

**21.23 INTERFERING WITH A [LAW ENFORCEMENT OFFICER]
[CORRECTIONAL PROBATION OFFICER] [FIREFIGHTER] [EMERGENCY
MEDICAL CARE PROVIDER] AFTER WARNING**

§ 843.31, Fla. Stat.

To prove the crime of Interfering with a [Law Enforcement Officer] [Correctional Probation Officer] [Firefighter] [Emergency Medical Care Provider] After Warning, the State must prove the following five elements beyond a reasonable doubt:

- 1. (Defendant) received a verbal warning from (victim) not to approach [him] [her].**
- 2. At the time, (victim) was a[n] [law enforcement officer] [correctional probation officer] [firefighter] [emergency medical care provider].**
- 3. At the time, (victim) was engaged in the lawful performance of a legal duty as a[n] [law enforcement officer] [correctional probation officer] [firefighter] [emergency medical care provider].**
- 4. (Defendant) knew or reasonably should have known (victim) was a[n] [law enforcement officer] [correctional probation officer] [firefighter] [emergency medical care provider].**
- 5. (Defendant) knowingly and willfully violated (victim's) verbal warning by approaching [or remaining within 25 feet of (victim)] with the intent to [impede or interfere with (victim's) ability to perform [his] [her] legal duty] [threaten (victim) with physical harm] [harass (victim)].**

“Willfully” means intentionally and purposefully.

Give as applicable.

A law enforcement officer is defined as (insert language from § 943.10(1), Fla. Stat.)

A correctional probation officer is defined as (insert language from § 943.10(3), Fla. Stat.)

A firefighter is defined as (insert language from § 784.07(1), Fla. Stat.).

An emergency medical care provider is defined as (insert language from § 784.07(1), Fla. Stat.).

Give if applicable.

“Harass” means to willfully engage in a course of conduct directed at a [law enforcement officer] [correctional probation officer] [firefighter] [emergency medical care provider] which intentionally causes substantial distress in that

[law enforcement officer] [correctional probation officer] [firefighter] [emergency medical care provider] and which serves no legitimate purpose.

Lesser Included Offense

**INTERFERING WITH A [LAW ENFORCEMENT OFFICER] [CORRECTIONAL PROBATION OFFICER] [FIREFIGHTER] [EMERGENCY MEDICAL CARE PROVIDER]
AFTER WARNING — 843.31**

CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS.NO.
Resisting an Officer Without Violence (Category 1 lesser only if victim is a LEO or a CPO)		843.02	21.2
	Attempt	777.04	5.1

Comment

This instruction was adopted on June 27, 2025.