

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. 7, 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:

- 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. 14-27.2A or G.S. 14-27.4A, and registration of the defendant as a sex offender will further the purposes of G.S. 14-208.5.
 - d. rape of a child, G.S. 14-27.2A, or sexual offense with a child, G.S. 14-27.4A. by aiding and abetting, and registration of the defendant as a sex offender 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), or a second or subsequent violation of subsection (a), (a1) or (c) of that section, the defendant is a danger to the community, and his/her registration as a sex offender will further the purposes of G.S. 14-208.5.
- 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)).
- the defendant is is not a recidivist. G.S. 14-208.6(2b).
- the offense(s) of conviction is is not an aggravated offense. G.S. 14-208.6(1a).
- the offense(s) (**NOTE:** See finding No. 8 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.

ORDER - SENTENCING HEARING

Pursuant to the above findings,

- 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.
- 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 (DAC) 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 DAC 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:** DAC 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
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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, incorporated herein by reference, 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
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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

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.

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), or a second or subsequent violation of subsection (a), (a1) or (c) of that section...
2. the defendant has been classified as a sexually violent predator under the procedure set out in G.S. 14-208.20...
3. the defendant is a recidivist. G.S. 14-208.6(2b).
4. the offense(s) of conviction is an aggravated offense. G.S. 14-208.6(1a).
5. the offense(s) did involve the physical, mental, or sexual abuse of a minor.

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 (DAC) 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 DAC 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: DAC 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, incorporated herein by reference, 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 pay the fee prescribed by G.S. 14-208.45 in addition to the Monetary Conditions 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