

GENERAL ASSEMBLY OF NORTH CAROLINA
FOURTH EXTRA SESSION 2016

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HOUSE BILL 18

Short Title: Post-Arrest Photographic Images Not Public. (Public)

Sponsors: Representative J. Moore.

Referred to: Judiciary III

December 14, 2016

A BILL TO BE ENTITLED

AN ACT MAKING POST-ARREST PHOTOGRAPHIC IMAGES CONFIDENTIAL AND NOT
SUBJECT TO PUBLIC RELEASE UNLESS THE PERSON PHOTOGRAPHED IS
CHARGED WITH A FELONY OR THE RELEASE IS REQUIRED TO SECURE THE
PUBLIC'S SAFETY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-502 is amended by adding a new subsection to read:

"(f) A photograph of a person charged with the commission of a misdemeanor or felony taken by a law enforcement officer or agency pursuant to this section is confidential and exempt from disclosure as a public record under Chapter 132 of the General Statutes, except that the photograph may be disclosed to the public if (i) the person is charged with a felony or (ii) the officer or agency determines that release of the photograph is reasonably necessary to secure the public's safety. Any photograph exempt from disclosure under this subsection shall become public upon conviction of the person charged."

SECTION 2. This act is effective when it becomes law and applies to persons charged with a misdemeanor or felony on or after that date.

