

215.51 ARSON OR OTHER UNLAWFUL BURNING RESULTING IN SERIOUS INJURY TO A FIREFIGHTER, LAW ENFORCEMENT OFFICER, FIRE INVESTIGATOR, OR EMERGENCY MEDICAL TECHNICIAN. FELONY.

The defendant has been charged with [arson] [unlawful burning] resulting in serious injury to a [firefighter] [law enforcement officer] [fire investigator] [emergency medical technician].

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

First, that the defendant committed the felony of (*name felony within Article 15 of Chapter 14 of the General Statutes*). (*Define the felony and enumerate its elements using the Pattern Jury Instruction for that felony.*)

Second, that a [firefighter] [law enforcement officer] [fire investigator]¹ [emergency medical technician]² suffered serious injury. Serious injury is injury that causes great pain and suffering.³

Third, that the serious injury occurred while the [firefighter] [law enforcement officer] [fire investigator] [emergency medical technician] was [discharging] (or) [attempting to discharge] that person's duties.

And Fourth, that the serious injury suffered by the [firefighter] [law enforcement officer] [fire investigator] [emergency medical technician] occurred [on] [proximate to] the property where the [[firefighter] [law enforcement officer] [fire investigator] [emergency medical technician]] [[discharged] (or) [attempted to discharge]] that person's duties.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant committed the felony of (name felony) as I have defined that offense for you, and that a [firefighter] [law enforcement officer] [fire investigator] [emergency medical technician] suffered serious injury, which occurred while the [firefighter] [law enforcement officer] [fire investigator]

[emergency medical technician] was [discharging] (or) [attempting to discharge] that person’s duties, and that this serious injury occurred [on] [proximate to] the property that was the subject of the [[firefighter's] [law enforcement officer’s] [fire investigator’s] [emergency medical technician's]] [discharge of] (or) [attempt to discharge]_that person’s duties, 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. The term “fire investigator” includes any person who, individually or as part of an investigation team, has the responsibility and authority to determine the origin, cause, or development of a fire or explosion.

2. The term “emergency medical technician” includes an emergency medical technician, an advanced emergency medical technician, and an emergency medical technician-paramedic, as those terms are defined in N.C. Gen. Stat. § 131E-155.

3. *State v. Savage*, 272 N.C. App. 447, 843 S.E.2d 732 (2020).