

Arizona Peace Officer Standards and Training

Basic Curriculum Model Lesson Plan

LESSON TITLE: SUBSTANTIVE CRIMINAL LAW 2.11

SUBJECT:	Substantive Criminal Law
AZ POST DESIGNATION:	2.11 Chapter 28 Judicial Interference and Related Offenses
HOURS:	.5
COURSE CONTENT:	An analysis of the most frequently used statutes in this chapter.
PERFORMANCE OBJECTIVES:	Upon completion of this course of instruction, students using notes, handouts and other support materials as references, within the allotted time, will: <ul style="list-style-type: none">2.11.28.1 Identify examples of the crimes of interfering with judicial proceedings per A.R.S. §13-2810(A)(1) and (A)(2).2.11.28.2 Given a copy of A.R.S. Title 13 and a written, verbal or visual description depicting the possible commission of the following crime(s), identify if a crime occurred and, if so, the appropriate code section and crime classification:<ul style="list-style-type: none">A. Influencing a witness (A.R.S. §13-2802).B. Tampering with a witness (A.R.S. §13-2804).C. Influencing a juror (A.R.S. §13-2805).D. Jury tampering (A.R.S. §13-2807).E. Tampering with physical evidence (A.R.S. §13-2809).

LESSON TITLE: SUBSTANTIVE CRIMINAL LAW
CHAPTER 28 JUDICIAL INTERFERENCE AND RELATED OFFENSES

PAGE: 2

DATE FIRST PREPARED: November 2000

PREPARED BY: SME Committee

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AZ POST – APPROVAL:	Steve Enteman	DATE: August 2019
AZ POST – APPROVAL:	Mandy Faust	DATE: February 2021
AZ POST – APPROVAL:	Lori Wait	DATE: January 2022

INSTRUCTOR REFERENCES: A.R.S. Title 13

CLASS LEVEL: Student

TRAINING AIDS: <http://www.azleg.gov/ArizonaRevisedStatutes.asp>

INSTRUCTIONAL STRATEGY: Interactive lecture.

SUCCESS CRITERIA: 70% or higher on a written, multiple-choice examination.

COMPUTER FILE NAME: 2-11 Ch 28 Judicial Interference and related

DATE RELEASED TO THE SHARE FILE: May 27, 2022

I. INTRODUCTION

- A. Instructor – (self) introduction.
- B. Preview of performance objectives. ***INSTRUCTOR NOTE:** Use if taught as a “Stand alone” lesson plan.*

II. 13-2801 – DEFINITIONS

- A. Juror – means any person who is a member of any impaneled jury or grand jury and includes any person who has been drawn or summoned to attend as a prospective juror.
- B. Official proceeding – means a proceeding heard before any legislative, judicial, administrative or other governmental agency or official authorized to hear evidence under oath.
- C. Physical evidence – means any article, object, document, record or other thing of physical substance.
- D. Testimony – means oral or written statements, documents or any other material that may be offered by a witness in an official proceeding.

III. 13-2802 – INFLUENCING A WITNESS

P. O. 2.11.28.2A

- A. A person commits this crime if such person threatens a witness or offers, confers or agrees to confer any benefit upon a witness in any official proceeding or a person he/ she believes may be called as a witness with intent to:
 - 1. Influence the testimony of that person; or
 - 2. Induce that person to avoid legal process summoning him/her to testify; or
 - 3. Induce that person to absent himself/herself from any official proceeding to which he/she has been legally summoned.
- B. This is a felony.

IV. 13-2804 – TAMPERING WITH A WITNESS

P. O. 2.11.28.2B

- A. A person commits this crime if such person knowingly induces a witness in any official proceeding or a person he/she believes may be called as a witness to:
 - 1. Unlawfully withhold any testimony; or
 - 2. Testify falsely; or
 - 3. Absent himself/herself from the proceeding; or

4. Evade a summons or subpoena.

B. This is a felony.

V. 13-2805 – INFLUENCING A JUROR

P. O. 2.11.28.2C

A. A person commits this crime if such person threatens a juror or offers, confers or agrees to confer a benefit upon a juror with the intent to influence the juror's vote, opinion, decision or other action as a juror.

B. This is a felony.

VI. 13-2807 – JURY TAMPERING

P. O. 2.11.28.2D

A. A person commits this crime if, with intent to influence a juror's vote, opinion, decision or other action in a case, such person directly or indirectly, communicates with a juror other than as a part of the normal proceedings of the case.

B. This is a Class 6 felony.

VII. 13-2809 – TAMPERING WITH PHYSICAL EVIDENCE

P. O. 2.11.28.2E

A. A person commits this crime if, with intent that it be used, introduced, rejected or unavailable in an official proceeding which is then pending or which such person knows is about to be instituted, such person:

1. Destroys, mutilates, alters, conceals or removes physical evidence with the intent to impair its verity or availability; or
2. Knowingly makes, produces or offers any false physical evidence; or
3. Prevents the production of physical evidence by an act of force, intimidation or deception against any person.

B. Inadmissibility of the evidence is not a defense.

C. This is a felony.

VIII. 13-2810 – INTERFERING WITH JUDICIAL PROCEEDINGS

P. O. 2.11.28.1

A. A person commits this crime if such person knowingly:

1. Engages in disorderly, disrespectful or insolent behavior during the session of a court which directly tends to interrupt its proceedings or impairs the respect due to its authority (contempt of court); or

- 2. Disobeys or resists the lawful order, process or other mandate of a court.
- B. This is a misdemeanor.

IX. CONCLUSION

- A. Review of performance objectives.
- B. Final questions and answers.
- C. Instructor closing comment(s).