

21.3 OBSTRUCTION BY DISGUISED PERSON

§ 843.03, Fla. Stat.

To prove the crime of Obstruction by a Disguised Person, the State must prove the following three elements beyond a reasonable doubt:

1. (Defendant) **disguised [himself] [herself]**.
2. **By disguising [himself] [herself], the defendant, (name) intended:**

Give a or b as applicable.

- a. **[to obstruct the due execution of the law]**.
 - b. **[to intimidate, hinder, or interrupt (name of officer)]**.
3. (Name of person) **was an officer engaged in the legal performance of [his] [her] duties or the exercise of [his] [her] rights under the constitution or laws of this state.**

Give only if 2b alleged.

4. **The defendant knew or should have known (name of officer) was a law enforcement officer.**

Definition

"Disguise" is physical concealment in dress or appearance. *Hartly v. State*, 372 So.2d 1180 (Fla. 2d DCA 1979).

Lesser Included Offenses

No lesser included offenses have been identified for this offense.

Comment

The definition of officer is contained in § 843.01, Fla. Stat.

This instruction was adopted in 1981.