

N.C.P.I.—CRIM 238.23

PROMOTING PROSTITUTION OF A MINOR (ENTICING PROSTITUTION)  
(APPLIES ONLY TO OFFENSES COMMITTED PRIOR TO OCTOBER 1, 2013).  
FELONY.

GENERAL CRIMINAL VOLUME

JUNE 2014

N.C. GEN STAT. § 14-190.18(A)(1)

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238.23 PROMOTING PROSTITUTION OF A MINOR (ENTICING THE  
PROSTITUTION). FELONY.

*NOTE WELL: This statute has been repealed by Session Laws 2013-368, s.4, effective October 1, 2013. This instruction applies only to offenses committed prior to October 1, 2013.*

*NOTE WELL: For offenses occurring on or after December 1, 1995 this offense is a Class D felony. For offenses occurring on or after December 1, 2008 this offense is a Class C felony. N.C. Gen. Stat. § 14-190.18(b) provides that a mistake of age is not a defense to prosecution.*

The defendant has been charged with promoting prostitution<sup>1</sup> of a minor.<sup>2</sup>

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

First, that the defendant [enticed] [forced] [encouraged] [(otherwise) facilitated, (*describe facilitation*)] a person to participate in prostitution.

Second, and that person was a minor.

And Third, that the defendant acted knowingly.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant knowingly [enticed] [forced] [encouraged] [(otherwise) facilitated] a minor to participate in prostitution, 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

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1 N.C. Gen. Stat. § 14-203(5) defines "prostitution" as "the [performance of] [offer of] [agreement] to perform [vaginal intercourse] [any sexual act as defined in G.S. 14-27.1] [any sexual contact as defined in G.S. 14-27.1] for the purpose of sexual arousal or gratification for any money or other consideration."

2 N.C. Gen. Stat. § 14-190.13(3) defines "minor" as "an individual who is less than eighteen (18) years and is not married or judicially emancipated."

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duty to return a verdict of not guilty.