

FAILURE TO IMMEDIATELY NOTIFY LOCAL LAW ENFORCEMENT OF ESCAPE OF [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE] [CROCODILIAN]. G.S. § 14-417. MISDEMEANOR.

NOTE WELL: This instruction is applicable for offenses committed on or after December 1, 2009.

The defendant has been charged with the failure to immediately notify local law enforcement of the escape of a [venomous reptile] [large constricting snake¹] [crocodilian²].

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

First, that the defendant is the [owner] [possessor] of a [venomous reptile] [large constricting snake] [crocodilian]. ((*Describe animal*) is a large constricting snake.)

Second, that the [venomous reptile] [large constricting snake] [crocodilian] escaped.

(And) Third, that the defendant did not immediately notify local law enforcement officials of the escape of the [venomous reptile] [large constricting snake] [crocodilian].

(Use the following element only if the victim was a person other than the [owner] [owner's agent] [member of the owner's immediately family].)

(And) Fourth, that the victim [suffered a life threatening injury] [was killed].³

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant was the [owner] [possessor] of a [venomous reptile] [large constricting

1. The term "large constricting snake" means Reticulated Python, *Python reticulatus*; Burmese Python, *Python molurus*; African Rock Python, *Python sebae*; Amethystine Python, *Morelia amethystina*; and Green Anaconda, *Eunectes murinus*; or any of their subspecies or hybrids.

2. The term "crocodilian" does not include American alligators.

3. The penalty for this offense will be higher if any person, other than the owner, the owner's agent, employee, or a member of the owner's immediate family, suffers a life threatening injury or is killed as the result of this offense. This shall not apply to violations that result from incidents that could not have been prevented or avoided by the owner's exercise of due care or foresight, such as natural disasters or other acts of God, or in the case of thefts of the reptile, snake, or crocodilian from the owner.

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(Continued)

snake] [crocodilian], that the [venomous reptile] [large constricting snake] [crocodilian] escaped, (and) that the defendant failed to immediately notify local law enforcement escape of the [venomous reptile] [large constricting snake] [crocodilian], (and that the victim [suffered a life threatening injury] [was killed]), 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.