

North Carolina Juvenile Delinquency Law Enforcement Reference Card

Age	8–9	10–15	16–17
Offense	Class A–G felonies, or previous delinquency adjudication	All offenses	All non–motor vehicle offenses G.S. Chapter 20 motor vehicle offenses
Court	Juvenile Court Except, any juvenile with a previous criminal conviction, other than a misdemeanor or infraction motor vehicle offense not involving impaired driving, must be processed as an adult. G.S. 7B-1604(b).		Criminal Court

Prior to custodial interrogation of anyone under 18, must advise juvenile of the following:

1. The right to remain silent
2. That any statement made can be and may be used against the juvenile
3. The right to have a parent, guardian, or custodian present during the questioning
4. The right to consult with an attorney and the right to have an attorney appointed if the juvenile is not represented and wants representation

Juveniles under age 16 **cannot** waive the right to have a parent, guardian, custodian, or attorney present (G.S. 7B-2101(b)).

A juvenile must be fingerprinted and photographed if:

- Age 10 or older,
- In physical custody of law enforcement,
- Complaint has been prepared for filing, and
- Alleged to have committed:
 - murder
 - rape in the first or second degree
 - sexual offense in the first or second degree
 - arson
 - any felony drug offense
 - first-degree burglary
 - crime against nature
 - any felony that involves the willful infliction of serious bodily injury upon another or that was committed by use of a deadly weapon
- Transferred to SBI only after adjudication for a felony

G.S. 7B-2102

A juvenile must be photographed at a show-up if:

- Age 10 or older, and
- Alleged to have committed one of the above offenses or common law robbery

G.S. 15A-284.52(c1)

All other nontestimonial identification procedures carried out by law enforcement prior to adjudication as delinquent or transfer to superior court require a court order.