, the defendant in this case, has been charged with the crime of theft of computer services in the first degree.

To prove that the defendant committed this crime, the state must prove beyond a reasonable doubt each of the following elements:

(1) the defendant obtained the use of computer time, a computer system, a computer program, a computer network, or any part of a computer system or network;

(2) the defendant’s use of the computer time, system, program, network or part of a system or network was unauthorized;

(3) the defendant obtained the use with reckless disregard that the use was unauthorized; and

(4) the value of the services was $25,000 or more.

# USE NOTE

The following terms are defined in other instructions:

"computer" – 11.46.990

"computer network" – 11.46.990

"computer program" – 11.46.990

"computer system" – 11.46.990

"obtain" – 11.46.990

"reckless disregard" - 11.46.190 #7

"services" - 11.81.900(b)

For determination of value, see AS 11.46.980.

"Reckless disregard" is defined in Andrew v. State, 653 P.2d 1063 (Alaska 1982).