

CR1103 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;] and
- 4 . Caused death or serious bodily injury to another person.

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(2)

Committee Note

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.