

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

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

Name Of Defendant

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 herein by reference, 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...
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...
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...
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 a. is b. is not a recidivist (at least one prior reportable conviction). G.S. 14-208.6(2b).
3. the defendant a. is a reoffender of a crime listed in G.S. 14-208.40A(c)(4). b. is a reoffender of a crime listed in G.S. 14-208.40A(d)(3).
4. the defendant a. has b. has not been classified as a sexually violent predator pursuant to G.S. 14-208.20 (sexually violent offenses only).
5. the offense(s) of conviction a. is b. is not an aggravated offense. G.S. 14-208.6(1a).
6. the offense(s) a. did b. did not involve the physical, mental, or sexual abuse of a minor.
7. the defendant presents or may present a danger to minors under the age of 18.
8. the victim was years of age at the time of commission of the present offense.

ORDER - REGISTRATION AND SBM ASSESSMENT

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 Finding in Nos. 2 - 5 found in the affirmative) pursuant to G.S. Chapter 14, Article 27A, Part 3, for his/her natural life.
b. (if Finding Nos. 2 - 5 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:
a. (if Finding No. 1.d not found, and Nos. 3 - 6 all found in the negative) Orders that defendant shall not be required to enroll in SBM.
b. Orders the Department of Adult Correction to perform a risk assessment of the defendant and report its results to the Court.
c. finds that a risk assessment was completed within six months of this hearing and therefore enters the additional Order(s) below.

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

ORDER - SATELLITE-BASED MONITORING

Based on the risk assessment by the Department of Adult Correction, all relevant evidence, and the additional findings on the attached AOC-CR-618

- Other: incorporated herein by reference, the Court finds:
1. that the defendant requires the highest possible level of supervision and monitoring, and SBM constitutes a reasonable search of the defendant in this case. The Court therefore ORDERS that upon release from imprisonment, the defendant shall enroll in SBM for the period of:
a. (if Finding No.1.d. or 3.a. found, or No. 4 or 5 found in the affirmative) his/her natural life,
b. (if Finding No. 6.a. found and either No. 3.b. or 3.c. found, and Nos. 4 and 5 found in the negative, specify a period not to exceed 50 years)
The Court further orders that the defendant pay the fee prescribed by G.S. 14-208.45 in addition to the monetary obligations set out in the judgment.
2. that the defendant should not be required to enroll in SBM and therefore ORDERS that the defendant not be so enrolled, because: (check all that apply)
a. the defendant does not require the highest possible level of supervision and monitoring.
b. SBM would constitute an unreasonable search of the defendant in this case.
c. Other:
3. Other:

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

Original - File Copy - Sheriff Copy - Department of Adult Correction Combined Records

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...
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...
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...
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...
2. the defendant a. is b. is not a recidivist (at least one prior reportable conviction). G.S. 14-208.6(2b).
3. the defendant a. is a reoffender of a crime listed in G.S. 14-208.40A(c)(4). b. is a reoffender of a crime listed in G.S. 14-208.40A(d)(3).
4. the defendant a. has b. has not been classified as a sexually violent predator pursuant to G.S. 14-208.20 (sexually violent offenses only).
5. the offense(s) of conviction a. is b. is not an aggravated offense. G.S. 14-208.6(1a).
6. the offense(s) a. did b. did not involve the physical, mental, or sexual abuse of a minor.
7. the defendant presents or may present a danger to minors under the age of 18.
8. the victim was years of age at the time of commission of the present offense.

ORDER - REGISTRATION AND SBM ASSESSMENT

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 Finding in Nos. 2 - 5 found in the affirmative) pursuant to G.S. Chapter 14, Article 27A, Part 3, for his/her natural life.
b. (if Finding Nos. 2 - 5 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:
a. (if Finding Nos. 3 - 6 all found in the negative) Orders that defendant shall not be required to enroll in SBM.
b. Orders the Department of Adult Correction to perform a risk assessment of the defendant and report its results to the Court.
c. finds that a risk assessment was completed within six months of this hearing and therefore enters the additional Order(s) below.

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

ORDER - SATELLITE-BASED MONITORING

- Based on the risk assessment by the Department of Adult Correction, all relevant evidence, and the additional findings on the attached AOC-CR-618
Other: incorporated herein by reference, the Court finds:
1. that the defendant requires the highest possible level of supervision and monitoring, and SBM constitutes a reasonable search of the defendant in this case. The Court therefore ORDERS that the defendant shall enroll in SBM for the period of:
a. (if Finding No. 3.a. found, or No. 4 or 5 found in the affirmative) his/her natural life,
b. (if Finding No. 6.a. found and either No. 3.b. or 3.c. found, and Nos. 4 and 5 found in the negative, specify a period not to exceed 50 years)
The Court further orders that the defendant pay the fee prescribed by G.S. 14-208.45 in addition to the monetary obligations set out in the judgment.
as set out in the modified judgment, incorporated herein by reference.
2. that the defendant should not be required to enroll in SBM and therefore ORDERS that the defendant not be so enrolled, because: (check all that apply)
a. the defendant does not require the highest possible level of supervision and monitoring.
b. SBM would constitute an unreasonable search of the defendant in this case.
c. Other:
3. Other:

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