

N.C.P.I.-Crim. 247.81
FAILURE TO IMMEDIATELY NOTIFY LOCAL LAW ENFORCEMENT OF ESCAPE
OF [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE]
[CROCODILIAN]. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2010
N.C. Gen. Stat. § 14-417

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ESCAPE OF [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE]
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*NOTE WELL: This instruction is applicable for offenses
committed on or after December 1, 2009.*

The defendant has been charged with the failure to immediately
notify local law enforcement of the escape of a [venomous reptile] [large
constricting snake¹] [crocodilian²].

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

First, that the defendant is the [owner] [possessor] of a [venomous
reptile] [large constricting snake] [crocodilian]. (*Describe animal*) is a
large constricting snake.)

Second, that the [venomous reptile] [large constricting snake]
[crocodilian] escaped.

(And) Third, that the defendant did not immediately notify local law
enforcement officials of the escape of the [venomous reptile] [large
constricting snake] [crocodilian].

*(Use the following element only if the victim was a person other
than the [owner] [owner's agent] [member of the owner's immediately
family].)*

(And) Fourth, that the victim [suffered a life threatening injury]
[was killed].³

If you find from the evidence beyond a reasonable doubt that on or

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about the alleged date, the defendant was the [owner] [possessor] of a [venomous reptile] [large constricting snake] [crocodilian], that the [venomous reptile] [large constricting snake] [crocodilian] escaped, (and that the defendant failed to immediately notify local law enforcement escape of the [venomous reptile] [large constricting snake] [crocodilian], (and that the victim [suffered a life threatening injury] [was killed])), 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. The term "large constricting snake" means Reticulated Python, *Python reticulatus*; Burmese Python, *Python molurus*; African Rock Python, *Python sebae*; Amethystine Python, *Morelia amethystina*; and Green Anaconda, *Eunectes murinus*; or any of their subspecies or hybrids.

2. The term "crocodilian" does not include American alligators.

3. The penalty for this offense will be higher if any person, other than the owner, the owner's agent, employee, or a member of the owner's immediate family, suffers a life threatening injury or is killed as the result of this offense. This shall not apply to violations that result from incidents that could not have been prevented or avoided by the owner's exercise of due care or foresight, such as natural disasters or other acts of God, or in the case of thefts of the reptile, snake, or crocodilian from the owner.