

N.C.P.I.—CRIMINAL 247.40  
INTERFERENCE WITH ANIMAL RESEARCH INVOLVING RELEASE OF AN ANIMAL HAVING AN  
INFECTIOUS DISEASE. FELONY, MISDEMEANOR.  
GENERAL CRIMINAL VOLUME  
REPLACEMENT DECEMBER 2000  
N.C. Gen. Stat. §§ 14-159.2(a)(1); (b); (c)  
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247.40 INTERFERENCE WITH ANIMAL RESEARCH INVOLVING RELEASE OF  
AN ANIMAL HAVING AN INFECTIOUS DISEASE. FELONY, MISDEMEANOR.

The defendant has been charged with interference with animal research involving the release of an animal having an infectious disease.

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

First, that the defendant willfully entered an animal research facility. An Animal Research Facility is any facility where animals are kept within the facility for research in the advancement of medical, veterinary, dental, or biological sciences.<sup>1</sup>

Second, that the defendant's entry was unauthorized.

Third, that the defendant intended at that time to release from any enclosure or restraining device any animal kept within the research facility.

And Fourth, that the defendant released an animal having an infectious disease.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant willfully and without authority entered an animal research facility, and that the defendant intended at that time to release from any enclosure or restraining device any animal kept within the research facility, and that the defendant released an animal having an infectious disease, it would be your duty to return a verdict of guilty. If you do not so find or if you have a reasonable doubt as to one or more of these things, you will not return a verdict of guilty of interference with animal research involving the release of an animal having an infectious disease.

If you do not find the defendant guilty of this offense, you must consider whether he is guilty of misdemeanor interference with animal research, which differs from felonious interference with animal research in

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that the state need not prove the animal released had an infectious disease.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant willfully and without authority entered an animal research facility and that the defendant at that time intended to and did release from any enclosure or restraining device any animal kept within the research facility, it would be your duty to return a verdict of guilty of misdemeanor interference with animal research. If you do not so find or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

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1. G.S. 14-159.2(a)(1).