

Additional Conditions for Alleged Sex Offenders

Defendant _____

Citation # _____

The Magistrate further imposes the following special conditions:

- 1. Not have contact with the victim including, but not limited to: letters, phone calls, tapes, videos, computer, internet, or visits. This includes any form of direct contact, or any form of contact through a third party.
- 2. Stay away from the home, temporary residence, school, business, or workplace of the alleged victim.
- 3. Refrain from assaulting, beating, intimidating, stalking, threatening, or harming the alleged victim.
- 4. Not socialize with individuals below the age of eighteen (18) years.
- 5. Not patronize any place where sexual material or entertainment is the primary business.
- 6. Not use, possess, control, distribute, sell exchange or collect pornography and/or child erotica, including any obtained through internet access or telephonic communications.
- 7. Not linger, loiter nor spend time at locations where persons below the age of eighteen (18) years of age are likely to be present, including but not limited to: parks, playgrounds, school yards, arcades or places frequented by children(s) activities and such similar places whose purpose is the care, entertainment or education of such persons below the age of eighteen (18) years.
- 8. Not work or volunteer for any business or organizations(s) that provide services to or employ persons below the age of eighteen (18) years. This includes, but is not limited to: arcades, baby-sitting, daycare agencies, schools, churches, playgrounds and youth sporting activities or groups.
- 9. Not associate with or have any contact with convicted sex offenders unless in a counseling group.
- 10. When given authorization to visit another jurisdiction, must present a travel letter to the local police department alerting them to the pending charges.
- 11. Not purchase, possess or consume alcoholic beverages or controlled substances.
- 12. The offender shall not be alone with any minor children below the age of eighteen (18) years.
- 13. Not engage with any sexual behavior with any minor child below the age of eighteen (18) years of age.
- 14. Not possess any children's videos, games, books, toys, or any other such materials typically used by children.
- 15. Abide by a curfew of _____.
- 16. Other:

Date:	Name of Magistrate:	Signature of Magistrate:

Mandatory Pre-Trial Release Provisions

N.C. Gen. Stat. §. 15A-534.4 requires mandatory pre-trial release provisions for defendants who commit crimes against minors and rape.

Here is the statute:

(a) In all cases in which the defendant is charged with felonious or misdemeanor child abuse, with taking indecent liberties with a minor in violation of G.S. 14-202.1, with rape or any other sex offense in violation of Article 7A, Chapter 14 of the General Statutes, against a minor victim, with incest with a minor in violation of G.S. 14-178, with kidnapping, abduction, or felonious restraint involving a minor victim, with a violation of G.S. 14-320.1, with assault or any other crime of violence against a minor victim, or with communicating a threat against a minor victim, in addition to the provisions of G.S. 15A-534 a judicial official shall impose the following conditions on pretrial release:(1) That the defendant stay away from the home, temporary residence, school, business, or place of employment of the alleged victim.(2) That the defendant refrain from communicating or attempting to communicate, directly or indirectly, with the victim, except under circumstances specified in an order entered by a judge with knowledge of the pending charges.(3) That the defendant refrain from assaulting, beating, intimidating, stalking, threatening, or harming the alleged victim.The conditions set forth above shall be imposed in addition to any other conditions that the judicial official may impose on pretrial release. (b) Notwithstanding the provisions of subsection (a) of this section, upon request of the defendant, the judicial official may waive one or more of the conditions required by subdivisions (1) and (2) of subsection (a) of this section if the judicial official makes written findings of fact that it is not in the best interest of the alleged victim that the condition be imposed on the defendant.

Prostitution Charges and Minors N.C. Gen. Stat. § 14-204(c)

(c) Immunity from Prosecution for Minors. -- Notwithstanding any other provision of this section, if it is determined, after a reasonable detention for investigative purposes, that a person suspected of or charged with a violation of this section [prostitution] is a minor, that person shall be immune from prosecution under this section and instead shall be taken into temporary protective custody as an undisciplined juvenile pursuant to Article 19 of Chapter 7B of the General Statutes. Pursuant to the provisions of G.S. 7B-301, a law enforcement officer who takes a minor into custody under this section shall immediately report an allegation of a violation of G.S. 14-43.11 and G.S. 14-43.13 to the director of the department of social services in the county where the minor resides or is found, as appropriate, which shall commence an initial investigation into child abuse or child neglect within 24 hours pursuant to G.S. 7B-301 and G.S. 7B-302

