

N.C.P.I.—CRIM 239.32  
FAILURE TO REPORT THE DISAPPEARANCE OF A CHILD TO LAW  
ENFORCEMENT. FELONY.  
GENERAL CRIMINAL VOLUME  
JUNE 2014  
N.C. Gen. Stat. § 14-318.5  
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The defendant has been charged with the crime of failure to report the disappearance of a child to law enforcement.<sup>1</sup>

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

First, that the defendant was a [parent] [person] who was [providing care to] [supervising]<sup>2</sup> a child less than 16 years of age.

Second, that the defendant [knowingly] [wantonly] failed to report the disappearance of a child<sup>3</sup> to law enforcement. A child is deemed to have disappeared when the [parent] [person] who was [providing care to] [supervising] the child does not know the location of the child and has not had contact with the child for a 24-hour period.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was a [parent] [person] who was [providing care to] [supervising] a child less than 16 years of age and that the defendant [knowingly] [wantonly] failed to report the disappearance of the child to law enforcement, it would be your duty to return a verdict of

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1 Any person who reports the disappearance of a child as required by this section is immune from any civil or criminal liability that might otherwise be incurred or imposed for that action, provided that the person was acting in good faith. In any proceeding involving liability, good faith is presumed.

2 If a child is absent from school, a teacher is not required to report the child's absence to law enforcement officers under this section, provided the teacher reports the child's absence from school pursuant to Article 26 of Chapter 115C of the General Statutes.

3 Any person who reasonably suspects the disappearance of a child and who reasonably suspects that the child may be in danger shall report those suspicions to law enforcement within a reasonable time.

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guilty. If you do not so find 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.