

N.C.P.I.—CRIMINAL 247.82

HANDLING A [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE] [CROCODILIAN] IN A MANNER THAT [INTENTIONALLY] [NEGLIGENTLY] EXPOSES ANOTHER TO UNSAFE CONTACT WITH THE [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE] [CROCODILIAN]. MISDEMEANOR.

GENERAL CRIMINAL VOLUME

JUNE 2010

N.C. Gen. Stat. § 14-418

247.82 HANDLING A [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE] [CROCODILIAN] IN A MANNER THAT [INTENTIONALLY] [NEGLIGENTLY] EXPOSES ANOTHER TO UNSAFE CONTACT WITH THE [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE] [CROCODILIAN]. G.S. § 14-418. ¹ MISDEMEANOR.

NOTE WELL: This instruction is applicable for offenses committed on or after December 1, 2009.

The defendant has been charged with handling a [venomous reptile] [large constricting snake²] [crocodilian³] in a manner that [intentionally] [negligently] exposed another to unsafe contact with the [venomous reptile] [large constricting snake] [crocodilian]. ((*Describe animal*) is a large constricting snake.)

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

First, that the defendant handled a [venomous reptile] [large constricting snake] [crocodilian] in a manner that exposed another to unsafe contact with the [venomous reptile] [large constricting snake] [crocodilian].

And Second, that the defendant acted [intentionally⁴] [negligently⁵].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant handled a [venomous reptile] [large constricting snake] [crocodilian] in a manner that [intentionally] [negligently] exposed another to unsafe contact with the [venomous reptile] [large constricting snake] [crocodilian], 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.

N.C.P.I.—CRIMINAL 247.82

HANDLING A [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE] [CROCODILIAN] IN A MANNER THAT [INTENTIONALLY] [NEGLIGENTLY] EXPOSES ANOTHER TO UNSAFE CONTACT WITH THE [VENOMOUS REPTILE] [LARGE CONSTRICTING SNAKE] [CROCODILIAN]. MISDEMEANOR.

GENERAL CRIMINAL VOLUME

JUNE 2010

N.C. Gen. Stat. § 14-418

1. Safe and responsible handling of reptiles for purposes of animal husbandry, exhibition, training, transport, and education is permitted under this section.

2. 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.

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

4. If further elaboration is needed with respect to "intent", see N.C.P.I.—Crim. 120.10.

5. Criminal negligence is more than mere carelessness. The defendant's act was criminally negligent if, judging by reasonable foresight, it was done with such gross recklessness or carelessness as to amount to a heedless indifference to the safety and rights of others.