

**STATE OF MIND**<sup>1</sup>

**[Select Appropriate]**

Purpose/knowledge/intent/recklessness/negligence is/are condition(s) of the mind which cannot be seen and can only be determined by inferences from conduct, words or acts.

A state of mind is rarely susceptible of direct proof, but must ordinarily be inferred from the facts. Therefore, it is not necessary, members of the jury, that the State produce witnesses to testify that an accused said he/she had a certain state of mind when he/she engaged in a particular act. It is within your power to find that such proof has been furnished beyond a reasonable doubt by inference which may arise from the nature of his/her acts and his/her conduct, and from all he/she said and did at the particular time and place, and from all of the surrounding circumstances.

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<sup>1</sup> See N.J.S.A. 2A Model Charge 4.181, INTENT and N.J.S.A. 2C:2-2.