

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

JUDICIAL FINDINGS AND ORDER FOR SEX OFFENDERS - ACTIVE PUNISHMENT

G.S. Ch 14, Art. 27A

Name Of Defendant

NOTE: Use this form to make additional findings and orders concerning sex offender registration and satellite-based monitoring for a defendant who is convicted of a reportable conviction as defined by G.S. 14-208.6(4) and sentenced to an active punishment. Finding No. 8, AOC-CR-601, Side One, or No. 5, AOC-CR-602, Side One, should be marked to incorporate the additional findings and orders on this form.

FINDINGS

The Court, having entered judgment in the above-captioned action, which judgment is incorporated by reference herein, finds in addition that:

- 1. the defendant has been convicted of a reportable conviction under G.S. 14-208.6, specifically (check all that apply)
a. an offense against a minor under G.S. 14-208.6(1i), or an attempt, solicitation, or conspiracy to commit such offense, and defendant is not the parent of the victim.
b. a sexually violent offense under G.S. 14-208.6(5) or an attempt, solicitation, or conspiracy to commit such offense (other than an offense under G.S. 14-27.2A or G.S. 14-27.4A).
c. aiding and abetting an offense against a minor or a sexually violent offense, other than an offense under G.S. 14-27.2A or G.S. 14-27.4A, and registration of the defendant as a sex offender will further the purposes of G.S. 14-208.5.
d. rape of a child, G.S. 14-27.2A, or sexual offense with a child, G.S. 14-27.4A, or an attempt, solicitation, or conspiracy to commit such offense, (check one)
i. as a principal.
ii. by aiding and abetting, and registration of the defendant as a sex offender will further the purposes of G.S. 14-208.5.
e. a violation of G.S. 14-202(d), (e), (f), (g) or (h), or a second or subsequent violation of subsection (a), (a1) or (c) of that section, the defendant is a danger to the community, and his/her registration as a sex offender will further the purposes of G.S. 14-208.5.
2. the defendant has has not been classified as a sexually violent predator (sexually violent offenses only, G.S. 14-208.6(5)). G.S. 14-208.20.
3. the defendant is is not a recidivist. G.S. 14-208.6(2b).
4. the offense(s) of conviction is is not an aggravated offense. G.S. 14-208.6(1a).
5. the offense(s) of conviction (check either a. or b.)
a. did not involve the physical, mental, or sexual abuse of a minor.
b. did involve the physical, mental, or sexual abuse of a minor, and based on the risk assessment of the Department of Correction, the defendant
i. requires the highest possible level of supervision and monitoring.
ii. does not require the highest possible level of supervision and monitoring.

(NOTE: See finding No. 9 on AOC-CR-601, Side One, or finding No. 6 on AOC-CR-602, Side One.)

ORDER

- 1. Registration. Pursuant to the above findings, it is hereby ordered that the defendant, upon release from imprisonment, shall register as a sex offender (check either a. or b.)
a. (if any of Nos. 2 - 4 above found in the affirmative) pursuant to Part 3 of Article 27A of Chapter 14 of the General Statutes, for his/her natural life.
b. (if Nos. 2 - 4 above all found in the negative) pursuant to Part 2 of Article 27A of Chapter 14 of the General Statutes, for a period of 30 years. Defendant may petition for termination of the requirement to register after 10 years of registration, pursuant to G.S. 14-208.12A.
2. Satellite-Based Monitoring (SBM). It is further ordered that the defendant shall (check either a. or b.)
a. upon release from imprisonment, be enrolled in a satellite-based monitoring program (check one)
i. (if No. 1.d. or any of Nos. 2-4 above found in the affirmative) for his/her natural life, unless the monitoring program is terminated pursuant to G.S. 14-208.43.
ii. (if Nos. 2 - 4 above all found in the negative and No. 5.b.i. found) for a period of (specify time period) .
The defendant shall also pay the fee as prescribed by G.S. 14-208.45 and set out in the judgment incorporated herein by reference.
b. (if Nos. 1.d. and 5.b.i. not found, and Nos. 2 - 4 all found in the negative) not be required to enroll in satellite-based monitoring.

SIGNATURE OF JUDGE

Date

Name Of Judge (Type Or Print)

Signature Of Judge

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

JUDICIAL FINDINGS AND ORDER FOR SEX OFFENDERS - SUSPENDED SENTENCE

G.S. Ch. 14, Art. 27A

Name Of Defendant

NOTE: Use this form to make additional findings and orders concerning sex offender registration and satellite-based monitoring for a defendant who is convicted of a reportable conviction as defined by G.S. 14-208.6(4) and sentenced to a community or intermediate punishment. Finding No. 7, AOC-CR-603, Page One, Side One, or No. 4, AOC-CR-604, Side One, should be marked to incorporate the additional findings and orders on this form.

FINDINGS

The Court, having entered judgment in the above-captioned action, which judgment is incorporated by reference herein, finds in addition that:

- 1. the defendant has been convicted of a reportable conviction under G.S. 14-208.6, specifically (check all that apply)
a. an offense against a minor under G.S. 14-208.6(1i), or an attempt, solicitation, or conspiracy to commit such offense, and defendant is not the parent of the victim.
b. a sexually violent offense under G.S. 14-208.6(5), or an attempt, solicitation, or conspiracy to commit such offense.
c. aiding and abetting an offense against a minor or a sexually violent offense, and registration of the defendant as a sex offender will further the purposes of G.S. 14-208.5.
d. a violation of G.S. 14-202(d), (e), (f), (g) or (h), or a second or subsequent violation of subsection (a), (a1) or (c) of that section, the defendant is a danger to the community, and his/her registration as a sex offender will further the purposes of G.S. 14-208.5.
2. the defendant has has not been classified as a sexually violent predator (sexually violent offenses only, G.S. 14-208.6(5)). G.S. 14-208.20.
3. the defendant is is not a recidivist. G.S. 14-208.6(2b).
4. the offense(s) of conviction is is not an aggravated offense. G.S. 14-208.6(1a).
5. the offense(s) of conviction (check either a. or b.)
a. did not involve the physical, mental, or sexual abuse of a minor.
b. did involve the physical, mental, or sexual abuse of a minor, and based on the risk assessment of the Department of Correction, the defendant
i. requires the highest possible level of supervision and monitoring.
ii. does not require the highest possible level of supervision and monitoring.

(NOTE: See finding No. 8 on AOC-CR-603, Page One, Side One, or finding No. 5 on AOC-CR-604, Side One.)

ORDER

- 1. Registration. Pursuant to the above findings, it is hereby ordered that the defendant shall register as a sex offender (check either a. or b.)
a. (if any of Nos. 2 - 4 above found in the affirmative) pursuant to Part 3 of Article 27A of Chapter 14 of the General Statutes, for his/her natural life.
b. (if Nos. 2 - 4 above all found in the negative) pursuant to Part 2 of Article 27A of Chapter 14 of the General Statutes, for a period of 30 years. Defendant may petition for termination of the requirement to register after 10 years of registration, pursuant to G.S. 14-208.12A.
2. Satellite-Based Monitoring (SBM). It is further ordered that the defendant shall (check either a. or b.)
a. be enrolled in a satellite-based monitoring program (check one)
i. (if any of Nos. 2 - 4 above found in the affirmative) for his/her natural life, unless the monitoring program is terminated pursuant to G.S. 14-208.43.
ii. (if Nos. 2 - 4 above all found in the negative and No. 5.b.i. found) for a period of (specify time period)

The defendant shall also pay the fee as prescribed by G.S. 14-208.45 and set out in the judgment incorporated herein by reference

- b. (if No. 5.b.i. not found, and Nos. 2 - 4 all found in the negative) not be required to enroll in satellite-based monitoring.

NOTE: Complete AOC-CR-261 in addition to this Order. For an offender with a reportable conviction but not sentenced to active imprisonment, the court must conduct the notification procedures of G.S. 14-208.8 at the time of sentencing.

SIGNATURE OF JUDGE

Date Name Of Judge (Type Or Print) Signature Of Judge