

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. 5, 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:

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. 14-27.2A 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.
2. 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. 208.6(5)).
3. the defendant is is not a recidivist. G.S. 14-208.6(2b).
4. the offense(s) of conviction is is not an aggravated offense. G.S. 14-208.6(1a).
5. the offense(s) (NOTE: See finding No. 9 on AOC-CR-601, or finding No. 6 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,

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 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 3, for a period of 30 years.
2. **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 Department of Correction (DOC) 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 DOC 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: DOC 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. require 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
- 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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