**T.P.I. -- CRIM. 30.07(b)**

**HARASSMENT**

**(for offenses committed on or after 7/1/16)**

Any person who commits the offense of harassment is guilty of a crime.

For you to find the defendant guilty of this offense, the state must have proven beyond a reasonable doubt the existence of the following essential elements:

[Part A:

(1) that the defendant communicated a threat to another person;

and

(2) that the defendant intended the communication to be a threat of harm to the alleged victim;

and

(3) that a reasonable person would perceive the communication to be a threat of harm.]

or

[Part B:

(1) that the defendant communicated with another person without lawful purpose, anonymously or otherwise;

and

(2) that the defendant intended that the frequency or means of the communication *[annoy] [offend] [alarm] [frighten]* the recipient;

and

(3) that the defendant by this action *[annoyed] [offended] [alarmed]*

*[frightened]* the recipient.]

or

[Part C:

(1) that the defendant communicated to another person that *[a relative] [some other person]* had been *[injured] [killed]*;

and

(2) that such communication was known by the defendant to be false;

and

(3) that the defendant by this action intended to harass that person.

"Communicate" means contacting a person in writing or print or by telephone, wire, radio, electromagnetic, photoelectronic, photooptical, or electronic means, and includes text messages, facsimile transmissions, electronic mail, instant messages, and messages, images, video, sound recordings, or intelligence of any nature sent through or posted on social networks, social media, or web sites.

“Intended” means that a person acts intentionally with respect to the nature of the conduct or to a result of the conduct when it is the person's conscious objective or desire to engage in the conduct or cause the result.

"Knowingly" and “known” means that a person acts knowingly with respect to the conduct or to circumstances surrounding the conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly with respect to a result of the person's conduct when the person is aware that the conduct is reasonably certain to cause the result.