

OBSTRUCTING FIREFIGHTING OPERATIONS
(Emergency Medical Care)
Penal Law § 195.15(3)
(Committed on or after November 1, 2017)

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 performing emergency medical care on a sick or injured person.

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 performing emergency medical care on a sick or injured person, 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 doubt either one or both of those elements, you must find the defendant not guilty of this crime.

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