

FURNISHING A CONTROLLED SUBSTANCE TO AN INMATE. G.S. 14-258.1(a). FELONY.

*NOTE WELL: 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 a tobacco product to an inmate, use N.C.P.I.—Crim. 233.83. If the offense involves furnishing a cell phone to an inmate, use N.C.P.I.—Crim. 233.84.*

The defendant has been charged with furnishing<sup>1</sup> a controlled substance to an inmate of a [[charitable] [mental] [penal] institution] [local confinement facility].

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 a [[charitable] [mental] [penal] institution] [local confinement facility]. (*Name facility*) is a [[charitable] [mental] [penal] institution] [local confinement facility].

And Second, that while said inmate was an inmate of (*name facility*), the defendant knowingly<sup>2</sup> [sold] [gave]<sup>3</sup> a controlled substance<sup>4</sup> to [the inmate] [[another] [others] to give to the inmate]]. (*Name substance*) is a controlled substance under the laws of this State.

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*) and that the defendant knowingly [sold]

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1. G.S. 14-258.1(a) makes it an offense to give, sell, combine, confederate, conspire, aid, abet, solicit, urge, investigate, counsel, advise, encourage, attempt to procure or procure another or others to give or sell the prohibited substance.

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

3. G.S. 14-258.1(a) makes it an offense to give, sell, combine, confederate, conspire, aid, abet, solicit, urge, investigate, counsel, advise, encourage, attempt to procure or procure another or others to give or sell the prohibited substance.

4. G.S. 14-258.1(a) excepts selling or giving a controlled substance under the general supervision of a practitioner.

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[gave] (*name controlled substance, e.g., marijuana*) to [the inmate] [[another] [others] to give to the 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.