

DISOBEYING AN OFFICER

Approved 12/21/01.

DRAFT

RSA 265:4, I (a), Refusal on Request of Officer to Give Information

The defendant is charged with disobeying an officer. The definition of this crime has three parts or elements. The State must prove each element beyond a reasonable doubt. In his case, the State must prove that:

1. The defendant was the driver (or in charge) of the vehicle; and
2. The defendant refused when requested by a law enforcement officer to give his/her (name/address/date of birth/ and the name of the owner of such vehicle); and
3. The defendant acted knowingly.

Approved 12/21/01.

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RSA 265:4, I (b): Giving False Information to a Law Enforcement Officer

The defendant is charged with disobeying an officer. The definition of this crime has four parts or elements. The State must prove each element beyond a reasonable doubt. In this case, the State must prove:

1. The defendant was the driver (or was in charge) of the vehicle; and
2. The defendant gave a (false name/date of birth/address/name and address of the owner of such vehicle/or any other false information) to a law enforcement officer; and
3. That the false information would hinder the law enforcement officer from properly identifying the person in charge of the vehicle; and
4. The defendant acted knowingly.

Approved 12/21/01

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RSA 265:4, I (c): Purposely Neglect to Stop (or Willful Attempt to Elude Pursuit

The defendant is charged with disobeying an officer. The definition of this crime has five parts or elements. The State must prove each element beyond a reasonable doubt. In this case, the State must prove:

1. The defendant was the driver (or in charge) of a vehicle; and
2. The defendant was signaled by a law enforcement officer who (was in uniform) (displayed a badge conspicuously on the outside of an outer coat or garment) (used an authorized audible or visual emergency warning signal); and
3. The defendant (did not stop) or (attempted to elude pursuit by the law enforcement officer) by (increasing speed) (extinguishing headlamps while in motion) (abandoning the vehicle); and
4. As a result of the pursuit, there was a collision which resulted in a person other than the driver sustaining personal injury; and.
5. The defendant acted purposely.

Approved 12/12/01.

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RSA 265:4, I (d) Refusal to Sign Name

The defendant is charged with disobeying an officer. The definition of this crime has three parts or elements. The State must prove each element beyond a reasonable doubt. In this case, the State must prove:

1. The defendant was the driver (or in charge) of a vehicle; and
2. The defendant refused, on demand of a law enforcement officer, to sign his/her name in the presence of such officer; and
3. The defendant acted knowingly.

Approved 12/21/01.

RSA 265:4, I (e): Refusal to Provide License or Registration

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The defendant is charged with disobeying an officer. The definition of this crime has three parts or elements. The State must prove each element beyond a reasonable doubt. In this case, the State must prove:

1. The defendant was the driver (or in charge) of a vehicle; and
2. The defendant refused, on demand of a law enforcement officer, to (produce his/her drivers license) (or to produce his/her certificate of registration) (or to permit the officer to take the drivers license or certificate in hand for the purpose of examination); and
3. The defendant acted knowingly.

RSA 265:4, I(f) Refusal to Produce License, Registration or Number Plate After

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Suspension or Revocation

The defendant is charged with disobeying an officer. The definition of this crime has five parts or elements. The State must prove each element beyond a reasonable doubt. In this case, the State must prove:

1. The defendant was the driver (or in charge) of a vehicle; and
2. The defendant's drivers license, registration, certificate or title or number plate has been suspended or revoked; and
3. The defendant was requested to produce his/her license, registration or certificate of title by a (court or justice) (the Director of the Department of Motor Vehicle or an authorized employee of the department or other authorized representative of the director); and
4. The defendant refused to do so; and
5. The defendant acted knowingly.