

N.C.P.I.—Crim. 207.74

FAILING TO [PROVIDE NECESSARY INFORMATION TO] [COOPERATE WITH GUIDELINES AND REGULATIONS OF] THE DEPARTMENT OF CORRECTIONS WHILE REQUIRED TO ENROLL IN A SATELLITE-BASED MONITORING. MISDEMEANOR.

GENERAL CRIMINAL VOLUME

REPLACEMENT JUNE 2008

N.C. Gen. Stat. § 14-208.44(c)

207.74 FAILING TO [PROVIDE NECESSARY INFORMATION TO] [COOPERATE WITH GUIDELINES AND REGULATIONS OF] THE DEPARTMENT OF CORRECTIONS WHILE REQUIRED TO ENROLL IN A SATELLITE-BASED MONITORING PROGRAM¹. MISDEMEANOR.

The defendant has been charged with failing to [provide necessary information to] [cooperate with guidelines and regulations of] the Department of Corrections while required to enroll in a satellite-based monitoring program.²

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 required to enroll³ in a satellite-based monitoring program.

And Second, that the defendant failed to [provide necessary information (describe necessary information that defendant failed to provide) to the Department of Corrections] [cooperate with guidelines and regulations of the Department of Corrections by (describe guidelines or regulations violated)].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was required to enroll in a satellite-based monitoring program and failed to [provide necessary information to the Department of Corrections] [cooperate with guidelines and regulations of the Department of Corrections, it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or both of these things, it would be your duty to return a verdict of not guilty.

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1. Neither “cooperate” nor “necessary information” are defined by the statute.

2. According to G.S. § 14-208.40(c)(1) “satellite-based monitoring program” is a system that provides “time-correlated and continuous tracking of the geographic location of the subject using a global positioning system based on satellite and other location tracking technology.”

3.β G.S. § 14-208.44(d) states “enroll shall include appearing, as directed by the Department (of Corrections), to receive the necessary equipment.”