

ETHNIC INTIMIDATION. MISDEMEANOR. G.S. 14-401.14.

The defendant has been charged with ethnic intimidation.

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

First, that the defendant

<sup>a</sup>[assaulted] [threatened to assault] the victim by intentionally<sup>1</sup> (*describe assault*).

<sup>b</sup>[damaged] [threatened to damage] the victim's property.

And Second, that the defendant acted because of [race] [color] [religion] [nationality] [country of origin].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant

<sup>a</sup>[assaulted] [threatened to assault] the victim by intentionally<sup>1</sup> (*describe assault*),

<sup>b</sup>[damaged] [threatened to damage] the victim's property,

And that the defendant acted because of [race] [color] [religion] [nationality] [country of origin], 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 more of these things, it would be your duty to return a verdict of not guilty.<sup>2</sup>

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<sup>1</sup>If a definition of intent is needed, see N.C.P.I.--Crim. 120.10.

<sup>2</sup>If there is to be an instruction on lesser included offenses, the last phrase should be: "...you will not return a verdict of guilty of ethnic intimidation."

