

229.10 OFFERING A BRIBE TO PUBLIC OFFICIALS. FELONY.

The defendant has been charged with offering a bribe.¹ For you to find the defendant guilty of this offense, the State must prove five things beyond a reasonable doubt:

First, that (*name official*) was a (*name title of office*).

Second, that the defendant knew this.

Third, that possessed of such knowledge, the defendant [offered] [gave] to (*name official*) a [sum of money] [present] [thing of value]²

Fourth, that the purpose of this [offer] [gift] was to influence (*name official*) in the performance of an official duty. (*Describe official duty*) would be an official duty.

And Fifth, that the defendant acted with corrupt intent. (Corrupt intent means a wrongful design to acquire some pecuniary profit or other advantage.)³

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant knowing that (*name official*) was a (*name title of office*) with corrupt intent [offered] [gave] to (*name official*) (*describe bribe offer*) for the purpose of (*describe purpose*), 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. See *State v. Greer*, 238 N.C. 325 (1953) and *State v. Smith*, 237 N.C. 1 (1952) for a discussion of the crime of bribery as related to public officials. See G.S. 14-217 (bribery of officials); G.S. 14-220 (jurors); G.S. 14- 233 (bank examiners); G.S. 14-373-379 (athletes, coaches, etc.); G.S. 14- 380.1-380.4 (horse shows).

2. Where appropriate add: "It does not matter whether or not it was accepted."

3. *State v. Hair*, 114 N.C. App. 464, 442 S.E. 2d 163 (1994).