

OBSTRUCTING EMERGENCY MEDICAL SERVICES
Penal Law § 195.16
(Committed on or after Nov. 1, 2003)

The (*specify*) count is Obstructing Emergency Medical Services.

Under our law, a person is guilty of Obstructing Emergency Medical Services when he or she intentionally and unreasonably obstructs the efforts of any

(specify the service, technician, personnel, system or unit set forth in Public Health Law § 3001 that is specified in the indictment)

in the performance of their duties.

The following terms used in that definition have a special meaning:

INTENT means conscious objective or purpose. Thus, a person intentionally obstructs the efforts of any (*specify*) 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 the evidence in the case, beyond a reasonable doubt, each 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

(specify the service, technician, personnel, system or unit set forth in Public Health Law § 3001 that is specified in the indictment)

in the performance of his/her/their duties; and

¹ See Penal Law § 15.05(1).

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.