

**CRIMINAL TAMPERING IN THE THIRD DEGREE**  
**(Tampering with Another's Property;**  
**Intent to Cause Substantial Inconvenience)**  
**Penal Law § 145.14**  
**(Committed on or after Jan. 1, 1979)**

The (*specify*) count is Criminal Tampering in the Third Degree.

Under our law, a person is guilty of Criminal Tampering in the Third Degree when, having no right to do so nor any reasonable ground to believe that he or she has such right, that person tampers with property of another person<sup>1</sup> with intent to cause substantial inconvenience to such person [or a third person].

The following terms used in that definition have a special meaning:

INTENT means a conscious objective or purpose.<sup>2</sup> Thus, a person intends to cause substantial inconvenience to another person when his or her conscious objective or purpose is to cause such substantial inconvenience to another person.

A person TAMPERS with property of another when he or she improperly alters or interferes with such property.<sup>2</sup>

In order for you to find the defendant guilty of this crime, the People are required to prove, from all of the evidence in the case beyond a reasonable doubt, each of the following three elements:

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<sup>1</sup>The term "property of another" utilized in the definition of this crime is defined by statute; but the statute restricts that definition to the crimes of criminal mischief [Penal Law § 145.13].

<sup>2</sup> See Penal Law § 15.05(1).

<sup>3</sup> See Black's Law Dictionary (6th ed, 1990).

1. That on or about (date), in the county of (county), the defendant, (defendant's name), tampered with property of another person;
2. That the defendant did so with the intent to cause substantial inconvenience to such person [*or* a third person]; and
3. That the defendant had no right to do so nor any reasonable ground to believe he/she had such right.

If you find the People have proven beyond a reasonable doubt each of those elements, you must find the defendant guilty of this crime.

If you find the People have not proven beyond a reasonable doubt any one or more of those elements, you must find the defendant not guilty of this crime.