

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
District Court Division

STATE VERSUS

CRIME VICTIMS' RIGHTS ACT MISDEMEANOR VICTIM INFORMATION SHEET

(For Offenses Committed On Or After Aug. 31, 2019)

G.S. 15A-832.1

Defendant Name

NOTE TO LAW ENFORCEMENT: Do not use this form. This form is for use only by a judicial official issuing a criminal pleading for a misdemeanor "offense against the person," as defined in G.S. 15A-830(a)(6a), based on evidence from a complaining witness other than a law enforcement officer. To collect victim information for delivery to the district attorney for an offense committed on or after Aug. 31, 2019, and covered by the Crime Victims' Rights Act, use form AOC-CR-180B.

NOTE TO JUDICIAL OFFICIAL ISSUING CHARGES: Do not use this form for a domestic violence misdemeanor under the Crime Victims' Rights Act committed before Aug. 31, 2019. Instead use form AOC-CR-181A.

For offenses committed on or after Aug. 31, 2019, complete this form when issuing any criminal pleading that charges a misdemeanor "offense against the person," as defined in G.S. 15A-830(a)(6a) (see Side Two for a list), based only on evidence from a complaining witness other than a law enforcement officer. Deliver this form to the clerk of superior court by close of the next business day. Enter the victim's name, address, and telephone number below, unless the victim refuses to disclose some or all of the information, in which case mark the field(s) that the victim refused to disclose.

VICTIM INFORMATION

Name	Telephone No.	<input type="checkbox"/> Refused to Disclose
Address <input type="checkbox"/> Refused to Disclose	Other Contact Information (email address, etc.)	<input type="checkbox"/> Refused to Disclose
Name Of Collecting Judicial Official (type or print)	Signature	Date
<input type="checkbox"/> Magistrate	<input type="checkbox"/> Clerk Of Superior Court	<input type="checkbox"/> Assistant CSC
<input type="checkbox"/> Deputy CSC	<input type="checkbox"/> District Court Judge	<input type="checkbox"/> Superior Court Judge

NOTE TO CLERK: DO NOT place this form in the case file. Within 72 hours of receipt, forward this form to the district attorney. Do not retain a copy.

VICTIM NOTIFICATION REQUEST

NOTE TO JUDICIAL OFFICIAL AND VICTIM: Do not complete this section at the time the charge(s) is initiated. This section will be completed when the victim meets with staff of the district attorney's office.

NOTE TO VICTIM: Indicate below whether or not you want to receive notice from the State about trial and post-trial proceedings involving the defendant. For trial proceedings, notice will come from the district attorney's office. For post-trial proceedings, any notice(s) will be provided by the Attorney General's office and/or correctional officials. If you elect to receive any notices, you must notify the relevant office of any change in your address or telephone number. You can change this request at any time by filing an updated copy of this form with your changed preference marked.

I do wish to receive notice of the following (check all that apply): trial proceedings. post-trial proceedings.

I do not wish to receive notice of further proceedings.

(NOTE: You still might be subpoenaed as a witness or otherwise required to appear when needed for certain proceedings.)

Signature	Date
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NOTE TO DISTRICT ATTORNEY: If the defendant is convicted of an offense covered by the Crime Victims' Rights Act (CVRA), meaning any offense identified in G.S. 15A-830 (see Side Two for a list), provide this form to the court at the time of sentencing. G.S. 15A-832(g). If defendant appeals to the appellate division, forward a copy of this form to the Attorney General. G.S. 15A-835(b). **DO NOT file this form with the clerk for a defendant not convicted of an offense covered by the CVRA.**

NOTE TO CLERK: If defendant is convicted, forward this form along with the judgment of conviction to the agency that will have custody of the defendant. The custodial agency will maintain this information as a confidential file. G.S. 15A-832(g). If defendant is not sentenced to active imprisonment or supervised probation (i.e., the defendant gets unsupervised probation or only a fine), return this form to the district attorney. **DO NOT retain a copy in the case file.**

CRIME VICTIMS' RIGHTS ACT OFFENSES

For offenses committed on or after Aug. 31, 2019, the provisions of G.S. 15A, Article 46 (the Crime Victims' Rights Act, or CVRA) apply only to victims of offenses listed in G.S. 15A-830. The list below identifies those offenses.

For offenses committed before Aug. 31, 2019, see forms AOC-CR-180A and AOC-CR-181A.

CVRA Offenses Committed On Or After Aug. 31, 2019

For offenses committed on or after Aug. 31, 2019, the CVRA applies to victims of offenses listed in G.S. 15A-830(a)(3b) (felony property crime) or 15A-830(a)(6a) (offense against the person).

- A **felony property crime** is any felony set out in:
 - Subchapter IV of Chapter 14 of the General Statutes (G.S. 14-51 through 14-69.3); or
 - Subchapter V of Chapter 14 of the General Statutes (G.S. 14-70 through 14-125).

- An **offense against the person** is an offense involving the person of the victim which constitutes a violation of:
 - Subchapter III of Chapter 14 of the General Statutes (G.S. 14-17 through 14-50.43);
 - Subchapter VII of Chapter 14 of the General Statutes (G.S. 14-177 through 14-208.45);
 - Article 39 of Chapter 14 of the General Statutes (G.S. 14-313 through 14-321.2);
 - Chapter 20 of the General Statutes, if an element of the offense involves impairment of the defendant, or injury or death to the victim;
 - A valid protective order under G.S. 50B-4.1, including, but not limited to, G.S. 14-134.3 and G.S. 14-269.8;
 - Article 35 of Chapter 14 of the General Statutes (G.S. 14-269 through 14-277.8), if the elements of the offense involve communicating a threat or stalking; or
 - An offense that triggers the enumerated victims' rights, as required by the North Carolina Constitution.*

** This final category of offenses against the person, set out in G.S. 15A-830(a)(6a)g., appears to apply the CVRA to offenses that fit the constitutional criterion of Article I, § 37(a), a "crime ... against or involving the person of the victim," but are not otherwise enumerated in the list above. Which additional offenses satisfy that criterion would appear to be a case-by-case determination by the officials with assigned duties under the CVRA.*