**Tampering with Physical Evidence AS 11.56.610(a)(2)**

**Added 2022**

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 , the defendant in this case, has been charged with the crime of tampering with physical evidence 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 knowingly [made], [presented], or [used] physical evidence;
2. The defendant did so knowing the physical evidence was false;
3. The defendant did so with the intent to mislead a [juror] [public servant]; and
4. [The juror was engaged in an official proceeding] [The public servant was engaged in an official proceeding or a criminal investigation].

**USE NOTE**

The following terms are defined in a statute or other instructions:

“knowingly” – AS 11.81.900

“intentionally” – AS 11.81.900

“physical evidence” – AS 11.56.900(4)

“juror” – AS 11.56.900(3)

“official proceeding” – AS 11.81.900

“public servant” – AS 11.81.900

Based on AS 11.81.610, the mental state “knowingly” is included in element (1) of this offense.