

235.50 TERRORISM (BASIC OFFENSE). FELONY.

The defendant has been charged with the offense of terrorism.

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

First, that the defendant committed (*name offense*), an act of violence.<sup>1</sup> A person commits (*name offense*) when (*set forth elements of named offense using applicable Pattern Jury Instructions*).

And Second, that the defendant did so with the intent to intimidate [the civilian population at large] [an identifiable group of the civilian population]] [influence through intimidation the [conduct] [activities] of the government of [the United States] [a state] [any unit of local government]].<sup>2</sup>

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant committed (*name offense*), an act of violence, with the intent to [intimidate [the civilian population at large] [an identifiable group of the civilian population]] [influence through intimidation the [conduct] [activities] of the government of [the United States] [a state] [any unit of local government]], 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, then it would be your duty to return a verdict of not guilty.

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1. N.C. Gen. Stat. § 14-10.1 states that an "act of violence" means a violation of N.C. Gen. Stat. § 14-17; a felony punishable pursuant to N.C. Gen. Stat. § 14-18; any

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felony offense in this Chapter that includes an assault, or use of violence or force against a person; any felony offense that includes either the threat or use of any explosive or incendiary device; or any offense that includes the threat or use of a nuclear, biological, or chemical weapon of mass destruction.”

2. N.C. Gen. Stat. § 14-10.1 (d) states “All real and personal property of every kind used or intended for use in the course of, derived from, or realized through an offense punishable pursuant to this Article shall be subject to lawful seizure and forfeiture to the State as set forth in N.C. Gen. Stat. § 14-2.3 and N.C. Gen. Stat. § 14-7.20. However, the forfeiture of any real or personal property shall be subordinate to any security interest in the property taken by a lender in good faith as collateral for the extension of credit and recorded as provided by law, and no real or personal property shall be forfeited under this section against an owner who made a bona fide purchase of the property, or a person with rightful possession of the property, without knowledge of a violation of this Article.”