

-----  
235.38 USE OF AN UNMANNED AIRCRAFT SYSTEM NEAR A [CONFINEMENT]  
[CORRECTIONAL] FACILITY TO [[DELIVER] [ATTEMPT TO DELIVER]] [[A  
WEAPON] [CONTRABAND]]. FELONY.

The defendant has been charged with use of an unmanned aircraft system near a [confinement] [correctional] facility.

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

First, that the defendant knowingly used an unmanned aircraft system within [a horizontal<sup>1</sup> distance of 500 feet] [a vertical distance of 250 feet] from a [local confinement facility<sup>2</sup>] [state correctional facility] [federal correctional facility].

And Second, that the defendant [[delivered] [attempted to deliver]] [[a weapon<sup>3</sup>] [contraband<sup>4</sup>]] to a [local confinement facility] [state correctional facility] [federal correctional facility].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date that the defendant used an unmanned aircraft system within [a horizontal distance of 500 feet] [vertical distance of 250 feet] from a [local confinement facility] [state correctional facility] [federal correctional facility] and that the defendant [[delivered] [attempted to deliver]] [[a weapon] [contraband]] to a [local confinement] [state correctional facility] [federal correctional facility] 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.

Page 2 of 2

N.C.P.I.–Crim. 235.38

USE OF AN UNMANNED AIRCRAFT SYSTEM NEAR A [CONFINEMENT]  
[CORRECTIONAL] FACILITY TO [[DELIVER] [ATTEMPT TO DELIVER]] [[A  
WEAPON] [CONTRABAND]]. FELONY.

GENERAL CRIMINAL VOLUME

JUNE 2018

N.C. Gen. Stat. 15A-300.3

-----

---

1 Horizontal distance shall extend outward from the furthest exterior building walls, perimeter fences, and permanent fixed perimeter, or from another boundary clearly marked with posted notices. Posted notices shall be conspicuously posted not more than 100 yards apart along a marked boundary and comply with Department of Transportation guidelines.  
N.C. Gen. Stat. § 15A-300.3.

2 N.C. Gen. Stat. § 153A-217.

3 N.C. Gen. Stat. § 14-401.24(c).

4 Contraband includes controlled substances, as defined in N.C. Gen. Stat. § 90-87, cigarettes, alcohol, and communication devices.