

N.C.P.I.—Criminal 208.95G
ASSAULT ON EMERGENCY PERSONNEL—PHYSICAL INJURY. FELONY.
GENERAL CRIMINAL VOLUME
JUNE 2012
G.S. 14-288.9

ASSAULT ON EMERGENCY PERSONNEL—PHYSICAL INJURY. FELONY.

The defendant has been charged with an assault causing physical injury to [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)*].

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 inflicted physical injury on the victim²;

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 inflicted physical injury on the victim, 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.

² G.S. 14-34.7 defines "physical injury" as to include "cuts, scrapes, bruises, or other physical injury which does not constitute serious injury."