

**21.13 DEPRIVING AN OFFICER OF MEANS OF [PROTECTION]
[COMMUNICATION]**

§ 843.025, Fla. Stat.

To prove the crime of Depriving an Officer of Means of [Protection] [Communication], the State must prove the following two elements beyond a reasonable doubt:

1. (Defendant) **deprived** (victim) of [his] [her] [weapon] [radio] [means to defend [himself] [herself]] [means to summon assistance].
2. **At the time**, (victim) was a [law enforcement officer] [correctional officer] [correctional probation officer].

Definitions. Give as applicable.

§ 943.10(1), Fla. Stat.

“Law enforcement officer” means any person who is elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state. [This definition includes all certified supervisory and command personnel whose duties include, in whole or in part, the supervision, training, guidance, and management responsibilities of full-time law enforcement officers, part-time law enforcement officers, or auxiliary law enforcement officers but does not include support personnel employed by the employing agency.]

§ 943.10(2), Fla. Stat.

“Correctional officer” means any person who is employed full time by the state or any political subdivision thereof; or by any private entity which has contracted with the state or county, and whose primary responsibility is the supervision, protection, care, custody, and control, or investigation, of inmates within a correctional institution; however, the term “correctional officer” does not include any secretarial, clerical, or professionally trained personnel.

§943.10(3), Fla. Stat.

“Correctional probation officer” means any person who is employed full time by the state whose primary responsibility is the supervised custody, surveillance, and control of assigned inmates, probationers, parolees, or community controlees within institutions of the Department of Corrections or within the community. The term includes supervisory personnel whose duties include, in whole or in part, the supervision, training, and guidance, of correctional probation officers, but excludes management and administrative personnel above, but not including, the probation and parole regional administrative level.

See § 943.10, Fla. Stat. for definitions for “employing agency,” “part-time law enforcement officer,” “part-time correctional officer,” “auxiliary law enforcement officer,” “auxiliary correctional officer,” “support personnel,” “officer,” “auxiliary correctional probation officer,” and “part-time correctional probation officer.”

Lesser Included Offenses

DEPRIVING AN OFFICER OF MEANS OF [PROTECTION] [COMMUNICATION]—843.025

CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Attempt	777.04(1)	5.1

Comment

This instruction was adopted in 2013.