

N.C.P.I.—Crim. 207.77 FAILURE TO COMPLY WITH SEX OFFENDER LIMITATIONS ON RESIDENTIAL USE - MINOR IN RESIDENCE – G.S. 14-208.17(b). Felony.

The defendant has been charged with violating sex offender limitations on residential use.

For you to find the defendant guilty of this offense, the State must prove four things beyond a reasonable doubt:

First, that the defendant accepted (a) minor(s) into his care or custody for the purpose of conducting activities in his or her residence.¹

Second, that (name person) had previously been convicted of a reportable offense for which he must register. If you find beyond a reasonable doubt that on (name date) in (name court), the defendant was convicted of (name offense; e.g., second degree rape), then this would constitute a reportable offense for which the defendant must register.

Third, that (name person) resided in the defendant's residence. A residence is established when the defendant does any of the following:

1. [Purchases the residence] [enters into a specifically enforceable contract to purchase a residence].
2. Enters into a written lease contract for the residence and for as long as the person is lawfully entitled to remain on the premises
3. Resides with his or her child, sibling, or parent who has [purchased the residence or entered into an enforceable contract to purchase the residence] [entered into a

¹ The term "any activity" is not defined in the statute.

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written lease contract for the residence and for as long as the person is lawfully entitled to remain on the premises].

And Fourth, that the defendant knew that (name person) was a registrant² or was required to register as a registrant.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant accepted a minor or minors into his or her care or custody for the purpose of conducting activities in his or her residence, that (name person) had previously been convicted of a reportable offense for which he must register, that (name person) resided in the defendant's residence, and that the defendant knew that (name person) was a registrant or was required to register as a registrant, it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

² The term 'registrant' means a person who is registered, or is required to register, under this Article.