

N.C.P.I.—Criminal 208.95F
ASSAULT ON EMERGENCY PERSONNEL—DANGEROUS [WEAPON]
[SUBSTANCE]. FELONY.
GENERAL CRIMINAL VOLUME
JUNE 2012
G.S. 14-288.9

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The defendant has been charged with an assault on [a law enforcement officer] [a fireman] [an ambulance attendant] [a utility worker] [a doctor] [a nurse] [(*describe other persons lawfully engaged in providing essential services during the emergency*)] with or through the use of any dangerous [weapon] [substance].

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

First, that the victim was a [a law enforcement officer] [a fireman] [an ambulance attendant] [a utility worker] [a doctor] [a nurse] [(*describe other persons lawfully engaged in providing essential services during the emergency*)]¹;

Second, that the defendant assaulted the [law enforcement officer] [fireman] [ambulance attendant] [utility worker] [doctor] [nurse] [(*describe other persons lawfully engaged in providing essential services during the emergency*)] by (*describe assault*);

1 G.S. 14-288.9 (b) defines emergency personnel.

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Third, that the defendant used a dangerous [weapon] [substance] to carry out this assault by (*describe assault*). A dangerous weapon or substance is one capable of causing physical injury;

And Fourth, that the assault was committed in an area [in which a declared state of emergency exists] [within the immediate vicinity of which a riot was occurring or was imminent].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the victim was [a law enforcement officer] [a fireman] [an ambulance attendant] [a utility worker] [a doctor] [a nurse] [*describe other persons lawfully engaged in providing essential services during the emergency*], that the defendant assaulted the [law enforcement officer] [fireman] [ambulance attendant] [utility worker] [doctor] [nurse] [*describe other persons lawfully engaged in providing essential services during the emergency*], that the defendant used a dangerous [weapon] [substance] to carry out this assault, and that the assault was committed in an area [in which a declared state of emergency exists] [within the immediate vicinity of which a riot was occurring or was imminent], 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.