

N.C.P.I.-Crim. 240.82
[EMPLOYEE] [VOLUNTEER] AT A FACILITY WHO [BORROWS] [TAKES]
PERSONAL PROPERTY FROM A CLIENT. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2016
N.C. Gen. Stat. § 122C-66 (a)(1)

240.82 [EMPLOYEE] [VOLUNTEER] AT A FACILITY WHO [BORROWS]
[TAKES] PERSONAL PROPERTY FROM A CLIENT. MISDEMEANOR.

NOTE WELL: Any employee or volunteer who uses reasonable force to carry out the provisions of N.C. Gen. Stat. § 122C-60 or to protect himself/herself or others from a violent client does not violate this subsection.

The defendant has been charged with [borrowing] [taking] personal property from a client. ¹

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

First, that the defendant was a(n) [employee] [volunteer] at (*name facility*), a facility whose primary purpose is to provide services for the [care] [treatment] [habilitation] [rehabilitation] of individuals with [mental illness] [developmental disabilities] [substance abuse disorders].

Second, that the alleged victim was a client at (*name facility*).

And Third, that the defendant [borrowed] [took] the personal property of (*name victim*), a client at (*name facility*).

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was a(n) [employee] [volunteer] at (*name facility*), a facility whose primary purpose is to provide services for the [care] [treatment] [habilitation] [rehabilitation] of individuals with [mental illness] [developmental disabilities] [substance abuse disorders], and that (*name victim*) was a client at (*name facility*), and that the defendant [borrowed] [took] personal property of (*name victim*), a client at (*name facility*), 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

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your duty to return a verdict of not guilty.

1 This provision is effective for offense committed on or after December 1, 2015.