

239.30 CHILD CARE FACILITY REPORT OF MISSING CHILD.

The defendant has been charged with failure to report missing child as a provider in a childcare facility.

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt.

First, that the defendant was a(n) [operator]<sup>1</sup> [staff]<sup>2</sup> [any adult person] with the approval of the care provider in a child care facility.<sup>3</sup>

Second, that the defendant learned that a child<sup>4</sup>, which was in their [care] [presence], was missing.

Third, that the defendant did not immediately report the missing child to law enforcement.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was a(n) [operator] [staff] [any adult person] with the approval of the care provider in a child care facility, the defendant learned that a child in their [care] [presence] was missing, and that the defendant did not immediately report the missing child to law enforcement, it would be your duty to return a verdict of guilty. If you do not find so or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

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1 For purposes of this section, operators are defined in N.C. Gen. Stat. § 110-86(7) and N.C. Gen. Stat. § 110-91(8).

2 For purposes of this section, staff is defined in N.C. Gen. Stat. § 110-86(7) and N.C. Gen. Stat. § 110-91(8).

3 For purposes of this section, a child care facility is defined in N.C. Gen. Stat. § 110-86(3) and N.C. Gen. Stat. § 110-106.

N.C.P.I.-Crim. 239.30  
CHILD CARE FACILITY REPORT OF MISSING CHILD.  
GENERAL CRIMINAL VOLUME  
OCTOBER 2013  
N.C. Gen. Stat. § 110-102.1(a)  
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4 For purposes of this section, a child is anyone under the age of 16.