

“We Won’t Know”

Claim

Source

<p>Torrey Grady sodomized a 7-year-old boy. Out on probation, Grady impregnated a 15-year old girl, qualifying him for lifetime GPS tracking under a bipartisan state law.</p>	<p>“Defendant’s crimes qualify him as an aggravated sex offender and a violent recidivist under the statutory framework. On 10 May 1996, defendant, then aged seventeen, committed a sexual assault involving anal sex on a seven-year-old boy while the victim’s younger brother watched. Defendant was charged with first-degree sexual offense and taking indecent liberties with children. On 16 January 1997, he pled no contest to a second-degree sex offense, defined as “engag[ing] in a sexual act . . . by force and against the will of the other person,” and received a sentence of seventy-two to ninety-six months.</p> <p>...</p> <p>“Beginning in January 2005, before the revocation of his probation and while under intensive supervision, defendant, then aged twenty-six, engaged in an illegal sexual relationship with and impregnated a fifteen-year-old girl.</p> <p>...</p> <p>“On 12 March 2010, DOC sent defendant a letter giving notice of defendant’s upcoming SBM determination hearing. Before that hearing could take place, however, defendant was arrested on 16 July 2010 for again failing to properly comply with the sex offender registry requirements. On 27 October 2010, defendant pled guilty and this time received a sentence of twenty-four to twenty-nine months. Defendant was released from prison on 24 August 2012, and on 14 May 2013, the trial court conducted defendant’s SBM determination hearing and concluded that defendant’s two sex crimes were “sexually violent offenses” and that</p>
--	--

<p>“Soft on Sex Crimes”</p> <p>Justice Cheri Beasley struck it down, ruling that it violated Grady’s privacy.</p>	<p>defendant met the criteria for a recidivist sex offender. . . . As required by statute, the trial court ordered defendant to enroll in lifetime SBM. See id. § 14-208.40B(c) (2017).” (State of North Carolina v. Torrey Grady, 8/16/2019 [Justice Newby Dissenting])</p> <p>“North Carolina’s SBM program for sex offenders became effective on 1 January 2007 as a result of the ratification of ‘An Act To Protect North Carolina’s Children/Sex Offender Law Changes,’ which directed the DOC to ‘establish a sex offender monitoring program that uses a continuous satellite-based monitoring system . . . to monitor’ the locations of certain categories of sex offenders.” (State of North Carolina v. Torrey Grady, 8/16/2019 [Opinion of the Court])</p> <p>North Carolina HB 1896, 2005-2006 Session</p> <p>“NC Dem Judges Soft on Sex Crimes” (Washington Free Beacon, 8/24/2019)</p> <p>“Cheri Beasley is the first African-American woman in the North Carolina Supreme Court’s 200-year history to serve as Chief Justice. She has been on the state’s highest Court since 2012 and was named Chief Justice in March of 2019.” (American Bar Association, 2020 YLD Fellows Honoree)</p> <p><i>Though Beasley’s name was not listed on the opinion of the court, she did not join Justices Newby and Morgan in the dissent, and she is not listed as joining Justice Davis is not participating in the case, thereby indicating that she joined the court’s opinion:</i> “For the reasons stated, including the uncorroborated assertions regarding the extent of the general threat posed by the recidivism of sex offenders</p>
---	---

<p>“Intrusion upon... defendant’s expectations of privacy.”</p>	<p>and the lack of any showing by the State that SBM effectively promotes its interest in combating that threat, the lack of any individualized assessment of the offender or his offense characteristics and of any meaningful opportunity for termination of SBM, and the unique intrusiveness of SBM upon legitimate privacy interests of recidivists, we conclude that no circumstances exist in which these applications would be valid.” (State of North Carolina v. Torrey Grady, 8/16/2019 [Opinion of the Court])</p> <p>“Some repeat convicted sex offenders in North Carolina who’ve completed their sentences should no longer be subject to perpetual monitoring by satellite-linked bracelets because it’s unconstitutional, the state Supreme Court ruled Friday.</p> <p>“A majority on the state’s highest court expanded a lower appeals court decision that last year concluded GPS monitoring of Torrey Grady — collecting information on his whereabouts potentially for the rest of his life — would equate to an unreasonable search.</p> <p>“The justices also decided the lifetime satellite-based tracking violates Fourth Amendment rights when imposed on anyone only because the person has been convicted of multiple sex offenses and it continues after the person has finished all punishments.” (Associated Press, 8/16/2019)</p> <p><u>“I. Intrusion Upon Reasonable Privacy Expectations</u></p> <p>... “The State disputes the legitimacy of defendant’s expectations of privacy, contending that defendant’s legitimate expectations of privacy are diminished due to his status as a convicted sex offender.” (State of North Carolina v. Torrey Grady, 8/16/2019 [Opinion of the Court])</p>
---	---

Last week, Grady was released from prison.

[North Carolina Department of Public Safety Offender Public Information](#),
"Torrey D. Grady" (As of 9/21/2022)