

BLACKMAIL--OTHER THAN BY ACCUSATION OF CRIME. G.S. 14-118.
MISDEMEANOR.

The defendant has been charged with blackmail.

For you to find the defendant guilty of blackmail, the State must prove four things beyond a reasonable doubt:

First, that the defendant knowingly [sent] [delivered] a [letter] [writing] to the victim.

Second, that the [letter] [writing] demanded of the victim [a chattel] [money] [a valuable security]. ((*Name chattel or valuable security*) is a [chattel] [valuable security].)

Third, that the [letter] [writing] contained threats.¹

And Fourth, that the defendant had no probable cause or reason to believe that he was entitled to this property.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant knowingly [sent] [delivered] a [letter] [writing] containing threats to the victim in which he demanded [a chattel] [money] [a valuable security] and that the defendant had no reason to believe that he was entitled to this property, 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.

¹A threat to do something which the defendant has a right or even a duty to carry out will suffice if it is used wrongfully to obtain an advantage, e.g., a policeman who threatens to arrest a thief unless the thief gives all of the stolen money to the policeman.

