will be available on the Administrative Office of the Courts (NCAOC)'s Juno site for Judicial Branch personnel at <http://juno.nccourts.org/legal-memos/>, under the memo list for Criminal Memos.

² Full text of the enacted bill is available at <http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H562v9.pdf>.

³ See, e.g., the memo of November 30, 2015, "Administrative Order for Release of Confidential Information to Sheriffs in Connection with Applications for Concealed Handgun and Pistol Purchase Permits New Release Form for Applications for Pistol Purchase Permits," available to Judicial Branch personnel at the Juno link above.

Arrest Processing – Fingerprinting, Defendants' Identifying Information, and Conditions of Release

While most of HB 562 amended numerous statutes governing firearm offenses and regulation, section 11 of HB 562 made several changes to the courts' collection of information in criminal cases and other proceedings. The purpose of these changes is to improve the federal government's records for conducting background checks for firearm purchases.⁴

Section 11.(h) of HB 562 added several new subsections to G.S. 15A-502 to (i) expand the scope of cases for which the arresting law enforcement agency must take a defendant's fingerprints upon arrest and (ii) direct the collection of additional information about defendants as part of arrest processing. Section 11.(n) made a conforming change in G.S. 15A-534(a), so that when fingerprints are required under the expanded G.S. 15A-502, the defendant's submission of those fingerprints must be included in his conditions of release.

The changes in sections 11.(h) and 11.(n) were effective on October 1, 2015, but the NCAOC delayed implementation until January 1, 2016, pending the outcome of our consultation with the General Assembly. The details of how the NCAOC will implement those sections are covered in the following.

G.S. 15A-502(a2) and (a4) - Expanded Misdemeanor Fingerprinting

Summary

- Automatically ordering fingerprints as a condition of release for most offenses listed in new G.S. 15A-502(a2) was implemented in NCAWARE on January 1.
- Fingerprinting for offenses covered by G.S. 15A-1382.1 must be determined on a case-by-case basis.
- NCAWARE will be enhanced to order fingerprinting automatically as a condition of release for defendants "held under G.S. 15A-534.1," as set out in new G.S. 15A-502(a4). The NCAOC will notify users when this feature has been implemented.

Analysis

New subsection (a2) of G.S. 15A-502 requires that the arresting agency take fingerprints of a defendant arrested for certain misdemeanor offenses involving domestic violence, impaired driving, and drug possession.⁵

To assist law enforcement officials and judicial officials with this expanded fingerprinting, the offense codes in the NCAOC's automated systems for most of the affected offenses were updated on January 1.⁶ When preparing a release order (AOC-CR-200) in the NC Statewide Warrant Repository (NCAWARE) for a case charging one of the affected offenses, NCAWARE automatically will mark the condition of release that the

⁴ With a few changes in the enacted version, the content of section 11 was copied almost entirely from a different bill that was not enacted, House Bill 563, Strengthen Firearms Background Checks. The full title of HB 563 stated that it would have been "An Act to Strengthen Firearms Background Checks by Requiring That Additional Information Be Collected and Reported to the National Instant Criminal Background Check System (NCIS) and by Making the Reporting of That Information More Efficient."

⁵ Among other offenses, the new G.S. 15A-502(a2) requires fingerprints from any defendant arrested for impaired driving (DWI), G.S. 20-138.1, or impaired driving in a commercial vehicle (commercial DWI), G.S. 20-138.2. This makes redundant most of the rule of the former G.S. 15A-502(a2) - recodified by HB 562's section 11.(h) as subsection (a6) - that fingerprints and photographs must be taken from any person charged with an "offense involving impaired driving, as defined in G.S. 20-4.01(24a)" and who "cannot be identified by a valid form of identification." I.e., the former subsection (a2) (now (a6)) mandated fingerprints for DWI and commercial DWI only for an unidentified defendant, but the new subsection (a2) requires fingerprints from all defendants charged with those two offenses.

⁶ Clerks, magistrates, and district attorneys received notice of these offense code updates in Kamala Thupili's e-mail of December 18, 2015, "Offense Code Changes Effective 01/01/2016 and 07/01/2016."

defendant provide fingerprints prior to release. For judicial officials who need to produce a release order manually (without NCAWARE), the Appendix to this memo provides an updated list of offenses and cases requiring fingerprinting as of October 1, 2015, under the amended G.S. 15A-502.⁷

One new criterion for misdemeanor fingerprinting under G.S. 15A-502(a2) could not be implemented in a way that will mark the fingerprint condition on release orders automatically. In addition to some specific domestic violence offenses, the new G.S. 15A-502(a2)(1) requires that the arresting law enforcement agency fingerprint a defendant charged with a misdemeanor under “G.S. 15A-1382.1 (Offense that involved domestic violence).”

G.S. 15A-1382.1 does not set out a specific offense. It instead directs judges at the time of conviction (not law enforcement at the point of arrest) to determine whether or not an offense of conviction “involved domestic violence.” The criteria for that determination cannot be reduced to a clearly-defined set of offenses, so the NCAOC cannot identify all possible offenses that could require fingerprinting under that criterion. As a result, NCAWARE will not mark automatically the fingerprint condition on release orders for offenses that might fit the criteria of G.S. 15A-1382.1; that determination will have to be made on a case-by-case basis.

In addition to the new requirement under G.S. 15A-502(a2) to fingerprint defendants charged with certain offenses, new G.S. 15A-502(a4) also requires that the arresting law enforcement agency fingerprint any defendant “charged with a misdemeanor offense of assault, stalking, or communicating a threat and held under G.S. 15A-534.1” (which sets out certain pretrial release limitations for persons charged with domestic violence offenses).

The criterion of “assault, stalking, or communicating a threat” is partially redundant, because with the exception of two specific offenses that also trigger the requirements of G.S. 15A-534.1, any person charged with a misdemeanor and “held under G.S. 15A-534.1” necessarily has been charged with one of those types of offenses. The more significant criterion in the new G.S. 15A-502(a4) therefore is that the defendant is “held under G.S. 15A-534.1.” That exact phrasing is ambiguous, but the NCAOC understands it to mean any defendant fitting the criteria of G.S. 15A-534.1, whether or not the defendant actually is “held” under that statute.⁸

In order to assist judicial officials with imposing the condition of release that the defendant provide fingerprints when “held under G.S. 15A-534.1,” the NCAWARE application will be enhanced to mark the fingerprint condition of release on a release order whenever a judicial official determines that the defendant’s case fits the criteria of G.S. 15A-534.1. This will occur when the official: (i) selects the option to have the defendant produced at the first session of court after the initial appearance for the setting of conditions of release (or before a magistrate if there is no such session within 48 hours of arrest); or (ii) prepares the AOC-CR-630 (Conditions Of Release For Person Charged With A Crime Of Domestic Violence)

⁷ The appendix updates and replaces both the original Attachment A to the memo of January 28, 2011, “DNA and Fingerprinting - Amended Statutes and Forms,” and the Appendix to the memo of November 19, 2015, “Pretrial Release Legislation - December 2015” (which covered only the DNA sampling offenses). The appendix also includes a list of offenses for which a DNA sample is required from the defendant at the time of arrest. Because judicial officials must impose as a condition of release that the defendant submit fingerprints and a DNA sample whenever required, G.S. 15A-534(a), this appendix covers the offenses for which fingerprints and/or DNA may be required as a condition of release. However, HB 562 did not change the list of offenses requiring DNA upon arrest and as a condition of release; the expansion of G.S. 15A-502 to additional offenses only requires fingerprinting for those offenses, not DNA. DNA sampling upon arrest is governed by G.S. 15A-266.3A.

⁸ It is unclear if subsection (a4)’s application to defendants “held under G.S. 15A-534.1” was meant to cover (i) all defendants who fit the criteria G.S. 15A-534.1 at all or (ii) only those defendants who are unable to secure their release after the conditions have been set and therefore are “held.” Because the intended purpose of HB 562’s section 11 is to improve the data collected for domestic violence offenders who might be barred from possession of a firearm under federal law, the NCAOC adopts the broader interpretation of any defendant who fits the statute’s criteria.

and incorporates its conditions as part of the release order.⁹ The NCAWARE team will notify users when this enhancement is complete; until then, if a defendant's case fits the criteria of G.S. 15A-534.1, but the underlying offense does not already require fingerprints upon arrest, judicial officials will need to impose manually the condition of release that the defendant provide fingerprints.

G.S. 15A-502(a3) and (a5) - Defendant's Identifying Information

Summary

- NCAOC will await clarification of the new G.S. 15A-502(a3) from the General Assembly before modifying the relevant information systems, forms, and related procedures.
- Judicial officials should not make provision of the information listed in new G.S. 15A-502(a3) a condition of release.

Analysis

In addition to the expanded fingerprint requirements discussed above, HB 562 enacted a new G.S. 15A-502(a3), directing that specific identifying information be collected from defendants at the time of arrest. Most of this information already is collected as part of law enforcement and court records of criminal cases, when it is available (e.g., defendant's full name, date of birth, etc.), but one element listed in the new subsection (a3) is new: "(8) Relationship to the alleged victim and whether it is a 'personal relationship' as defined by G.S. 50B-1(b)." This new element is both ambiguous and inconsistent with section 11's goal of improving the reporting of firearm disqualifiers to the federal government,¹⁰ so until clarified by the legislature, the NCAOC will delay the adjustment of forms and information systems to capture additional information about a defendant's relationship to an alleged victim.¹¹

Related to the new G.S. 15A-502(a3), a new subsection (a5) provides, "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." Because magistrates (and other judicial officials who conduct initial appearances) already "enter" this information into court information systems when approving a criminal process pre-entered in those systems by a law enforcement officer, new subsection (a5) requires no changes to current practices. Districts in which the charging or arresting law enforcement agency pre-enters processes should continue that practice.

Finally, although new G.S. 15A-502(a2) and (a4) discussed above are incorporated by reference in the amended G.S. 15A-534(a) - requiring that judicial officials make fingerprinting a condition of release for a defendant charged with an offense under either of those provisions - the new G.S. 15A-502(a3) is not

⁹ There are two specific offenses listed in G.S. 15A-534.1 that do not necessarily constitute "assault, stalking or communicating a threat" and therefore would not require fingerprinting under the new G.S. 15A-504(a4), even when a judicial delays or sets conditions of release pursuant to G.S. 15A-534.1. However, both of those offenses will require fingerprinting under the new G.S. 15A-502(a2), so while marking the condition to provide fingerprints for any defendant subject to G.S. 15A-534.1 technically is overbroad, the two offenses affected by that overbreadth require fingerprinting, anyway.

¹⁰ Whether or not the defendant's relationship to an alleged victim is a "'personal relationship' as defined in G.S. 50B-1(b)" appears to be intended to capture data relevant to the determination that the defendant might be convicted of a "misdemeanor crime of domestic violence," which would disqualify the defendant from possession of a firearm under 18 U.S.C. 922(g)(9). However, the "personal relationships" in North Carolina's definition of domestic violence are different from the relationships relevant to the federal firearm disqualifier, 18 U.S.C. 921(a)(33)(ii), so reporting cases based on the definitions in G.S. 50B-1 would mis-identify persons subject to the federal firearm disqualifier.

¹¹ NCAWARE's current function for recording a relationship between the defendant and alleged victim is derived only in part from the relationships of G.S. 50B-1 and is not an adequate proxy for the relationships relevant to firearm possession under 18 U.S.C. 922. The relationship features in AWARE may change upon legislative clarification of G.S. 15A-502(a3), but until any such changes are implemented, judicial officials should not change their current practices for recording relationships in AWARE.

incorporated in G.S. 15A-534(a). Therefore judicial officials should not make a defendant's provision of the listed information a condition of release.¹²

Sheriff's Access to Involuntary Commitment Files

Effective August 5, 2015, section 11.(e) of HB 562 amended G.S. 122C-54(d2), which concerns access to information about certain involuntary commitment (IVC) proceedings that is transmitted to the National Instant Criminal Background Check System (NICS). The amended subsection (d2) provides:

- (d2) The record of involuntary commitment for inpatient or outpatient mental health treatment or for substance abuse treatment required to be reported to the National Instant Criminal Background Check System (NICS) by G.S. 14-409.43 shall be accessible only by the sheriff or the sheriff's designee for the purposes of conducting background checks under G.S. 14-404 and shall remain otherwise confidential as provided by this Article.¹³

The General Assembly's intent in the amended subsection (d2) is unclear. On its face, it would appear to suggest that sheriffs may have direct and unfettered access to the clerks' records of IVC proceedings when evaluating applicants for pistol purchase permits (PPP) under G.S. 14-404. However, that interpretation is inconsistent with another provision enacted by HB 562: new G.S. 14-404(e1)(5) requires that an applicant for a PPP provide the sheriff with a release form that authorizes disclosure of court orders concerning the applicant's mental health or capacity.¹⁴ If the amended G.S. 122C-54(d2) provided sheriffs with direct access to IVC files, then a release form allowing disclosure of only one item from those files (court orders) would be unnecessary. Further, the limitation in the amended subsection (d2) to the purpose of "conducting background checks under G.S. 14-404" (emphasis added) for PPPs would suggest that the clerks should cease the 20-year practice of providing the sheriff with records from those files for concealed handgun permits, for which background checks are conducted under G.S. 14-415.15, not G.S. 14-404.

Because the amended G.S. 122C-54(d2) cannot be reconciled cleanly with other statutes governing access to IVC files in the context of firearm permit applications, the NCAOC does not interpret the amended subsection (d2) to provide sheriffs with direct access to the clerks' confidential files. The NCAOC instead reads the amended G.S. 122C-54(d2) in concert with G.S. 14-404(e1)(5), 122C-207, and 122C-54(d) to allow disclosures from an IVC file only upon entry of a district court judge's order. Clerks should continue to keep IVC files confidential against all persons. Any entity - including the sheriff - who requests information about

¹² A judicial official conducting an initial appearance for a defendant who cannot be identified by law enforcement investigative efforts and who refuses to identify himself still may require that the defendant disclose his identity as a condition of release. Jessica Smith, Criminal Proceedings before North Carolina Magistrates 16-17 (2014). But that option should be used only to obtain basic identifying information necessary to issue process, e.g., the "name or other identification of the defendant" as required by G.S. 15A-924. Judicial officials should not require more of the elements listed in G.S. 15A-502(a3), particularly those that might compel a defendant to confess information necessary to an element of the offense with which he or she is charged. E.g., a defendant's date of birth would be determinative of an element of offenses that depend on the defendant's age at the time of the offense, and the defendant's relationship to the alleged victim will be relevant to the prosecution of numerous offenses. Therefore in order to avoid possibly violating a defendant's right against self-incrimination and thereby jeopardizing the State's ability to prosecute, judicial officials should not compel disclosure of the information listed in G.S. 15A-502(a3) as a condition of release.

¹³ Note that although the amended G.S. 122C-54(d2) was effective on August 5, 2015, the date HB 562 became law, the new G.S. 14-409.43 referenced in the amended (d2) does not take effect until January 1, 2016, pursuant to sections 11.(d) and 11.(o) of the bill.

¹⁴ For details on the new G.S. 14-404(e1)(5) and the new release form, AOC-SP-917, see the memo of November 30, 2015, "Administrative Order for Release of Confidential Information to Sheriffs in Connection with Applications for Concealed Handgun and Pistol Purchase Permits New Release Form for Applications for Pistol Purchase Permits," available to Judicial Branch personnel at the Juno link above.

an IVC proceeding must comply with G.S. 122C-54(d)'s requirement that disclosure be made only pursuant to a motion in the cause and an order of a district court judge.¹⁵

Conclusion

Court officials with questions about the changes discussed above should contact the NCAOC staff appropriate to the question:

- **Legislative concerns** may be directed to me or to legislative liaisons Mildred Spearman (Mildred.R.Spearman@nccourts.org) and Tom Murry (Thomas.O.Murry@nccourts.org).
- Questions about **NCAWARE**, forms, and recordkeeping should be directed to the NCAOC's field support staff for the official's county.¹⁶
- Questions about **pretrial release and fingerprinting** should be addressed to Assistant Legal Counsel Troy Page at Troy.D.Page@nccourts.org.
- Questions about **involuntary commitment** and access to those records should be directed to Assistant Legal Counsel Jo McCants at Jo.B.Mccants@nccourts.org.

Law enforcement officers, officials of other agencies external to the Judicial Branch, and private parties with questions about the impact of HB 562 should consult their agencies' or personal counsel; the NCAOC cannot provide legal advice to entities outside the Judicial Branch.

¹⁵ *Id.* As discussed in the memo above, form AOC-SP-917 suffices as a motion in the cause for the purposes of G.S. 122C-54(d) when the sheriff requests court orders about a PPP applicant's mental health or capacity. The court's order authorizing the clerk to disclose those orders can be an individual order specific to each motion or a standing order entered by the chief district court judge.

¹⁶ A directory of field support staff by county and district is available to Judicial Branch personnel at <http://juno.nccourts.org/sites/default/files/Directories%20Files/county-district-field-assignments.pdf>.

Appendix: Fingerprinting – Effective October 1, 2015

Fingerprinting. G.S. 15A-534(a) requires that, when fingerprinting is required under G.S. 15A-502(a1), (a2), (a4), or (a6), the provision of fingerprints must be made a condition of the defendant's release.

This applies to:

- (a1) Any person charged with a felony.
- (a2) Any person charged with certain misdemeanors:
 - (1) offenses involving domestic violence:
 - Domestic criminal trespass, G.S. 14-134.3;
 - An offense that involved domestic violence, G.S. 15A-1382.1;
 - Violation of a valid protective order, G.S. 50B-4.1.
 - (2) certain impaired driving offenses:
 - Impaired driving, G.S. 20-138.1;
 - Impaired driving in commercial vehicle, G.S. 20-138.2;
 - Operating a commercial vehicle after consuming alcohol, G.S. 20-138.2A;
 - Operating various school, child care, EMS, firefighting, or law enforcement vehicles after consuming alcohol, G.S. 20-138.2B; or
 - (3) drug possession:
 - Possession of a controlled substance G.S. 90-95(a)(3).
- (a4) Any person charged with a misdemeanor offense of assault, stalking, or communicating a threat and held under G.S. 15A-534.1.
- (a6) Any person who cannot be identified by a valid form of identification, charged with:
 - (1) An offense involving impaired driving, as defined in G.S. 20-4.01(24a):¹⁷
 - Impaired driving, G.S. 20-138.1;
 - Impaired driving in a commercial motor vehicle, G.S. 20-138.2;
 - Habitual impaired driving, G.S. 20-138.5;
 - A repealed or superseded offense substantially similar to impaired driving, including offenses under former G.S. 20-138 or G.S. 20-139;
 - Any offense set forth under G.S. 20-141.4 when based upon impaired driving or a substantially similar offense under previous law;
 - First or second degree murder based upon impaired driving, G.S. 14-17;
 - Involuntary manslaughter based upon impaired driving, G.S. 14-18;
 - Any offense committed in another jurisdiction which prohibits substantially similar conduct prohibited by the offenses in this subsection.
 - (2) Driving while license revoked, if the revocation is an "Impaired Driving License Revocation," as defined in G.S. 20-28.2.

¹⁷ The requirement in subdivision (1) of subsection (a6) to fingerprint unidentified defendants for most of the "offenses involving impaired driving" as defined in G.S. 20-4.01(24a) is superfluous, because most of the offenses meeting that criterion require fingerprinting pursuant to another subsection of G.S. 15A-502. All defendants charged with DWI and commercial DWI under G.S. 20-138.1 and 20-138.2 must be fingerprinted under subsection (a2). Habitual impaired driving, the homicide offenses, and the relevant offenses under G.S. 20-141.4 are felonies and therefore require fingerprinting under subsection (a1). (Any offense under G.S. 20-141.4 that is "based upon impaired driving" is a felony.) Therefore the only unidentified defendants charged with "offenses involving impaired driving" for which fingerprints are not already required by another provision would be those charged with older impaired driving offenses that occurred under the repealed and superseded statutes for impaired driving and those arrested for offenses from other jurisdictions substantially similar to the listed offenses (i.e., fugitive arrests).

Appendix: DNA Sampling – Effective December 1, 2015

DNA Sampling. G.S. 15A-534(a) requires that the defendant's provision of a DNA sample be made a condition of release when required under G.S. 15A-266.3A, which applies to the following offenses:

N.C.G.S.	Offense
G.S. 14-16.6(b)	Assault with deadly weapon or inflicting serious bodily injury on executive, legislative, or court officer
G.S. 14-16.6(c)	Assault inflicting serious bodily injury on executive, legislative, or court officer
14-17	First or second degree murder
14-18	Manslaughter
14-23.2 through 14-23.5	Any felony in Article 6A, Unborn Victims
14-27.1 through 14-27.10	Any offense in former Article 7A, Rape and Other Sex Offenses
14-27.20 through 14-27.36	Any offense in Article 7B, Rape and Other Sex Offenses
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	Felonious assault with deadly weapon with intent to kill or inflicting serious injury
G.S. 14-32.1(e)	Aggravated assault or assault and battery on handicapped person
G.S. 14-32.2(a)	Patient abuse and neglect, intentional conduct proximately causes death [G.S. 14-32.2(b)(1)]
G.S. 14-32.3(a)	Domestic abuse of disabled or elder adults resulting in injury
G.S. 14-32.4	Assault inflicting serious bodily injury or injury by strangulation
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. 14-34.2	Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers
G.S. 14-34.4	Adulterated or misbranded food, drugs, etc.; intent to cause serious injury or death; intent to extort
G.S. 14-34.5	Assault with a firearm on various law enforcement, National Guard, and detention employees
G.S. 14-34.6	Assault or affray on a various emergency personnel
G.S. 14-34.7	Certain assaults on firearm on various law enforcement, National Guard, and detention employees
G.S. 14-34.9	Discharging a firearm from within an enclosure
G.S. 14-34.10	Discharge firearm within enclosure to incite fear
14-39 through 14-43.9	Any offense in Article 10, Kidnapping and Abduction
14-43.10 through 14-43.20	Any offense in Article 10A, Human Trafficking
14-49 through 14-50.14	Any offense in Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material
G.S. 14-51	First and second degree burglary
G.S. 14-53	Breaking out of dwelling house burglary
G.S. 14-54(a1)	Breaking or entering buildings with intent to terrorize or injure
G.S. 14-54.1	Breaking or entering a place of religious worship
G.S. 14-57	Burglary with explosives
14-58 through 14-69.3	Any offense in Article 15, Arson
G.S. 14-87	Robbery with firearms or other dangerous weapons
G.S. 14-87.1	Common law robbery
G.S. 14-88	Train robbery
G.S. 14-163.1(a1)	Assaulting a LEA animal, assistance animal, or search and rescue animal willfully killing the animal
G.S. 14-196.3	Cyberstalking
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. 14-277.3A	Stalking
G.S. 14-288.9	Assault on emergency personnel with a dangerous weapon or substance
G.S. 14-288.21	Manufacture, possession, etc. of nuclear/biological/chemical weapons 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
Various	Any offense that would require registration as a sex offender under Article 27A. For a list of "reportable convictions" requiring registration, see G.S. 14-208.6(4), or see the NOTE on form AOC-CR-261, at http://www.nccourts.org/Forms/Documents/1108.pdf .

Plus any attempt, conspiracy, or solicitation to commit, or aiding and abetting another to commit, any offense listed above.