

WILLFULLY DAMAGING [COMPUTERS] [COMPUTER PROGRAMS] [COMPUTER SYSTEMS]
[COMPUTER NETWORKS]—G.S. § 14-455. FELONY; MISDEMEANOR.

The defendant has been charged with willfully damaging [computers] [computer programs] [computer systems] [computer networks].

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

First, that the defendant willfully [altered] [damaged] [destroyed] a [computer] [computer program] [computer system] [computer network] (or any part thereof).¹

Second, that the defendant acted without authorization.

And Third, that the damage caused by the [alteration] [damage] [destruction] was in excess of one thousand dollars (\$1,000).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant willfully and without authorization [altered] [damaged] [destroyed] a [computer] [computer program] [computer system] [computer network] (or any part thereof) and that the damage caused by the [alteration] [damage] [destruction] was in excess of one thousand dollars (\$1,000), it would be your duty to return a verdict of guilty of felonious damage to computers. If you do not so find or have a reasonable doubt as to one or more of these things, you would not return a verdict of guilty but would determine whether the defendant is guilty of non-felonious damage to computers, which differs from the felony in that the State need not prove that the damage caused was in excess of one thousand dollars (\$1,000).

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

1. This section applies to alteration, damage, or destruction effectuated by introducing, directly or indirectly, a computer program (including a self-replicating or a self-propagating computer program) into a computer, computer program, computer system, or computer network.

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[COMPUTER NETWORKS]—G.S. § 14-455. Felony; Misdemeanor. (*Continued*)

date, the defendant willfully and without authorization [altered] [damaged] [destroyed] a
[computer] [computer program] [computer system] [computer network] (or any part
thereof), 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.