

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

JUDICIAL FINDINGS AND ORDER FOR SEX OFFENDERS - ACTIVE PUNISHMENT

Name Of Defendant

G.S. Ch. 14, Art. 27A

NOTE: Use this form to make additional findings and orders concerning sex offender registration and satellite-based monitoring for a defendant who is convicted of a reportable conviction as defined by G.S. 14-208.6(4) and sentenced to an active punishment. Finding No. 8, AOC-CR-601, Side One, or No. 4, AOC-CR-602, Side One, should be marked to incorporate the additional findings and orders on this form.

FINDINGS

The Court, having entered judgment in the above-captioned action, which is incorporated by reference herein, finds in addition that:

- 1. the defendant has been convicted of a reportable conviction under G.S. 14-208.6, specifically (check all that apply)
a. an offense against a minor under G.S. 14-208.6(1m), or an attempt, solicitation, or conspiracy to commit such offense, and defendant is not the parent of the victim.
b. a sexually violent offense under G.S. 14-208.6(5) or an attempt, solicitation, or conspiracy to commit such offense.
c. aiding and abetting an offense against a minor or a sexually violent offense, other than an offense under G.S. 14-27.23 or G.S. 14-27.28, and the defendant's registration will further the purposes of G.S. 14-208.5.
d. rape of a child, G.S. 14-27.23, or sexual offense with a child, G.S. 14-27.28.
e. a violation of G.S. 14-202(d), (e), (f), (g) or (h), a second or subsequent violation of subsection (a), (a1) or (c) of that section, or a violation of G.S. 14-43.14, the defendant is a danger to the community, and his/her registration will further the purposes of G.S. 14-208.5.
f. (offense committed on or after Dec. 1, 2013) a violation of G.S. 14-43.11, or an attempt, solicitation, or conspiracy to commit such offense
2. the defendant has not been classified as a sexually violent predator under the procedure set out in G.S. 14-208.20 (sexually violent offenses only. G.S. 14-208.6(5)).
3. the defendant is/is not a recidivist. G.S. 14-208.6(2b).
4. the offense(s) of conviction is/is not an aggravated offense. G.S. 14-208.6(1a).
5. the offense(s) (NOTE: See finding No. 9 on AOC-CR-601, or finding No. 5 on AOC-CR-602, Side One.)
a. did involve the physical, mental, or sexual abuse of a minor.
b. did not involve the physical, mental, or sexual abuse of a minor.
6. the defendant has been convicted of an offense under Article 7B of Chapter 14 committed against a person 18 years of age or older, and the defendant presents or may present a danger to minors under the age of 18. G.S. 14-208.18.

ORDER - SENTENCING HEARING

Pursuant to the above findings,

- 1. Registration: the Court hereby Orders that, upon release from imprisonment, the defendant shall register as a sex offender (check a or b)
a. (if any of Nos. 2 - 4 above found in the affirmative) pursuant to G.S. Chapter 14, Article 27A, Part 3, for his/her natural life.
b. (if Nos. 2 - 4 above all found in the negative) pursuant to G.S. Chapter 14, Article 27A, Part 2, for a period of 30 years.
2. Satellite-Based Monitoring (SBM): The Court further Orders that (check only one)
a. (if Nos. 1.d and 5.a. not found, and Nos. 2 - 4 all found in the negative) the defendant shall not be required to enroll in satellite-based monitoring.
b. (if No. 1.d. or any of Nos. 2 - 4 found in the affirmative) upon release from imprisonment, the defendant shall enroll in satellite-based monitoring for his/her natural life, unless monitoring is terminated pursuant to G.S. 14-208.43.
c. (if No. 5.a. found, No. 1.d. not found and Nos. 2 - 4 all found in the negative) pursuant to its finding No. 5.a.,
i. and based on the risk assessment of the Division of Adult Correction and Juvenile Justice (DACJJ) and the additional findings on the attached AOC-CR-618, incorporated herein by reference, the defendant
(a) requires the highest possible level of supervision and monitoring, and therefore, upon release from imprisonment, shall enroll in satellite-based monitoring for a period of (specify time period)
(b) does not require the highest possible level of supervision and monitoring and shall not be enrolled in satellite-based monitoring.
ii. the DACJJ shall perform a risk assessment of the defendant and report the results to the Court. The defendant shall be returned to this Court at its session on (session date) for a determination of the need for satellite-based monitoring and modification of the judgment as provided below.
(NOTE: DACJJ must have a minimum of 30 days to perform the assessment, but no more than 60 days.)

If enrollment in satellite-based monitoring is ordered in No. 2.b. or No. 2.c.i.(a), the Court further orders that the defendant shall pay the fee prescribed by G.S. 14-208.45 and set out in the judgment, incorporated herein by reference.

Date Name Of Judge (type or print) Signature Of Judge

ORDER FOR SATELLITE-BASED MONITORING - POST-ASSESSMENT

- Based on the risk assessment ordered above in No. 2.c.ii. and the additional findings on the attached AOC-CR-618, the defendant
1. requires the highest possible level of supervision and monitoring, and therefore upon release from imprisonment shall enroll in satellite-based monitoring for a period of (specify time period). The defendant shall pay the fee prescribed by G.S. 14-208.45 in addition to the monetary obligations set out previously in the judgment. as set out in the modified judgment, incorporated herein by reference.
2. does not require the highest possible level of supervision and monitoring and shall not be enrolled in satellite-based monitoring.

Date Name Of Judge (type or print) Signature Of Judge

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

JUDICIAL FINDINGS AND ORDER FOR SEX OFFENDERS - SUSPENDED SENTENCE

Name Of Defendant

G.S. Ch. 14, Art. 27A

NOTE: Use this form to make additional findings and orders concerning sex offender registration and satellite-based monitoring for a defendant who is convicted of a reportable conviction as defined by G.S. 14-208.6(4) and sentenced to a community or intermediate punishment. Finding No. 7, AOC-CR-603, Page One, Side One, or No. 3, AOC-CR-604, Side One, should be marked to incorporate the additional findings and orders on this form.

FINDINGS

The Court, having entered judgment in the above-captioned action, which is incorporated by reference herein, finds in addition that:

- 1. the defendant has been convicted of a reportable conviction under G.S. 14-208.6, specifically (check all that apply)
a. an offense against a minor under G.S. 14-208.6(1m), or an attempt, solicitation, or conspiracy to commit such offense, and defendant is not the parent of the victim.
b. a sexually violent offense under G.S. 14-208.6(5) or an attempt, solicitation, or conspiracy to commit such offense.
c. aiding and abetting an offense against a minor or a sexually violent offense, and the defendant's registration will further the purposes of G.S. 14-208.5.
d. a violation of G.S. 14-202(d), (e), (f), (g) or (h), a second or subsequent violation of subsection (a), (a1) or (c) of that section, or a violation of G.S. 14-43.14, the defendant is a danger to the community, and his/her registration will further the purposes of G.S. 14-208.5.
e. (offense committed on or after Dec. 1, 2013) a violation of G.S. 14-43.11, or an attempt, solicitation, or conspiracy to commit such offense by aiding and abetting, and the defendant's registration will further the purposes of G.S. 14-208.5, said offense having been committed against a (check at least one) minor less than 18 years old. person with the intent that they be held in sexual servitude.
2. the defendant has has not been classified as a sexually violent predator under the procedure set out in G.S. 14-208.20 (sexually violent offenses only. G.S. 14-208.6(5)).
3. the defendant is is not a recidivist. G.S. 14-208.6(2b).
4. the offense(s) of conviction is is not an aggravated offense. G.S. 14-208.6(1a).
5. the offense(s) (NOTE: See finding No. 8 on AOC-CR-603, Page One, Side One, or finding No. 4 on AOC-CR-604, Side One.)
a. did involve the physical, mental, or sexual abuse of a minor.
b. did not involve the physical, mental, or sexual abuse of a minor.
6. the defendant has been convicted of an offense under Article 7B of Chapter 14 committed against a person 18 years of age or older, and the defendant presents or may present a danger to minors under the age of 18. G.S. 14-208.18.

ORDER - SENTENCING HEARING

Pursuant to the above findings,

- 1. Registration: The Court hereby Orders that the defendant shall register as a sex offender (check a or b)
a. (if any of Nos. 2 - 4 above found in the affirmative) pursuant to G.S. Chapter 14, Article 27A, Part 3, for his/her natural life.
b. (if Nos. 2 - 4 above all found in the negative) pursuant to G.S. Chapter 14, Article 27A, Part 2, for a period of 30 years.
2. Satellite-Based Monitoring (SBM): The Court further Orders that (check only one)
a. (if No. 5.a. not found, and Nos. 2 - 4 all found in the negative) the defendant shall not be required to enroll in satellite-based monitoring.
b. (if any of Nos. 2 - 4 found in the affirmative) the defendant shall enroll in satellite-based monitoring for his/her natural life, unless monitoring is terminated pursuant to G.S. 14-208.43.
c. (if No. 5.a. found and Nos. 2 - 4 all found in the negative) pursuant to its finding No. 5.a.,
i. and based on the risk assessment of the Division of Adult Correction and Juvenile Justice (DACJJ) and the additional findings on the attached AOC-CR-618, incorporated herein by reference, the defendant
(a) requires the highest possible level of supervision and monitoring, and therefore shall enroll in satellite-based monitoring for a period of (specify time period)
(b) does not require the highest possible level of supervision and monitoring and shall not be enrolled in satellite-based monitoring.
ii. the DACJJ shall perform a risk assessment of the defendant and report the results to the Court. The defendant is Ordered to appear before this Court at its session on (session date) for a determination of the need for satellite-based monitoring and modification of the judgment as provided below.
(NOTE: DACJJ must have a minimum of 30 days to perform the assessment, but no more than 60 days.)

If enrollment in satellite-based monitoring is ordered in No. 2.b. or No. 2.c.i.(a), the Court further orders that the defendant shall report for enrollment at all such times and places as directed by the Section of Community Corrections and shall pay the fee prescribed by G.S. 14-208.45, as set out in the judgment and incorporated herein by reference.

Date Name Of Judge (type or print) Signature Of Judge

ORDER FOR SATELLITE-BASED MONITORING - POST-ASSESSMENT

- Based on the risk assessment ordered above in No. 2.c.ii. and the additional findings on the attached AOC-CR-618, the defendant
1. requires the highest possible level of supervision and monitoring, and therefore shall enroll in satellite-based monitoring for a period of (specify time period) The defendant shall report for enrollment at all such times and places as directed by the Section of Community Corrections and shall pay the fee prescribed by G.S. 14-208.45
in addition to the monetary obligations set out previously in the judgment. as set out in the modified judgment, incorporated herein by reference.
2. does not require the highest possible level of supervision and monitoring and shall not be enrolled in satellite-based monitoring.

Date Name Of Judge (type or print) Signature Of Judge