

N.C.P.I.—Crim. 208.95G
ASSAULT ON EMERGENCY PERSONNEL. FELONY.
GENERAL CRIMINAL VOLUME
REPLACEMENT SEPTEMBER 2023
N.C. Gen. Stat. § 14-288.9(c)

208.95G ASSAULT ON EMERGENCY PERSONNEL. FELONY.

The defendant has been charged with assault upon [a law enforcement officer] [a fireman] [an ambulance attendant] [a utility worker] [a doctor] [a nurse] [a member of the North Carolina National Guard] [*(describe other persons lawfully engaged in providing essential services or otherwise discharging or attempting to discharge his or her official duties during the emergency)*].

For you to find the defendant guilty of this offense, the State must prove three 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] [a member of the North Carolina National Guard] [*(describe other persons lawfully engaged in providing essential services or otherwise discharging or attempting to discharge his or her official duties during the emergency)*]¹;

Second, that the defendant assaulted the [law enforcement officer] [fireman] [ambulance attendant] [utility worker] [doctor] [nurse] [member of the North Carolina National Guard] [*(describe other persons lawfully engaged in providing essential services or otherwise discharging or attempting to discharge his or her official duties during the emergency)*] by (*describe assault*);

And Third, that the assault was committed in an area [in which a declared state of emergency existed] [within the immediate vicinity of which a riot² 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] [a member

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of the North Carolina National Guard] [(describe other persons lawfully engaged in providing essential services or otherwise discharging or attempting to discharge his or her official duties during the emergency)], that the defendant assaulted the [law enforcement officer] [fireman] [ambulance attendant] [utility worker] [doctor] [nurse] [member of the North Carolina National Guard] [(describe other persons lawfully engaged in providing essential services or otherwise discharging or attempting to discharge his or her official duties during the emergency)], and that the assault was committed in an area [in which a declared state of emergency existed] [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.

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1. N.C. Gen. Stat. § 14-288.9 (b) defines emergency personnel.
 2. For a definition of "riot," see N.C. Gen. Stat. § 14-288.2(a).