

**21.19(c) MALICIOUSLY [HARASSING] [TEASING] [INTERFERING WITH]
[ATTEMPTING TO INTERFERE WITH] A [POLICE] [FIRE] [SEARCH AND RESCUE]
[CANINE] [HORSE] WHILE IN PERFORMANCE OF ITS DUTIES**

§ 843.19(4), Fla. Stat.

To prove the crime of Maliciously [Harassing] [Teasing] [Interfering with] [Attempting to Interfere With] a [Police] [Fire] [Search and Rescue] [Canine] [Horse] while in Performance of its Duties, the State must prove the following four elements beyond a reasonable doubt:

1. (Defendant) [intentionally] [or] [knowingly] maliciously [harassed] [teased] [interfered with] [attempted to interfere with] a [canine] [horse].
2. The [canine] [horse] was a [police] [fire] [search and rescue] [canine] [horse].
3. At the time, the [canine] [horse] was engaged in the performance of its duties.
4. (Defendant) knew the [canine] [horse] was a [police] [fire] [search and rescue] [canine] [horse].

Definitions.

R.N. v. State, 257 So. 3d 507 (Fla. 4th DCA 2018).

“Maliciously” means with ill will, hatred, spite, or an evil intent.

Give as applicable.

§ 843.19(1), Fla. Stat.

“Police canine” means any canine that is owned, or the service of which is employed, by a law enforcement agency or a correctional agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

“Fire canine” means any canine that is owned, or the service of which is employed, by a fire department, a special fire district, or the State Fire Marshal for the principal purpose of aiding in the detection of flammable materials or the investigation of fires.

A **“search and rescue canine”** is a canine that is owned, or the service of which is employed by a fire department, a law enforcement agency, a correctional agency, a special fire district, or the State Fire Marshal for the principal purpose of aiding in the detection of missing persons, including, but not limited to, persons who are lost, who are trapped under debris as the result of a natural, manmade, or technological disaster, or who are drowning victims.

“Police horse” means any horse, that is owned, or the service of which is employed, by a law enforcement agency or a correctional agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

Lesser Included Offense

No lesser included offenses have been identified for this offense.

Comment

This instruction was adopted in 2020.