

N.C.P.I.—CRIMINAL 247.84

[INTENTIONALLY] [NEGLIGENTLY] [[SUGGESTING] [ENTICING] [INVITING]
[CHALLENGING] [INTIMIDATING] [EXHORTING] [INDUCING] [AIDING]] ANY PERSON TO
[HANDLE] [BE EXPOSED] IN AN UNSAFE MANNER TO A [VENOMOUS REPTILE] [LARGE
CONSTRICTING SNAKE] [CROCODILIAN]. MISDEMEANOR.

GENERAL CRIMINAL VOLUME

JUNE 2010

N.C. GEN. STAT. § 14-418

247.84 [INTENTIONALLY] [NEGLIGENTLY] [[SUGGESTING] [ENTICING]
[INVITING] [CHALLENGING] [INTIMIDATING] [EXHORTING] [INDUCING]
[AIDING]] ANY PERSON TO [HANDLE] [BE EXPOSED] IN AN UNSAFE
MANNER TO A [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 [intentionally] [negligently]
[[suggesting] [enticing] [inviting] [challenging] [intimidating] [exhorting]
[inducing] [aiding]] any person to [handle] [be exposed] in an unsafe
manner (to) a [venomous reptile] [large constricting snake²] [crocodilian³].
(*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 [[suggested] [enticed] [invited] [challenged]
[intimidated] [exhorted] [induced] [aided]] any person to [handle] [be
exposed] in an unsafe manner (to) a [venomous reptile] [large constricting
snake] [crocodilian].

And Second, that the defendant acted [intentionally]⁴ [negligently]⁵.

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date, the defendant [intentionally] [negligently]
[[suggested] [enticed] [invited] [challenged] [intimidated] [exhorted]
[induced] [aided]] any person to [handle] [be exposed] in an unsafe manner
(to) a [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.

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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.