

N.C.P.I.—CRIM 239.30
CHILD CARE FACILITY REPORT OF MISSING CHILD.
GENERAL CRIMINAL VOLUME
OCTOBER 2013
N.C. Gen. Stat. § 110-102.1(a)

239.30 CHILD CARE FACILITY REPORT OF MISSING CHILD

The defendant has been charged with failure to report missing child as a provider in a childcare facility.

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

First, that the defendant was a(n) [operator]¹ [staff]² [any adult person] with the approval of the care provider in a child care facility.³

Second, that the defendant learned that a child⁴, which was in their [care] [presence], was missing.

Third, that the defendant did not immediately report the missing child to law enforcement.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was a(n) [operator] [staff] [any adult person] with the approval of the care provider in a child care facility, the defendant learned that a child in their [care] [presence] was missing, and that the defendant did not immediately report the missing child to law enforcement, it would be your duty to return a verdict of guilty. If you do not find so or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1 For purposes of this section, operators are defined in N.C. Gen. Stat. § 110-86(7) and N.C. Gen. Stat. § 110-91(8).

2 For purposes of this section, staff is defined in N.C. Gen. Stat. § 110-86(7) and N.C. Gen. Stat. § 110-91(8).

3 For purposes of this section, a child care facility is defined in N.C. Gen. Stat. § 110-86(3) and N.C. Gen. Stat. § 110-106.

4 For purposes of this section, a child is anyone under the age of 16.

