

N.C.P.I—CRIM 236A.33
DISORDERLY CONDUCT AT A FUNERAL. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2014
N.C. Gen. Stat. § 14-288.4 (a)(8)

236A.33 DISORDERLY CONDUCT AT A FUNERAL. MISDEMEANOR, FELONY.

The defendant has been charged with disorderly conduct at a funeral.

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

First, that the defendant:

- a) displayed a visual image within 500 feet of a [funeral] [memorial service] [family processional to the [funeral] [memorial service]] that conveyed [fighting words] [[actual threats of harm] [imminent threats of harm]] directed to a [person] [property] associated with the [funeral] [memorial service] [family processional to the [funeral] [memorial service]];¹
- b) uttered within 500 feet of a [funeral] [memorial service] [family processional to the [funeral] [memorial service]] [[loud] [threatening] [abusive language]] [[singing] [chanting] [whistling] [yelling]]² in a manner that would tend to [impede] [disrupt] [disturb] [interfere] with a [funeral] [memorial service] [family processional to the [funeral] [memorial service]];
- c) [[attempted³ to block] [blocked]] [pedestrian] [vehicular] access to the [ceremonial site] [location being used] for a [funeral] [memorial service] [family processional to the [funeral] [memorial service]],

1 This includes a military service, or family processional, or with the normal activities and functions occurring in the facilities or buildings where a funeral or memorial service, including a military funeral or memorial service, is taking place. As used in this section the term "building or facility" includes the surrounding grounds and premises of any building or facility used in connection with the operation or functioning of such building or facility.

2 This offense applies whether done with or without noise amplification.

3 For further instructions on attempt, see N.C.P.J. Crim 201.10

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Second, that the defendant's conduct occurred [within two hours [before] [after]] [during] the [funeral] [memorial service] [family processional to the [funeral] [memorial service]];

And Third, that the defendant intentionally engaged in this conduct to [impede] [disrupt] [disturb] [interfere with] the orderly administration of ~~any~~ a [funeral] [memorial service] [family processional to the [funeral] [memorial service]].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant intentionally:

- a) displayed a visual image within 500 feet of a [funeral] [memorial service] [family processional to the [funeral] [memorial service]] that conveyed [fighting words] [[actual threats of harm] [imminent threats of harm]] directed to a [person] [property] associated with the [funeral] [memorial service] [family processional to the [funeral] [memorial service]];
- b) uttered within 500 feet of a [funeral] [memorial service] [family processional to the [funeral] [memorial service]] [[loud] [threatening] [abusive language]] [[singing] [chanting] [whistling] [yelling]] [with noise amplification] [without noise amplification] in a manner that would tend to [impede] [disrupt] [interfere] with a [funeral] [memorial service] [family processional to the [funeral] [memorial service]];
- c) [[attempted to block] [blocked]] [pedestrian] [vehicular] access to the [ceremonial site] [location being used] for a [funeral] [memorial service] [ceremonial site] [location being used] for a [funeral] [memorial service] [family processional to the [funeral] [memorial service]],

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[within two hours [before] [after]] [during] the [funeral] [memorial service] [family processional to the [funeral] [memorial service]] with the intent to [impede] [disrupt] [disturb] [interfere with] the orderly administration of a [funeral] [memorial service] [family processional], 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.

