

## ELEMENTS OF COMMON CRIMINAL OFFENSES

CRIME		STATUTE	ELEMENTS (Note: Boxes should be check marked; italicized words should be explained, underlines must be clarified; Blanks should be filled in.)
<input type="checkbox"/>	Disorderly Conduct	947.01 Class B Misd.	<ul style="list-style-type: none"> <li>I engaged in violent/abusive/indecent/profane/boisterous/unreasonably loud/otherwise disorderly conduct</li> <li>My conduct, under the circumstances, tended to cause or provoke a disturbance</li> </ul>
<input type="checkbox"/>	Obstructing or Resisting an Officer	946.41 Class A Misd.	<ul style="list-style-type: none"> <li>I obstructed an Officer by conduct that prevented or made more difficult the performance of the officer's duties or</li> <li>I resisted an officer</li> <li>The officer was doing an act in an official capacity</li> <li>The officer was doing an act with lawful authority</li> <li>I knew that the officer was an officer acting in an official capacity and with lawful authority</li> <li>I knew my conduct would obstruct/resist the officer</li> </ul>
<input type="checkbox"/>	Battery (Bodily Harm)	940.19(1) Class A Misd.	<ul style="list-style-type: none"> <li>I caused bodily harm to a victim: _____</li> <li>I intended to cause bodily harm to that victim (or another person)</li> <li>The victim did not consent to such bodily harm</li> <li>I knew that the victim did not consent</li> </ul>
<input type="checkbox"/>	Criminal Damage to Property	943.01 Class A Misd.	<ul style="list-style-type: none"> <li>I caused damage to physical property of another</li> <li>I intended to cause such damage</li> <li>I did not have the consent of the owner to damage the physical property</li> <li>I knew that I did not have consent of the owner to damage the physical property</li> </ul>
<input type="checkbox"/>	Possession of a Controlled Substance	161.41(3) Unclass. Misd.	<ul style="list-style-type: none"> <li>I possessed a substance</li> <li>The substance was a controlled substance: _____</li> <li>I knew or believed that the controlled substance was the controlled substance named above.</li> </ul>
<input type="checkbox"/>	Possess Drug Paraphernalia	961.573(1) Class U Misd.	<ul style="list-style-type: none"> <li>I possessed an item</li> <li>The item was drug paraphernalia</li> <li>I possessed drug paraphernalia with the primary intent to use it to ingest, inhale, or otherwise introduce into the human body a controlled substance</li> </ul>
<input type="checkbox"/>	Bail Jumping	946.49(1)(a) Class A Misd. or 946.49(1)(b) Class H Felony	<ul style="list-style-type: none"> <li>I was charged with a <u>felony/misdemeanor</u></li> <li>I was released from custody on bond</li> <li>I intentionally failed to comply with the terms of the bond</li> </ul>
<input type="checkbox"/>	Operating Without a Valid Driver's License	343.05	<ul style="list-style-type: none"> <li>I operated a motor vehicle on a public highway of this state</li> <li>I did not hold a valid operator's license at the time I operated the motor vehicle</li> </ul>
<input type="checkbox"/>	Operating After Revocation or Suspension	343.44	<ul style="list-style-type: none"> <li>I <u>operated/drove</u> a motor vehicle on a public highway of this state</li> <li>At the time I <u>operated/drove</u> the motor vehicle my operating privileges had been <u>revoked/suspended</u> by the Department of Transportation and not reinstated</li> <li>I knew or had cause to know that my operating privileges had been <u>revoked/suspended</u></li> </ul>
<input type="checkbox"/>	OWI	346.63	<ul style="list-style-type: none"> <li>I <u>operated/drove</u> a motor vehicle on a public highway of this state</li> <li>At the time of the <u>operation/driving</u> I was under the influence of an intoxicant; that is, my ability to operate or drive was materially impaired by the consumption of alcohol</li> </ul>
<input type="checkbox"/>	Operating with a PAC	346.63	<ul style="list-style-type: none"> <li>I <u>operated/drove</u> a motor vehicle on a public highway of this state</li> <li>At the time of the operating/driving I had a prohibited alcohol level</li> </ul>

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<input type="checkbox"/> Operating a Motor Vehicle Without Consent of Owner	943.23(3) Class E Felony	<ul style="list-style-type: none"> <li>I intentionally drove/operated a vehicle of another</li> <li>The driving/operating of such vehicle was without the consent of the owner</li> <li>I knew that such driving/operating was without the owner's consent</li> </ul>
<input type="checkbox"/> Violating a Domestic Abuse Temporary Restraining Order	813.12(3) Class U Misd.	<ul style="list-style-type: none"> <li>An <u>injunction/temporary restraining order</u> was issued against me</li> <li>I committed an act that violated the terms of the <u>injunction/temporary restraining order</u></li> <li>I knew that the <u>injunction/temporary restraining order</u> had been issued and knew that my acts violated its terms</li> </ul>
<input type="checkbox"/> Sexual Assault, 4th degree	940.225(3m) Class A Misd.	<ul style="list-style-type: none"> <li>I had <i>sexual contact</i> with a victim: _____</li> <li>I had sexual contact with the victim with the intent to become <i>sexually aroused or gratified</i></li> <li>The victim did not consent to the sexual contact</li> </ul>
<input type="checkbox"/> Burglary (unarmed)	943.10 Class C Felony	<ul style="list-style-type: none"> <li>I intentionally entered the <u>building/dwelling</u> of another</li> <li>I did not have the consent of the owner or person in lawful possession to enter</li> <li>I knew that I did not have the consent to enter</li> <li>At the time I entered I intended to steal or commit a felony</li> </ul>
<input type="checkbox"/> Theft (under \$2,500)	943.20 Class A. Misd.	<ul style="list-style-type: none"> <li>I intentionally took and carried away <i>movable property</i> of another</li> <li>I did not have the consent of the owner to take and carry away this property</li> <li>I knew that I did not have the consent of the owner to take and carry away this property</li> <li>I intended to <i>permanently deprive</i> the owner of the possession of the property</li> </ul>
<input type="checkbox"/> Retail Theft (shoplifting) (under \$500)	943.50(1m) Class A Misd.	<ul style="list-style-type: none"> <li>I intentionally took and carried away merchandise held for resale by a merchant</li> <li>I did not have the consent of the owner to take and carry away this property</li> <li>I knew that I did not have the consent of the owner to take and carry away this property</li> <li>I intended to <i>permanently deprive</i> the merchant of the possession of the merchandise</li> </ul>
<input type="checkbox"/> Receiving Stolen Property (under \$2,500)	943.34(1) Class A Misd.	<ul style="list-style-type: none"> <li>I intentionally <u>received/concealed</u> property: _____</li> <li>The property was stolen property</li> <li>I knew or believed hat the property was stolen when it was <u>received/concealed</u></li> </ul>
<input type="checkbox"/> Issuance of a worthless check (under \$2,500)	943.24 Class A Misd.	<ul style="list-style-type: none"> <li>I issued a check</li> <li>At the time the check was issued, I intended that it not be paid</li> </ul>
<input type="checkbox"/> Forgery (uttering)	943.38(2) Class C Felony	<ul style="list-style-type: none"> <li>The writing was one by which <i>legal rights or obligations</i> are created or transferred</li> <li>The writing was falsely <u>made/altered</u></li> <li>I issued (or uttered) the writing as genuine</li> <li>I knew the writing was falsely <u>made/altered</u></li> </ul>
<input type="checkbox"/> Party to a Crime		<input type="checkbox"/> I directly committed the crime <b>or</b> <input type="checkbox"/> I aided and abetted in committing the crime. Aiding and abetting means I assisted the person who committed the crime or I was ready and willing to assist that person and that person knew of my willingness to assist.