

208.14 ASSAULT UPON A SPORTS OFFICIAL. MISDEMEANOR.

The defendant has been charged with assault¹ upon a sports official.

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

First, that the defendant intentionally² assaulted the victim (without justification or excuse).³

Second, that the victim was a sports official.⁴

Third, that the victim was [discharging] [attempting to discharge] official duties [at a sports event]⁵ [immediately after a sports event].

NOTE WELL: If self-defense is an issue, use N.C.P.I.-Crim. 308.40.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant intentionally (and without justification or excuse) assaulted the victim, and that the victim was a sports official who was [discharging] [attempting to discharge] an official duty [at a sports event] [immediately after a sports event], 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.

1. If a definition of assault is needed, see N.C.P.I.-Crim. 120.20.

2. If a definition of intent is needed, see N.C.P.I.-Crim. 120.10.

3. The parenthetical phrase should be used only where there is some evidence of

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justification or excuse, such as self-defense.

4. A sports official is a person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach.

5. A sports event includes any interscholastic or intramural athletic activity in a primary, middle, junior high, high school, college or university, any organized athletic activity sponsored by a community, business, or nonprofit organization, any athletic activity that is a professional or semiprofessional event, and any other organized athletic activity in the State.