

N.C.P.I.—CRIM 235.17B

WILLFULLY DISCHARGING A FIREARM ON EDUCATIONAL PROPERTY OR AT SCHOOL SPONSORED ACTIVITY. FELONY.

GENERAL CRIMINAL VOLUME

JUNE 2014

N.C. Gen. Stat. § 14-269.2(b) and (b1)

235.17B WILLFULLY DISCHARGING A FIREARM ON EDUCATIONAL PROPERTY OR AT SCHOOL SPONSORED ACTIVITY.¹ N.C. Gen. Stat. § 14-269.2(b) and (b1).² FELONY.

NOTE WELL: As to the "curricular or extracurricular activity sponsored by a school" prohibition, this crime becomes effective for offenses committed on or after December 1, 1999.

NOTE WELL: This section does not apply to weapons used for hunting purposes when used with the written permission of the governing body of the school that controls the educational property.

The defendant has been charged with willfully discharging a firearm [on educational property] [at a curricular or extracurricular activity sponsored by a school].³

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

First, that the defendant discharged a (*name firearm*).

Second, that the defendant was on educational property.

And Third, that the defendant acted willfully.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant willfully discharged a (*describe firearm*) and that the defendant was on educational property, it would be

¹ See N.C. Gen. Stat. § 14-269.2(a)(1) for a definition of educational property. N.C. Gen. Stat. § 14-269.2(g) explains situations where the statute does not apply. In addition, N.C. Gen. Stat. § 14-269.2(h) provides a statutory defense.

² N.C. Gen. Stat. § 14-269.2(b) deals with firearms and lists examples, punished as a Class I felony. N.C. Gen. Stat. § 14-269.2(b1) deals with explosives and lists examples, punished as a Class G felony.

³ See N.C. Gen. Stat. § 14-269.2(i), (j), and (k) that note the provisions of what this section does not apply to.

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your duty to return a verdict of guilty. If you do not so find or have a
reasonable doubt as to one or both of these things, it would be your duty to
return a verdict of not guilty.