**OBSTRUCTING FIREFIGHTING OPERATIONS

Penal Law § 195.15(1)**

**(Committed on or after Sept. 1, 1981)**

The (*specify*) count is Obstructing Firefighting Operations.

Under our law, a person is guilty of Obstructing Firefighting Operations when that person intentionally and unreasonably obstructs the efforts of any firefighter in extinguishing a fire, or prevents or dissuades another from extinguishing or helping to extinguish a fire.

The following term used in that definition has a special meaning:

Intent means conscious objective or purpose. Thus a person INTENTIONALLY obstructs the efforts of any firefighter, when that person's conscious objective or purpose is to do so. 1

In order for you to find the defendant guilty of this crime, the People are required to prove, from all of the evidence in the case, beyond a reasonable doubt, both of the following two elements:

1. That on or about (*date*) , in the county of (*county*) , the defendant, (*defendant's name*), obstructed the efforts of a firefighter in extinguishing a fire, or prevented or dissuaded another from extinguishing or helping to extinguish a fire; and
2. That the defendant did so intentionally and unreasonably.

If you find the People have proven beyond a reasonable doubt both of those elements, you must find the defendant guilty of this crime.

If you find the People have not proven beyond a reasonable

1 *See* Penal Law § 15.05(1). An “expanded” definition of “intent” is available in the General Charges section under Culpable Mental States.

doubt either one or both of those elements, you must find the defendant not guilty of this crime.

2