

N.C.P.I.-Crim. 223.30
WILLFULLY DAMAGING [COMPUTERS] [COMPUTER PROGRAMS]
[COMPUTER SYSTEMS] [COMPUTER NETWORKS]. FELONY;
MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2009
N.C. Gen. Stat. § 14-455

223.30 WILLFULLY DAMAGING [COMPUTERS] [COMPUTER PROGRAMS]
[COMPUTER SYSTEMS] [COMPUTER NETWORKS]. FELONY;
MISDEMEANOR.

The defendant has been charged with willfully damaging [computers] [computer programs] [computer systems] [computer networks].

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

First, that the defendant willfully [altered] [damaged] [destroyed] a [computer] [computer program] [computer system] [computer network] (or any part thereof).¹

Second, that the defendant acted without authorization.

And Third, that the damage caused by the [alteration] [damage] [destruction] was in excess of one thousand dollars (\$1,000).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant willfully and without authorization [altered] [damaged] [destroyed] a [computer] [computer program] [computer system] [computer network] (or any part thereof) and that the damage caused by the [alteration] [damage] [destruction] was in excess of one thousand dollars (\$1,000), it would be your duty to return a verdict of guilty of felonious damage to computers. If you do not so find or have a reasonable doubt as to one or more of these things, you would not return a verdict of guilty but would determine whether the defendant is guilty of non-felonious damage to computers, which differs from the felony in that the State need not prove that the damage caused was in

N.C.P.I.-Crim. 223.30
WILLFULLY DAMAGING [COMPUTERS] [COMPUTER PROGRAMS]
[COMPUTER SYSTEMS] [COMPUTER NETWORKS]. FELONY;
MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2009
N.C. Gen. Stat. § 14-455

excess of one thousand dollars (\$1,000).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant willfully and without authorization [altered] [damaged] [destroyed] a [computer] [computer program] [computer system] [computer network] (or any part thereof), 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.

1. This section applies to alteration, damage, or destruction effectuated by introducing, directly or indirectly, a computer program (including a self-replicating or a self-propagating computer program) into a computer, computer program, computer system, or computer network.