

CONCEALMENT OF A HUMAN CORPSE
Penal Law § 195.02
Committed on or after Nov 22, 2015

The (specify) count is Concealment of a Human Corpse.

Under our law, a person is guilty of Concealment of a Human Corpse when having a reasonable expectation that a human corpse or a part thereof will be produced for or used as physical evidence in:

Specify appropriate alternative(s):

an official proceeding;

an autopsy as part of a criminal investigation;

an examination by law enforcement personnel as part of a criminal investigation;

such person, alone or in concert with another,

Specify appropriate alternative(s):

conceals,

alters [or]

destroys

such corpse or part thereof with the intent to prevent its production, use or discovery.

The following term used in that definition has a special meaning:

INTENT means conscious objective or purpose. Thus, a person acts with intent to prevent a corpse's production, use or discovery when that person's conscious objective or purpose is to do so.¹

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

¹ See Penal Law § 15.05(1).

1. That on or about (date), in the County of (County), the defendant, (defendant's name), had a reasonable expectation that a human corpse or a part thereof would be produced for or used as physical evidence in:

Specify appropriate alternative(s):

an official proceeding;

an autopsy as part of a criminal investigation;

an examination by law enforcement personnel as part of a criminal investigation;

2. That the defendant, [alone or in concert with another],

Specify appropriate alternative(s):

concealed,

altered [or]

destroyed

the corpse or part thereof; and

3. That the defendant did so with the intent to prevent the corpse's production, use or discovery.

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

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.