

## STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice

☐ District ☐ Superior Court Division

## STATE VERSUS

Name Of Defendant

JUDICIAL FINDINGS AND ORDER  
FOR SEX OFFENDERS - ACTIVE PUNISHMENT

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 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, and defendant is not the parent of the victim. (**NOTE:** Applies only to kidnapping, G.S. 14-39; abduction of children, G.S. 14-41; and felonious restraint, G.S. 14-43.3.)
  - ☐ 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. ☐ by aiding and abetting, and the defendant's registration will further the purposes of G.S. 14-208.5. (**NOTE:** For attempt, solicitation, or conspiracy to commit either offense, check No. 1.b. above.)
  - ☐ 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
    - ☐ 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 ☐ 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).
  - ☐ c. is not a reoffender. G.S. 14-208.6(3e).
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.  
(**NOTE:** See Finding No. 9 on AOC-CR-601, or Finding No. 5 on AOC-CR-602, Side One.)
- ☐ 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.  
(**NOTE:** Nos. 7 and 8 relate only to possible future prosecution under G.S. 14-208.18 and 14-202.5, respectively, not to registration or SBM in this case.)

## 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.
    - ☐ (if assessment will not be completed in the same session as sentencing) The defendant shall be returned to this Court at its session on (session date) \_\_\_\_\_ for a determination of the need for SBM.
  - ☐ 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) \_\_\_\_\_,unless monitoring is terminated or modified pursuant to G.S. 14-208.43.  
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

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

Name Of Defendant

JUDICIAL FINDINGS AND ORDER  
FOR SEX OFFENDERS - SUSPENDED SENTENCE

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. (**NOTE:** Applies only to kidnapping, G.S. 14-39; abduction of children, G.S. 14-41; and felonious restraint, G.S. 14-43.3.)
  - ☐ 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 ☐ 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).
  - ☐ c. is not a reoffender. G.S. 14-208.6(3e).
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. (**NOTE:** See Finding No. 8 on AOC-CR-603, Page One, Side One, or Finding No. 4 on AOC-CR-604, Side One.)
- ☐ 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. (**NOTE:** Nos. 7 and 8 relate only to possible future prosecution under G.S. 14-208.18 and 14-202.5, respectively, not to registration or SBM in this case.)

## 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. ☐ (if assessment will not be completed in the same session as sentencing) The defendant shall be returned to this Court at its session on (session date) \_\_\_\_\_ for a determination of the need for SBM.
  - ☐ 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) \_\_\_\_\_,
 unless monitoring is terminated or modified pursuant to G.S. 14-208.43.  
 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

Original - File Copy - Division of Community Supervision and Reentry