

Ala. Code 1975, § 13A-7-25(a)(1)

Criminal Tampering I
(Interruption or Impairment)

The defendant is charged with criminal tampering in the first degree.

A person commits the crime of criminal tampering in the first degree if he/she intentionally causes substantial interruption or impairment of a service rendered to the public by a utility, having no right to do so or any reasonable ground to believe that he/she has such a right.

To convict, the State must prove beyond a reasonable doubt each of the following elements of criminal tampering in the first degree:

- (1) The defendant intentionally caused substantial interruption or impairment of a service to the public **(describe)** by a utility **(describe)**, by **(describe nature of act committed)**; and
- (2) The defendant did not have a right to do so or have any reasonable ground to believe he/she had such a right.

A person acts ***intentionally*** with respect to a result or to conduct when his/her purpose is to cause that result or to engage in that conduct. [13A-2-2]

A “*utility*” is an enterprise which provides gas, electric, steam, water, sewage, transportation or communication services, cable and broadband services, and any institution that provides health and safety protection or other public services. It may be either publicly or privately owned. [13A-7-24(3)]

If you find from the evidence that the State has proved beyond a reasonable doubt each of the above elements of the offense of criminal tampering in the first degree, then you shall find the defendant guilty of criminal tampering in the first degree.

If you find that the State has failed to prove beyond a reasonable doubt any one or more of the elements of the offense of criminal tampering in the first degree, then you cannot find the defendant guilty of criminal tampering in the first degree.

[Adopted 09-19-14.]