

N.C.P.I.—CRIM 239.20  
PERMITTING A CHILD UNDER THE AGE OF TWELVE TO USE A DANGEROUS  
FIREARM. MISDEMEANOR.  
GENERAL CRIMINAL VOLUME  
JUNE 2014  
N.C. Gen. Stat. § 14-316  
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239.20 PERMITTING A CHILD UNDER THE AGE OF TWELVE TO USE A  
DANGEROUS FIREARM. MISDEMEANOR.

The defendant has been charged with permitting a child under the age of twelve to use a dangerous firearm.

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

First, that the defendant knowingly permitted (*name child*) to have [[access] [possession] [custody] [use]] (in any manner whatever) [to] [of] a [loaded] [unloaded] [[gun] [pistol] [dangerous firearm]].<sup>1</sup>

Second, that the defendant was not supervising the child at the time (*name child*) had [[access] [possession] [custody] [use]] [to] [of] the [gun] [pistol] [dangerous firearm]<sup>2</sup>.

And Third, that at the time, (*name child*) had not reached the child's twelfth birthday.

If you find from the evidence beyond a reasonable doubt, that on or about the alleged date, (*name child*) had not reached the child's twelfth birthday and that the defendant knowingly permitted (*the child*) to (*describe possession custody or use*) (*name firearm*) while the defendant was not supervising the child, 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.

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1 It is an exception to this section if the person had the permission of the child's parent or guardian and the child is under the supervision of an adult.

2 Air rifles, air pistols and BB guns are not "dangerous firearms" within the meaning of this statute except in certain enumerated counties.

