

219B.85 IDENTITY THEFT - TRAFFICKING IN STOLEN IDENTITIES.
FELONY.

The defendant has been charged with trafficking in stolen identities.

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

First, that the defendant [sold] [transferred] [purchased] identifying information.¹

Second, that the identifying information was that of a person other than the defendant.

And Third, that the defendant intended to [commit identity theft] [assist another person in committing identity theft]. Identity theft is when a person knowingly obtains, possesses, or uses personal identifying information of another person with the intent to fraudulently represent that other person for the purpose of making financial or credit transactions in that person's name, obtaining anything of value, benefit, or advantage, or for the purpose of avoiding legal consequences.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant [sold] [transferred] [purchased] identifying information of a person other than the defendant, that is (*describe identifying information*), with the intent to [commit identity theft] [to assist another person in committing identity theft], 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. The term "identifying information" includes the following:
- a. Social security or employer taxpayer identification numbers.
 - b. Drivers license, State identification card, or passport numbers.
 - c. Checking account numbers.
 - d. Savings account numbers.
 - e. Credit card numbers.
 - f. Debit card numbers.
 - g. Personal Identification (PIN) Code as defined in N.C. Gen. Stat. §14-113.8(6).
 - h. Electronic identification numbers, electronic mail names or addresses,
Internet account numbers, or Internet identification names.
 - i. Digital signatures.
 - j. Any other numbers or information that can be used to access a person's
financial resources.
 - k. Biometric data.
 - l. Fingerprints.
 - m. Passwords.
 - n. Parent's legal surname prior to marriage.