**CONCEALMENT OF MERCHANDISE 11.46.220(c)(3)**

**(CLASS B MISDEMEANOR)**

**Revised 2017**

**Page 1 of 1**

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 , the defendant in this case, has been charged with the crime of concealment of merchandise.

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

(1) the defendant knowingly concealed on or about the defendant’s person the merchandise of a commercial establishment;

(2) the defendant had no authority to conceal the merchandise;

(3) the defendant had not purchased the merchandise;

(4) the defendant was still upon the premises of the commercial establishment when the merchandise was concealed;

(5) the defendant intended to deprive the owner of the merchandise or appropriate the merchandise to the defendant or to a third person who was not the rightful owner; and

(6) the value of the merchandise was less than $250.

# USE NOTE

The following terms are defined in other instructions:

"appropriate" – 11.46.990

"deprive" – 11.46.990

"intentionally" - 11.81.900(a)

"knowingly" - 11.81.900(b)

For determination of value, see AS 11.46.980