

N.C.P.I.—Crim 233.84
FURNISHING A [MOBILE TELEPHONE] [WIRELESS COMMUNICATION
DEVICE] [COMPONENT OF A [MOBILE TELEPHONE] [WIRELESS
COMMUNICATION DEVICE]] TO AN INMATE. FELONY
CRIMINAL VOLUME
REPLACEMENT JUNE 2016
N.C. Gen. Stat. § 14-258.1(d)

233.84 FURNISHING A [MOBILE TELEPHONE] [WIRELESS COMMUNICATION
DEVICE] [COMPONENT OF A [MOBILE TELEPHONE] [WIRELESS
COMMUNICATION DEVICE]] TO AN INMATE. FELONY.

NOTE WELL: If the offense involves furnishing a controlled substance to an inmate, use N.C.P.I.—Crim. 233.80. If the offense involves furnishing a deadly weapon, cartridge or ammunition to an inmate, use N.C.P.I.—Crim. 233.81. If the offense involves furnishing an alcoholic beverage to an inmate, use N.C.P.I.—Crim. 233.82. If the offense involves furnishing tobacco to an inmate, use N.C.P.I.—Crim. 233.83.

The defendant has been charged with furnishing a [mobile telephone] [wireless communication device] [component of a [mobile telephone] [wireless communication device]] to an [inmate [of the Division of Adult Correction of the Department of Public Safety] [in the custody of a local confinement facility]] [a delinquent juvenile in the custody of the Division of Juvenile Justice of the Department of Public Safety].¹

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

First, that (*name inmate*) was an [inmate [of the Division of Adult Correction of the Department of Public Safety] [in the custody of a local confinement facility]] [a delinquent juvenile in the custody of the Division of Juvenile Justice of the Department of Public Safety]. (*Name facility*) is [within the Division of Adult Correction of the Department of Public Safety] [a local confinement facility] [facility operated by the Division of Juvenile Justice of the Department of Public Safety].

And Second, that while [*name inmate*] was an inmate of (*name facility*), the defendant knowingly² [sold] [gave] a [mobile telephone] [wireless communication device] [a component of a [mobile telephone]

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[wireless communication device]] to [*name inmate*] [[another] [others] to
give to [name inmate]].

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date (*name inmate*) was an inmate at (*name facility*)
within the Division of Adult Corrections of the Department of Public Safety
and that the defendant knowingly [sold] [gave] a [mobile telephone]
[wireless communication device] [component of a [mobile telephone]
[wireless communication device]] to [*name inmate*] [[another] [others] to
give to [name inmate]], 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.

1. For the purposes of this offense, a delinquent juvenile in the custody of the
Division of Juvenile Justice of the Department of Public Safety shall mean a juvenile
confined in a youth development center or a detention facility as defined in G.S. 7B-1501,
and shall include transportation of a juvenile to or from confinement.

2. A person acts "knowingly" when the person is aware or conscious of what he or
she is doing.