

Ala. Code 1975, §15-23-20

Impairing Verity or Availability of Commission Record

The defendant is charged with impairing the verity or availability of a commission record.

A person commits the crime of impairing the verity or availability of a commission record if he/she is a member, agent or employee of the Alabama Crime Victims Compensation Commission and he/she intentionally destroys, mutilates, conceals, removes or otherwise impairs the verity or availability of any commission record with the knowledge of a lack of authority to do so.

To convict, the State must prove beyond a reasonable doubt each of the following elements:

- (1) The defendant was a member, agent or employee of the Alabama Crime Victim's Compensation Commission;
- (2) The defendant destroyed, mutilated, concealed, removed or otherwise impaired the verity or availability of a commission record, **[insert the name or a description of the record]**;
- (3) The defendant did so with the knowledge of a lack of authority to do so; **(AND)**
- (4) The Defendant did so intentionally.

A person acts *intentionally* with respect to a result or to conduct when it is his/her purpose to cause that result or to engage in that conduct. [13A-2-2(1)]

If you find from the evidence that the State has proved beyond a reasonable doubt each of the above elements of impairing the verity or availability of a commission record, then you shall find the defendant guilty of impairing the verity or availability of a commission record.

If you find that the State has failed to prove any one or more of the elements of the offense of impairing the verity or availability of a commission record, then you cannot find the defendant guilty of impairing the verity or availability of a commission record.

[If lesser-included offenses are included, the Court should instruct on those offenses at this point.]

[Approved 05/09/19]