

## **CR1102 Failure to Respond to an Officer's Signal to Stop**

(DEFENDANT'S NAME) is charged [in Count \_\_\_\_] with committing Failure to Respond to an Officer's Signal to Stop [on or about (DATE)]. You cannot convict [him] [her] of this offense unless, based on the evidence, you find beyond a reasonable doubt each of the following elements:

1. That (DEFENDANT'S NAME)
2. Knowingly received a visual or audible signal from a law enforcement officer to bring the vehicle to a stop; and
3. After receiving the visual or audible signal, [he] [she] [either]:
  - a. [Operated the vehicle in willful or wanton disregard of the signal so as to interfere with or endanger the operation of any vehicle or person;] [or]
  - b. [Intentionally attempted to flee or elude a law enforcement officer by vehicle or other means].

After you carefully consider all the evidence in this case, if you are convinced that each and every element has been proven beyond a reasonable doubt, then you must find the defendant GUILTY. On the other hand, if you are not convinced that each and every element has been proven beyond a reasonable doubt, then you must find the defendant NOT GUILTY.

### **References:**

*State v. Bird*, 2015 UT 7, 345 P.3d 1141

*State v. Simpson*, 904 P.2d 709 (Utah Ct. App. 1995)

Utah Code § 41-6a-210

### **Committee Notes**

If the prosecution relies on alternative theories for an element, the jury packet should include the unanimity instruction found in CR430. The committee encourages practitioners to use a special verdict form or forms to confirm that the jury reached a unanimous verdict.