

IMPERSONATING A LAW ENFORCEMENT OFFICER BY OPERATING A VEHICLE WITH AN OPERATING BLUE LIGHT CAUSING A PERSON TO [STOP] [YIELD] (BLUE LIGHT BANDIT). G.S. 14-277(a)(4) and (b)(5). CLASS H AND I FELONIES.

The defendant has been accused of impersonating a law enforcement officer by operating a vehicle with an operating blue light causing a person to [stop] [yield].

Now I charge that for you to find the defendant guilty of this offense, the State must prove four things beyond a reasonable doubt:

First, that the defendant operated a motor vehicle on a public [street] [highway] [vehicular area].

Second, that the defendant operated the vehicle with an operating blue light, that is, with the light visible and flashing.¹

Third, that the defendant was not a sworn law enforcement officer.

And Fourth, that the defendant operated the vehicle in such a manner as to cause a reasonable person to [yield the right of way] [stop] his vehicle in obedience to such blue light.

So I charge that if you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant operated a vehicle on a public [street] [highway] [vehicular area] with a visible and flashing blue light, operated in such a

¹In the event it is necessary to describe a blue light the jury should be told: "Blue light means an operable blue light, not sealed in the manufacturer's original package, which is designed for use by an emergency vehicle or is similar in appearance to a blue light designed for use by an emergency vehicle."

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manner as to cause a reasonable person to [stop his vehicle] [yield the right-of-way] in obedience to such blue light, and that the defendant was not a law enforcement officer, it would be your duty to return a verdict of guilty of impersonating a law enforcement officer by operating a vehicle with an operating blue light causing a person to [stop] [yield].

However, if you do not so find or have a reasonable doubt as to one or more of these things, you would not return a verdict of guilty of that offense but would consider whether the defendant is guilty of the lesser offense of impersonating a law enforcement officer by operating a vehicle with an operating blue light. For the defendant to be guilty of this offense the State need not prove that the defendant operated the vehicle in such a manner as to cause a reasonable person to [stop his vehicle] [yield the right-of-way] in obedience to such blue light.

So I charge that if you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant operated a vehicle on a public [street] [highway] [vehicular area] with a visible and flashing blue light and that he was not a sworn law enforcement officer it would be your duty to return a verdict of guilty of impersonating a law enforcement officer by operating a vehicle with an operating blue light. If you do not

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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.

